

Preparing for a Revived Schedule F: Demeanor in the Office

[Matthew](#)

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As an immediate matter, federal employees should accept the uncontested national election results, act professionally, and perform their assigned duties on behalf of the American people, says NARFE Staff Vice President of Policy and Programs John Hatton. Failure to do so could land reclassified Schedule F employees on a dismissal list. It could also lead to adverse actions, such as termination for cause against non-Schedule F employees, even for conduct that might not have been as punitive in the past, says John P. Mahoney, founding and managing partner of the Washington, D.C. Law Firm of John Mahoney, Attorneys at Law. They specialize in representing federal employees. He says the agency environment could become more politicized, and federal employees who did not like the election results would benefit from keeping a low profile.

Admittedly, that may not be easy to do.



“So, when you put fear in employees, they may not work as productively,” said Tammy Flanagan, principal of Retire Federal, who manages a team of retirement benefits experts providing federal benefits counseling. “I might be losing my job, so I’ve got to start thinking about the future, rather than performing as a dedicated federal employee.’ Some are not sure if they want to stay.”

Union membership also presents interesting issues. Federal unions and union member activities were targeted in the previous Trump administration and could be again. However, union membership could lead to greater protection for federal employees in adverse actions and coverage in collective legal challenges to Schedule F, Mahoney says. On balance, Mahoney thinks federal employees who do not belong should join unions to gain protection, even if it could also lead to a greater chance of being targeted for adverse actions.

“You better join the union and pay the dues so that you, in theory, have representation when an agency and the administration attempt to remove your due process rights,” Mahoney says. “For non-Schedule F employees, if you can buy professional liability insurance that provides coverage, it might provide compensation for termination for cause.”

– David Tobenkin is a freelance writer based in the greater Washington, D.C. area.

NARFE is taking a closer look at the future implementation of Schedule F and what it will look like to federal employees. Stay tuned for updates. (For more information, read [Preparing for a Revived Schedule F: Replacing Angst with Action](#))