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RELEASE: OPM Issues Final Rule to Reinforce and Clarify Protections for Nonpartisan Career Civil Service

Washington, D.C. – The U.S. Office of Personnel Management (OPM) today announced a final rule that clarifies and reinforces long-standing protections and merit system principles for career civil servants.

"Career federal employees deliver critical services for Americans in every community," **said OPM Director Kiran Ahuja.** "This final rule honors our 2.2 million career civil servants, helping ensure that people are hired and fired based on merit and that they can carry out their duties based on their expertise and not political loyalty. The Biden-Harris Administration is deeply committed to the federal workforce, as these professionals are vital to our national security, our health, our economic prosperity, and much more."

"Nonpartisan civil servants make sure our food is safe and our water is clean. They protect us from national security threats, care for veterans, and support our seniors," **said OPM Deputy Director Rob Shriver**. "This final rule builds on three years of the Biden-Harris Administration's efforts to strengthen federal agencies and the federal workforce."

"The Biden-Harris Administration knows that career civil servants are the backbone of the federal workforce and should be able to provide the expertise and experience necessary for the critical functioning of the federal government," said **White House Office of Management and Budget Deputy Director for Management Jason Miller**. "As part of the President's Management Agenda, it is a clear policy of the United States government to protect, empower, and rebuild the career federal workforce, and this final rule does just that."

In the first week of the Biden-Harris Administration, President Biden revoked an Executive Order issued by the previous Administration that risked altering our country's long-standing merit-based civil service system, by creating new excepted service schedule, known as "Schedule F," and directing agencies to move potentially large swathes of career employees into this new excepted service status. This attempt would have stripped career civil servants of their civil service protections that ensure that decisions to hire and fire are based on merit, not political considerations.

The final rule advances these important policy goals by:

- Clarifying that the status and civil service protections an employee has accrued cannot be taken away by an involuntary move from the competitive service to the excepted service, or from one excepted service schedule to another. Once a career civil servant earns protections, that employee retains them unless waived voluntarily.

- Clarifying that the phrase "confidential, policy determining, policymaking, or policy-advocating" positions — a term of art to describe positions that lack civil service protections — means noncareer, political appointments. This rule prevents that exception from being misapplied to career civil servants.

- Establishing procedural requirements for moving positions from the competitive service to the excepted service and within the excepted service. This change both creates transparency and establishes an appeals process for federal employees when any such movement is involuntary and characterized as stripping employees of their civil service protections.

OPM issued the final rule after reviewing and responding to more than 4,000 comments submitted by the public in an open and transparent policy-making process. The final rule was posted for Public Inspection on Thursday, April 4 and will be published in the Federal Register on Tuesday, April 9.

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The U.S. Office of Personnel Management (OPM) is the leader in workforce management for the federal government. Our agency builds, strengthens, and serves a federal workforce of 2.2 million employees with programs like hiring assistance, healthcare and insurance, retirement benefits, and much more. We provide agencies with policies, guidance, and best practices for supporting federal workers, so they can best serve the American people.