



NATIONAL FEDERATION OF FEDERAL EMPLOYEES

Affiliated with the International Association of Machinists & Aerospace Workers, AFL-CIO

Frequently Asked Questions (FAQs): OPM Deferred Resignation Program

1. What is the Deferred Resignation Program?

The Deferred Resignation Program was publicized via an email to almost all federal employees on January 28, 2025 and has been followed by supplemental information over the past few days. The unprecedented Program is being implemented by OPM to follow through on the President's goal of significantly downsizing the federal workforce in short order. The Program offers federal employees an administrative leave period maintaining current pay and benefits, followed by resignation effective September 30, 2025.

NFFE Guidance: Do not accept the Deferred Resignation Program. It is unclear that OPM is authorized to offer an administrative leave period as the Program suggests without funding from Congress. OPM has no legal obligation to honor the terms of the Program. The Program is NOT a buyout. Federal employee buyouts are offered by agencies through the Voluntary Separation Incentive Payment (VSIP) program.

2. Will I Have to Work Leading Up to the Resignation Date if I Accept?

You may be required to work prior to the resignation date if you accept the Deferred Resignation Program. Although the Program suggests you will not have to follow RTO orders, you may be required to work remotely. Recent communications from OPM and agencies have tried to clarify this and assure you what the terms of the deal are. Do not be fooled. The original offer that you would be accepting remains ambiguous. The recent extraneous guidance is not enforceable. The Program is also ambiguous as to which employees or employees of certain agencies may be asked to work in "rare cases."

NFFE Guidance: Because the Program is not guaranteed by law and may be in violation of law, we fear OPM will not adhere to the terms stating employees will not have to work until the resignation date. We are not sure employees will be paid as agreed upon accepting the offer.

3. Can I Be Terminated Before the Resignation Date?

The Program does not state that employees will not be terminated if they accept to the Program. Therefore, it is possible you may be terminated before the resignation date if you accept to the Program.

NFFE Guidance: If you would like to keep your current job or do not want to be terminated, do not accept the Program.

4. Can I Accept Another Job?

The Program purports to allow federal employees who accept the Program to be able to take another job. However, current laws, regulations, and policies may prohibit you from accepting another job.

NFFE Guidance: If you accept the Program, be aware of policies at your agency that may prohibit you from taking another job. There may be repercussions if you violate current policies. OPM will not protect you via the Program if you violate current policies.



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5. Which Employees Are Eligible for the Deferred Resignation Program?

Not all federal employees may be eligible for the Program. Employees who are critical to national security or those who are specifically prohibited by their agency are not eligible. Large numbers of federal employees were originally given the “fork in the road” email, only to be told later that they were not eligible for the program. The Program does not provide guidance on who is eligible or how to verify if you are eligible.

NFFE Guidance: There may be consequences if you accept the Program but are not eligible. Do not accept the Program if you think you may be ineligible.

6. Does OPM Have to Honor the Terms of the Deferred Resignation Program?

No. The terms of the Program are not bound by existing laws or policies, and the Program is not funded by nor approved by Congress.

NFFE Guidance: Do not accept the Program. There is zero guarantee that OPM will adhere to the terms listed in the Program.

7. What Can I Do to Push Back Against the Deferred Resignation Program?

NFFE Locals can file requests for information under 5 U.S.C. § 7114(b)(4). NFFE locals can file for a demand to bargain or file grievances over the Deferred Resignation Program as it may violate existing collective bargaining agreements or regulations. Locals may file an Unfair Labor Practice (ULP) regarding the Program.

NFFE Guidance: Bargaining unit employees and NFFE members should consult with NFFE union stewards and National Business Representatives regarding any questions or concerns that may impact you individually at your agency or workplace.

However, NFFE National guidance remains the same: do not accept the Program. Stand strong in solidarity with your colleagues and your union. Encourage BUEs to **join the union** at NFFE1187.org and get involved in the fight. We are stronger together and can fight back against threats to our livelihoods.

The recent emails from OPM are rife with inaccuracies and insults to the federal workforce. It is clear the White House and new OPM leadership do not understand the critical services that federal employees and NFFE members provide. Federal employees do not work “low productivity jobs” and are vital to American communities and economies across the country. This is just one part of this new administration’s plan to completely decimate the civil service.

Do not resign.