June 19, 2018

President Donald Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Trump:

We write to express our serious concerns about recent actions to undermine the foundations of our civil service system. We respectfully request that you reconsider and rescind Executive Orders 13836, 13837, and 13839, which undermine the lawful rights and protections afforded to federal employees. At a minimum, we hope you will ensure that managers at federal agencies do not use these executive orders inappropriately to circumvent existing collective bargaining agreements between agencies and federal workers.

The approximately two million men and women in the federal civil service are dedicated and hardworking professionals. They safeguard our national security and food safety, perform lifesaving medical procedures, deliver Social Security and veterans’ benefits, and fulfill countless other responsibilities on behalf of our citizens.

The recent executive orders undermine the decades-old rights of federal employees to fair representation in the workplace. These orders significantly reduce the extent to which federal agencies will negotiate collective bargaining agreements with their workforce. Instead, federal agencies or outside panels will impose workplace policies without good faith negotiation.

Imposing arbitrary limits on the time that federal employees can carry out statutory duties to represent fellow employees — known as official time — makes it harder to resolve workplace disputes and root out waste, fraud, and abuse. The law already requires federal agencies and unions to negotiate agreements that require official time to be “reasonable, necessary, and in the public interest” (5 U.S.C. § 7131) and official time has helped prevent cover-ups of disease outbreaks, address racial harassment, and expedite benefits for veterans.

We support improving the performance of the federal workforce, but these executive orders will do the opposite. These executive orders discourage federal agencies from using their discretion to create reasonable plans for federal employees to improve their performance if they are at risk of demotion or termination. Firing employees without due process undermines the merit-based civil service system, and opens the door for managers to satisfy their own personal vendettas or political agendas.

Some federal agencies already appear to be abrogating existing collective bargaining agreements by citing these executive orders. We ask that you direct agency and department heads to cease and desist from doing so.
It is time to stop the attacks on our federal workers. These are also attacks on our veterans, who make up roughly one-third of the federal civilian workforce. We need to keep politics out of the civil service, and we urge you to reconsider these executive orders.

Sincerely,

Chris Van Hollen
United States Senator

Tim Kaine
United States Senator

Sherrod Brown
United States Senator

Benjamin L. Cardin
United States Senator

Mazie K. Hirono
United States Senator

Brian Schatz
United States Senator

Mark R. Warner
United States Senator

Richard Blumenthal
United States Senator

Kirsten Gillibrand
United States Senator

Jeanne Shaheen
United States Senator

Thomas R. Carper
United States Senator

Patty Murray
United States Senator
Edward J. Markey  
United States Senator

Tammy Duckworth  
United States Senator

Maria Cantwell  
United States Senator

Elizabeth Warren  
United States Senator

Margaret Wood Hassan  
United States Senator

Kamala D. Harris  
United States Senator

Sheldon Whitehouse  
United States Senator

Gary C. Peters  
United States Senator

Angus S. King, Jr.  
United States Senator

Bernard Sanders  
United States Senator

Tammy Baldwin  
United States Senator

Charles E. Schumer  
United States Senator

Richard J. Durbin  
United States Senator

Jack Reed  
United States Senator

Cory A. Booker  
United States Senator

Tina Smith  
United States Senator
Christopher A. Coons
United States Senator

Michael F. Bennet
United States Senator

Tom Udall
United States Senator

Joe Donnelly
United States Senator

Catherine Cortez Masto
United States Senator

Doug Jones
United States Senator

Debbie Stabenow
United States Senator

Patrick J. Leahy
United States Senator

Robert P. Casey, Jr.
United States Senator

Robert Menendez
United States Senator

Jeffrey A. Merkley
United States Senator

Ron Wyden
United States Senator

Dianne Feinstein
United States Senator

Bill Nelson
United States Senator

Martin Heinrich
United States Senator

Amy Klobuchar
United States Senator
Christopher S. Murphy
United States Senator