

June 7, 2025

The Honorable Charles Ezell  
Acting Director  
U.S. Office of Personnel Management  
1900 E Street, NW  
Washington, DC 20415

**RE: Improving Performance, Accountability and Responsiveness in the Civil Service  
Docket No. OPM-2025-0004**

Acting Director Ezell:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Office of Personnel Management's (OPM) notice regarding improving performance, accountability, and responsiveness in the Civil Service. TTD represents 38 affiliate unions across all modes of transportation, including several who represent federal workers at the Federal Aviation Administration, Federal Railroad Administration, and Transportation Security Administration.<sup>1</sup> We therefore have a vested interest in this proposed rulemaking. Additionally, we endorse the comments of our affiliate(s) the American Federation of Government Employees (AFGE). For the reasons enumerated below, we *strongly* urge OPM to suspend this rulemaking. We respectfully request that OPM take these and the comments of our affiliates into due and serious consideration.

Our nation was founded upon the ideal that our government is of the people, by the people, and for the people. The federal workforce exists with these ideals in mind, serving millions of Americans across all federal agencies, departments, and programs. OPM, however, has turned its back on these foundational ideals and the dedicated public servants who work diligently to ensure the federal government delivers on its obligations. Specifically, this proposed rule would politicize the federal workforce by enacting sweeping changes to the structure of the civil service in order to "strengthen employee accountability and the democratic responsiveness of American government, while addressing longstanding performance management challenges in the Federal workforce."

The approach outlined in the notice of proposed rulemaking (NPRM) will functionally revoke the longstanding civil service protections for thousands of federal workers, under the guise of strengthening accountability. Congress has consistently and intentionally built upon these

---

<sup>1</sup> Attached is a complete list of the unions affiliated with TTD.

protections since the passage of the 1883 Pendleton Act to ensure federal employees are not disciplined for political affiliation and have the right to receive notice and an opportunity to respond to potential removals from service. Reclassifying civil service positions into the excepted service, as this rule proposes, revokes the due process and appeals rights that help ensure civil servants can conduct their duties without fear of politically motivated retaliation. Simply put, employees converted to Schedule Policy/Career would effectively become at-will employees with significantly fewer workplace rights and protections.

Additionally, we have significant concerns about OPM's failure to explicitly define "positions of a confidential, policy-making, or policy-advocating character." While OPM claims that roughly 50,000 federal employees will be impacted by the proposed rule, that number will no doubt increase if the Administration later broadly defines which roles constitute policy-influencing positions.<sup>2</sup> Failing to specifically define this term leaves ample room for agencies and the Administration to arbitrarily shift employees to Schedule Policy/Career and thus strip them of critical rights and protections without proper justification.

We must also strongly caution the Administration against moving safety-critical positions into Schedule/Policy Career, especially positions within the Department of Transportation's (DOT) modal agencies. Allowing these workers, whose primary focus is ensuring the safety of our transportation system, to be fired without due process will significantly weaken DOT's ability to meet its core mission of safety. The DOT has already taken extraordinary steps to reduce its workforce, and any further reduction will be to the detriment of transportation workers and the safety of the travelling public.

Again, we strongly encourage the Administration to reconsider their approach for the good of the country and for the sake of the millions of Americans who rely on the essential services provided by the dedicated federal workforce. We appreciate the opportunity to comment on this matter and look forward to working with the OPM in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Regan", enclosed within a circular outline.

Greg Regan  
President

---

<sup>2</sup> <https://www.whitehouse.gov/fact-sheets/2025/04/fact-sheet-president-donald-j-trump-creates-new-federal-employee-category-to-enhance-accountability/>