Note: The guidance within the memorandum below has been rescinded by Executive Order 14148 titled, "Initial Rescissions of Harmful Executive Orders and Actions."



# UNITED STATES OFFICE OF PERSONNEL MANAGEMENT Washington, DC 20415

The Director

March 5, 2021

#### MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: KATHLEEN M. McGETTIGAN

**ACTING DIRECTOR** 

Subject: Guidance for Implementation of Executive Order 14003 - Protecting the

Federal Workforce

On January 22, 2021, President Biden signed Executive Order (EO) 14003 on Protecting the Federal Workforce (attached). Section 1 notes that "Career civil servants are the backbone of the Federal workforce" and that "[i]t is the policy of the United States to protect, empower and rebuild the career Federal workforce." It further notes that "[i]t is also the policy of the United States to encourage union organizing and collective bargaining." To advance these policy objectives, the EO revoked the following EOs:

- EO 13836 of May 25, 2018 Developing Efficient, Effective, and Cost-Reducing Approaches to Federal Sector Collective Bargaining;
- EO 13837 of May 25, 2018 Ensuring Transparency, Accountability, and Efficiency in Taxpayer-Funded Union Time Use;
- EO 13839 of May 25, 2018 Promoting Accountability and Streamlining Removal Procedures Consistent with Merit System Principles; and
- EO 13957 of October 21, 2020 Creating Schedule F in the Excepted Service

All U.S. Office of Personnel Management (OPM) guidance documents issued pursuant to EOs 13836, 13837, 13839, and 13957 are hereby rescinded. See attached listing of rescinded OPM guidance.

### Revocation of EO 13957 - Schedule F

Section 2(a) of EO 14003 revokes EO 13957. Section 2(b) provides that "the heads of all executive departments and agencies (agencies) shall, consistent with law, immediately suspend, revise, or rescind proposed actions, decisions, petitions, rules, regulations, or other guidance pursuant to, or to effectuate, Executive Order 13957." It further provides that "[t]he Director of the Office of Personnel Management (OPM) shall immediately cease processing or granting any petitions that seek to convert positions to Schedule F or to create new positions in Schedule F."

Agency actions to identify and establish Schedule F positions are to cease immediately. Agencies are to refrain from submitting to OPM any Schedule F list of positions already identified and should handle any materials related to Schedule F pursuant to statutes and regulations governing Federal records and any agency-specific policies governing materials related to revoked policies.

(Questions about how to handle such records should be directed to the National Archives and Records Administration.)

OPM approvals of agency petitions to move positions to Schedule F are revoked. Any agency that received such an approval must cancel any actions taken based on OPM approval of the agency's petition.

# Revocation of EOs 13836, 13837, 13839 and Certain Presidential and Regulatory Actions

Section 3(a) of EO 14003 revokes EO 13836. It also disbands the Interagency Labor Relations Working Group (LRG). All materials issued by the LRG are hereby rescinded. See attached listing. Agencies retain the authority to draft proposals and take positions during collective bargaining that are consistent with law and arrived at using independent judgment, taking into account agency-specific circumstances and Executive Branch policy on collective bargaining.

Section 3(b) revokes EO 13837. Section 3(c) revokes EO 13839. Section 3(d) revokes the Presidential Memorandum of October 11, 2019 (EOs 13836, 13837 and 13839).

# **Direction to Heads of Agencies**

Section 3(e) of EO 14003 directs heads of agencies whose practices were covered by EOs 13836, 13837, and 13839 (affected agencies) to review and identify existing agency actions related to or arising from those orders. Section 3(f) provides that "[t]he heads of agencies shall, as soon as practicable, suspend, revise, or publish for notice and comment proposed rules suspending, revising, or rescinding, the actions identified in the review" described in Section 3(e), "as appropriate and consistent with applicable law and the policy set forth in section 1" of the EO. This includes, but is not limited to, the following actions:

- Actions taken pursuant to EO 13836 Agency actions intended to implement any requirement of EO 13836 shall cease immediately. Affected agencies shall immediately stop implementation of EO 13836, as follows:
  - Affected agencies shall, as appropriate and consistent with applicable law and the policy articulated in EO 14003, and as soon as practicable, suspend, revise or rescind the actions covered in any agency policies, if applicable, implementing requirements pursuant to EO 13836.
  - O Affected agencies must withdraw any collective bargaining proposals in on-going collective bargaining which are intended to implement EO 13836 and, as necessary, draft proposals consistent with law, the policy articulated in EO 14003, and taking into account agency-specific circumstances, as appropriate. This includes any related matter currently pending before the Federal Mediation and Conciliation Service (FMCS) and the Federal Service Impasses Panel (FSIP).
  - To the extent affected agencies successfully renegotiated any CBA provisions intended to implement any requirements of EO 13836 (e.g. collective bargaining procedures, ground rules, permissive bargaining, etc.), agencies must identify those provisions and, as appropriate and consistent with applicable law and the policy articulated in EO 14003, engage impacted unions, as soon as practicable, to

- suspend, revise or rescind the actions covered in these CBA provisions. <sup>1</sup> In carrying out this task, agencies should take a hard look at the degree to which, if any, EO 13836 influenced bargaining-table strategy and decision making. EO 14003 neither requires nor prohibits affected agencies from reopening CBAs on other matters not related to subjects covered by EO 13836.
- o In addition, although agencies are no longer required to submit CBAs and arbitration decisions to the OPM CBA public database in accordance with Section8 of EO 13836, OPM, under its own statutory and regulatory authority, is still requiring that agencies submit to OPM, within 10 days of issuance, any arbitration awards under 5 U.S.C. §7121(e) and (f) relating to actions taken under Chapter43 and Chapter 75, United States Code, for analysis in accordance with OPM's authority under 5 U.S.C §7703(d). OPM also requires that other arbitration awards must be submitted within 30 days of issuance. Agencies should continue to provide OPM with copies of collective-bargaining agreements in the manner preceding issuance of EO 13836.<sup>2</sup>
- Actions related to the authorization of official time described in sections 4(b) and 5(b) of EO 13837 Agency actions intended to implement sections 4(b) and 5(b) of EO 13837 shall cease immediately, including as follows:
  - O Affected agencies shall, as appropriate and consistent with applicable law and the policy articulated in EO 14003, and as soon as practicable, suspend, revise or rescind the actions covered in any agency policies, if applicable, implementing requirements pursuant to sections 4(b) and 5(b) of EO 13837.
  - o Affected agencies shall, as soon as practicable, suspend, revise, or rescind existing agency actions taken to implement sections 4(b) and 5(b) of EO 13837 and, as necessary, establish procedures regarding approval of official time, subject to any collective bargaining obligations under 5 U.S.C. §7131.
  - O To the extent affected agencies successfully renegotiated any CBA provisions intended to implement requirements of sections 4(b) and 5(b) of EO 13837 (e.g. official time approval procedures, etc.), agencies must identify those provisions and, as appropriate and consistent with applicable law and the policy articulated in EO 14003, engage impacted unions, as soon as practicable, to suspend, revise or rescind the actions covered in these CBA provisions. In carrying out this task, agencies should take a hard look at the degree to which, if any, EO 13837

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<sup>&</sup>lt;sup>1</sup> This includes collective bargaining agreements where such matters were imposed by a decision of the Federal Service Impasses Panel and matters pending in agency head review in accordance with 5 U.S.C §7114(c). To the extent agencies were complying with the terms of an expired CBA immediately prior to implementing any <u>EO</u> <u>13836</u> requirements, agencies must revert to prior practices until a new agreement is negotiated with the union. <sup>2</sup> CBAs should continue to be uploaded to the OPM public database in a Portable Document Format (PDF) file format conformant with the standards of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 (d) and 36 CFR Part 1194). When formatting the CBA in preparation for submission to OPM, agencies should not include any actual signatures, individual names, or other personal identifiers. Agencies may simply remove the signature page from the CBA or redact individual signatures, names, and other personal identifiers.

<sup>&</sup>lt;sup>3</sup> This includes collective bargaining agreements where such matters were imposed by a decision of the Federal Service Impasses Panel and matters pending in agency head review in accordance with 5 U.S.C §7114(c). To the extent agencies were complying with the terms of an expired CBA immediately prior to implementing any <u>EO</u> <u>13837</u> requirements, agencies must revert to prior practices until a new agreement is negotiated with the union.

influenced bargaining-table strategy and decision making. EO 14003 neither requires nor prohibits affected agencies from reopening CBAs on other matters not related to subjects covered by EO 13837.

- Actions related to the system for monitoring the use of official time described in section 5(c) of EO 13837 Agency actions intended to implement section 5(c) of EO 13837 shall cease immediately, including as follows:
  - Affected agencies shall, as soon as practicable, suspend, revise, or rescind existing agency actions, including in any agency's policies, taken to implement section 5(c) of EO 13837 and, as necessary, establish procedures for monitoring official time use, subject to any collective bargaining obligations under 5 U.S.C. §7131.
  - O Affected agencies must withdraw any collective bargaining proposals in on-going collective bargaining which are intended to implement section 8 of EO 13837 and, as necessary, draft proposals consistent with law, the policy articulated in EO 14003, and taking into account agency-specific circumstances, as appropriate. This includes any related matter currently pending before the FMCS and the FSIP.
  - To the extent affected agencies successfully renegotiated any CBA provisions intended to implement requirements of section 5(c) of EO 13837 (e.g. official time monitoring, etc.), agencies must identify those provisions and, as appropriate and consistent with applicable law and the policy articulated in EO 14003, engage impacted unions, as soon as practicable, to suspend, revise or rescind the actions covered in these CBA provisions.<sup>4</sup> In carrying out this task, agencies should take a hard look at the degree to which, if any, EO 13837 influenced bargaining-table strategy and decision making.
  - EO 14003 neither requires nor prohibits affected agencies from reopening CBAs on other matters not related to subjects covered by EO 13837.
- Actions taken pursuant to section 8 of EO 13837 Agency actions taken pursuant to section 8 of EO 13837 shall cease immediately, including as follows:
  - O Affected agencies shall, as appropriate and consistent with applicable law and the policy articulated in EO 14003, and as soon as practicable, suspend, revise or rescind the actions covered in any agency policies, if applicable, implementing requirements pursuant to section 8 of EO 13837.
  - Affected agencies must withdraw any collective bargaining proposals in on-going collective bargaining which are intended to implement section 8 of EO 13837 and, as necessary, draft proposals consistent with law, the policy articulated in EO 14003, and taking into account agency-specific circumstances, as appropriate. This includes any related matter currently pending before the FMCS and the FSIP.

<sup>&</sup>lt;sup>4</sup> This includes collective bargaining agreements where such matters were imposed by a decision of the Federal Service Impasses Panel and matters pending in agency head review in accordance with 5 U.S.C §7114(c). To the extent agencies were complying with the terms of an expired CBA immediately prior to implementing any <u>EO</u> 13837 requirements, agencies must revert to prior practices until a new agreement is negotiated with the union.

- To the extent affected agencies successfully renegotiated any CBA provisions intended to implement any requirements of EO 13837 (e.g. official time limits, union offices, etc.), agencies must identify those provisions and, as appropriate and consistent with applicable law and the policy articulated in EO 14003, engage impacted unions, as soon as practicable, to suspend, revise or rescind the actions covered in these CBA provisions.<sup>5</sup> In carrying out this task, agencies should take a hard look at the degree to which, if any, EO 13837 influenced bargaining-table strategy and decision making. EO 14003 neither requires nor prohibits affected agencies from reopening CBAs on other matters not related to subjects covered by EO 13837.
- Revisions to discipline and unacceptable performance policies, including ones codified in bargaining agreements, issued pursuant to section 7(b) of EO 13839 Agencies shall immediately stop implementation of EO 13839, including as follows:
  - O Affected agencies shall, as appropriate and consistent with applicable law and the policy articulated in EO 14003, and as soon as practicable, suspend, revise or rescind the actions covered in any agency policies implementing requirements pursuant to section 7(b) of EO 13839.
  - O Affected agencies must withdraw any collective bargaining proposals in on-going collective bargaining that are intended to implement requirements of section 7(b) of EO 13839 and, as necessary, draft proposals consistent with law and taking into account agency-specific circumstances, as appropriate. This includes any related matter currently pending before the FMCS and the FSIP.
  - o To the extent affected agencies successfully renegotiated any collective bargaining agreement (CBA) provisions intended to implement requirements of 7(b) of EO 13839, agencies must identify these provisions and, as appropriate and consistent with applicable law and the policy articulated in EO 14003, engage impacted unions, as soon as practicable, to suspend, revise or rescind the actions covered in these CBA provisions. In carrying out this task, agencies should take a hard look at the degree to which, if any, EO 13839 influenced bargaining-table strategy and decision making. This includes matters currently pending in agency head review in accordance with 5 U.S.C. §7114(c).
  - Agency actions to implement any other requirements of EO 13839 must cease immediately. This includes the requirement to submit certain data required by Section 6 of EO 13839. Agencies are to refrain from submitting to OPM any such data and should handle any such data as required by statutes and regulations governing Federal records and any applicable policies governing materials related to revoked policies.

<sup>&</sup>lt;sup>5</sup> This includes collective bargaining agreements where such matters were imposed by a decision of the Federal Service Impasses Panel and matters pending in agency head review in accordance with 5 U.S.C §7114(c). To the extent agencies were complying with the terms of an expired CBA immediately prior to implementing any <u>EO</u> 13837 requirements, agencies must revert to prior practices until a new agreement is negotiated with the union. <sup>6</sup> This includes collective bargaining agreements where such matters were imposed by a decision of the Federal Service Impasses Panel and matters pending in agency head review in accordance with 5 U.S.C §7114(c). To the extent agencies were complying with the terms of an expired CBA immediately prior to implementing <u>EO 13839</u> requirements, agencies must revert to prior practices until a new agreement is negotiated with the union.

o EO 14003 neither requires nor prohibits affected agencies from reopening CBAs on other matters not related to subjects covered by EO 13839.

#### **Direction to OPM**

Section 3(e)(vii) and Section 3(f) of EO 14003 require OPM to review, identify, revise and rescind OPM actions arising from the final rule entitled "Probation on Initial Appointment to a Competitive Position, Performance-Based Reduction in Grade and Removal Actions and Adverse actions" published in the Federal Register on October 16, 2020 and effective on November 16, 2020. OPM is preparing proposed rule changes for notice and comment in the Federal Register which will revise or rescind certain OPM regulations. In the near future, this will be made available to agencies, employee groups and the public for comment. However, agencies should not delay in implementing the requirements of Section 3(e) of EO 14003 as it relates to any changes to agency policies made as a result of OPM's regulations.

Section 3(e)(iii) requires OPM to rescind any guidance promulgated pursuant to section 7(d) of EO 13837. See attached listing of rescinded OPM guidance.

## **Ensuring the Right to Engage in Collective Bargaining**

Section 4 of the EO provides that "[t]he head of each agency subject to the provisions of chapter 71 of title 5, United States Code, shall elect to negotiate over the subjects set forth in 5 U.S.C. §7106(b)(1) and shall instruct subordinate officials to do the same."

These subjects cover the numbers, types and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty, and the technology, methods and means of performing work. A failure by agency managers to engage in bargaining over the subjects covered by 5 U.S.C. 7106(b)(1) would be inconsistent with the President's Directive. Therefore, in order to carry out the policy decision of the President reflected in the EO, agencies must commence bargaining in good faith over all of these subjects.

Bargaining over §7106(b)(1) subjects should occur with the following principles in mind:

- 1) Agency and union representatives will bargain over §7106(b)(1) subjects in good faith with the objective of reaching an agreement.
- 2) In the event the parties are unable to reach an agreement, either party may seek the assistance of the Federal Mediation and Conciliation Service (FMCS) as well as any other mutually agreed-upon dispute resolution process in accordance with 5 U.S.C. §7119(a). Every effort should be made to reach agreements that address the interests of both parties.
- 3) If FMCS assistance does not result in an agreement, either party may, in accordance with 5 U.S.C. §7119(b), take the impasse to the Federal Service Impasses Panel to resolve the impasse or to an arbitrator agreed upon by the parties to resolve the impasse under procedures approved by the Panel.
- 4) In the event of an agency head review of a Panel-ordered resolution, the agency may not disapprove the Panel-ordered resolution because it is a §7106(b)(1) subject.

5) In order to implement the policies of the Executive Order, agencies shall agree to bargain over the substance of §7106(b)(1) subjects, whether at the union's request (e.g. midterm bargaining request) or as the result of a proposed agency action (e.g. union responding to an agency notice of a pending change subject to collective bargaining).

Because bargaining over these subjects has most recently been at the discretion of the agency, it may be a new experience for some management and union representatives, and OPM is available to provide technical assistance to support implementation of this policy.

# **Progress Toward a Living Wage for Federal Employees**

Section 5 of the EO provides that the "Director of OPM shall provide a report to the President with recommendations to promote a \$15/hour minimum wage for Federal employees." OPM is conducting an analysis of its authorities and will work with the Chief Human Capital Officers to gather any information necessary to complete this report.

#### **Questions**

Agency headquarters-level human resources offices may contact OPM's Accountability and Workforce Relations office at <a href="mailto:awr@opm.gov">awr@opm.gov</a> or (202) 606-2930 with questions related to this guidance. Employees should contact their agency human resources offices for assistance.

#### Attachments:

- 1) Executive Order 14003 "Protecting the Federal Workforce"
- 2) Rescinded OPM Guidance Documents (see 508-conformant PDF below)

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, and Human Resources Directors

# Rescinded OPM Guidance and Other Documents Related to Executive Orders 13836, 13837, 13839 and 13957 March 5, 2021

#	Title and Location	Issue Date	Description
1	Guidance for Implementation of Executive Order 13836 – Developing Efficient, Effective, and Cost-Reducing Approaches To Federal Sector Collective Bargaining <a href="https://www.chcoc.gov/content/guidance-implementation-executive-order-13836-developing-efficient-effective-and-cost">https://www.chcoc.gov/content/guidance-implementation-executive-order-13836-developing-efficient-effective-and-cost</a>	July 5, 2018	Summarizes key requirements of EO 13836  Attachments: EO 13836; Interagency Labor Relations Group Nominee Form*; Interagency Labor Relations Group Point of Contact Form*; EO 13836 POTUS Report – Status of Collective Bargaining*; and Agency Deadlines*
2	Guidance for Implementation of Executive Order 13837 – Ensuring Transparency, Accountability, and Efficiency in Taxpayer-Funded Union Time Use <a href="https://www.chcoc.gov/content/guidance-implementation-executive-order-13837-%E2%80%93-ensuring-transparency-accountability-and">https://www.chcoc.gov/content/guidance-implementation-executive-order-13837-%E2%80%93-ensuring-transparency-accountability-and</a>	July 5, 2018	Summarizes key requirements of EO 13837  Attachments: EO 13837 and Agency Deadlines
3	Guidance Implementation of Executive Order 13839 – Promoting Accountability and Streamlining Removal Procedures Consistent with Merit System Principles <a href="https://www.chcoc.gov/content/guidance-implementation-executive-order-13839-promoting-accountability-and-streamlining">https://www.chcoc.gov/content/guidance-implementation-executive-order-13839-promoting-accountability-and-streamlining</a>	July 5, 2018	Summarizes key requirements of EO 13839  Attachments: Data Collection Form EO 13839; Table for Agency Deadlines EO 13839
4	Updated Guidance Relating to Enjoinment of Certain Provisions of Executive Orders 13836, 13837, and 13839 <a href="https://www.chcoc.gov/content/updated-guidance-relating-enjoinment-certain-provisions-executive-orders-13836-13837-and">https://www.chcoc.gov/content/updated-guidance-relating-enjoinment-certain-provisions-executive-orders-13836-13837-and</a>	August 29, 2018	Rescinds the portions of the July 5, 2018 guidance memorandum related to the provisions of EO 13836, 13837, and 13839 that were enjoined (Executive Order 13836 §§ 5(a), 5(e), 6; Executive Order 13837 §§ 3(a), 4(a), 4(b); and Executive Order 13839 §§ 3, 4(a), 4(c).), pursuant to a district court order

#	Title and Location	Issue Date	Description
5	Interpretive Guidance on Section 5 Ensuring Integrity of Personnel Files Contained in Executive Order 13839 <a href="https://www.chcoc.gov/content/interpretive-guidance-section-5-ensuring-integrity-personnel-files-contained-executive-order">https://www.chcoc.gov/content/interpretive-guidance-section-5-ensuring-integrity-personnel-files-contained-executive-order</a>	October 10, 2018	Clarifies the application of Section 5 of EO 13839, Ensuring Integrity of Personnel Files
6	Additional Guidance Relating to Implementation of Executive Orders 13836, 13837, and 13839 <a href="https://www.chcoc.gov/content/additional-guidance-relating-implementation-executive-orders-13836-13837-and-13839">https://www.chcoc.gov/content/additional-guidance-relating-implementation-executive-orders-13836-13837-and-13839</a>	November 8, 2018	Additional guidance to clarify the impacts of the Court's decision on ongoing and upcoming collective bargaining in light of the enjoined provisions of EO 13836, 13837, and 13839
7	Updated Guidance for Submission of Collective Bargaining Agreements and Arbitration Awards in Accordance with EO 13836 - Developing Efficient, Effective, and Cost-Reducing Approaches to Federal Sector Collective Bargaining  https://www.chcoc.gov/content/updated-guidance-submission-collective-bargaining-agreements-and-arbitration-awards	November 20, 2018	Updated guidance to clarify that requirements for agency submission of collective bargaining agreements and arbitration awards were unaffected by the Court's injunction of certain portions of EO 13836  Attachments: EO 13836; OPM Form Number 5022 (Section 508 Conformance Attestation Form); and OPM Form Number 5023  (Collective Bargaining Agreement Submission Form)
8	Executive Order 13839, Promoting Accountability and Streamlining Removal Procedures Consistent with Merit System Principles – Data Collection Requirement for Fiscal Year 2018 <a href="https://www.chcoc.gov/content/executive-order-13839-promoting-accountability-and-streamlining-removal-procedures">https://www.chcoc.gov/content/executive-order-13839-promoting-accountability-and-streamlining-removal-procedures</a>	December 11, 2018	Reminds agencies of the data collection requirement in Section 6 of EO 13839 and provides the form and instructions for submission of Fiscal Year (FY) 2019 data  Attachment: OPM Form 5024 Data Collection Form
9	Updated Guidance on Implementation of Executive Orders 13836, 13837, and 13839  https://www.chcoc.gov/content/updated-guidance-implementation-executive-orders-13836-13837-and-13839	October 4, 2019	Notifies agencies that all provisions of EO 13836, 13837, and 13839, including previously enjoined provisions, are in full force and effect and should be implemented consistent with the requirements and guidance contained in the EOs, pursuant to the U.S. Court of Appeals for the District of Columbia Circuit decision vacating the district court order that had enjoined parts of the three EOs

#	Title and Location	Issue Date	Description
10	Guidance on Progressive Discipline and Tables of Penalties <a href="https://www.chcoc.gov/content/guidance-progressive-discipline-and-tables-penalties">https://www.chcoc.gov/content/guidance-progressive-discipline-and-tables-penalties</a>	October 10, 2019	Provides guidance on progressive discipline and tables of penalties for agencies to consider when updating disciplinary policies or engaging in collective bargaining  Attachment: Guidance on the Use of Progressive Discipline and Tables of Penalties
11	Agency Reporting Requirements to OPM for Fiscal Year 2019 Taxpayer-Funded Union Time Use <a href="https://www.chcoc.gov/content/agency-reporting-requirements-opm-fiscal-year-2019-taxpayer-funded-union-time-use">https://www.chcoc.gov/content/agency-reporting-requirements-opm-fiscal-year-2019-taxpayer-funded-union-time-use</a>	October 23, 2019	Provides additional guidance regarding agency reporting requirements related to EO 13837  Attachment: EO 13837
12	Updated Guidance on Implementation of Executive Orders 13836, 13837, and 13839 <a href="https://www.chcoc.gov/content/updated-guidance-implementation-executive-orders-13836-13837-and-13839-0">https://www.chcoc.gov/content/updated-guidance-implementation-executive-orders-13836-13837-and-13839-0</a>	November 25, 2019	Reminds agencies that EOs 13836, 13837, and 13839 are fully effective and that agencies should take all necessary and appropriate steps to incorporate applicable provisions of the EOs as soon as possible
13	Release of the Collective Bargaining Agreement Database in Accordance with EO 13836 - Developing Efficient, Effective, and Cost-Reducing Approaches to Federal Sector Collective Bargaining and Associated Guidance <a href="https://www.chcoc.gov/content/release-collective-bargaining-agreement-database-accordance-eo-13836-developing-efficient">https://www.chcoc.gov/content/release-collective-bargaining-agreement-database-accordance-eo-13836-developing-efficient</a>	January 9, 2020	Supersedes and replaces the above-mentioned OPM guidance issued on November 20, 2018 and announces release of the Collective Bargaining Agreement (CBA) Database to facilitate agency submission of CBAs and arbitration awards and public availability of CBAs  Attachment: EO 13836
14	Executive Order 13836 – Model Collective Bargaining Agreement Language  Distributed directly to agencies – not publicly posted/released.	July 13, 2020	Labor Relations Group recommendations on draft model language that can be utilized by agency labor relations staff when drafting proposals and counterproposals during ground rules and CBA bargaining.
15	Instructions on Implementing Schedule F <a href="https://www.chcoc.gov/content/instructions-implementing-schedule-f">https://www.chcoc.gov/content/instructions-implementing-schedule-f</a>	October 23, 2020	Provides guidance to agencies on certain matters related to implementing Schedule F

#	Title and Location	Issue Date	Description
16	Executive Order 13839, Promoting Accountability and Streamlining Removal Procedures Consistent with Merit System Principles – Data Collection Requirement for Fiscal Years 2019 and 2020 <a href="https://www.chcoc.gov/content/executive-order-13839-promoting-accountability-and-streamlining-removal-procedures-0">https://www.chcoc.gov/content/executive-order-13839-promoting-accountability-and-streamlining-removal-procedures-0</a> O	November 2, 2020	Reminds agencies of the data collection requirement in Section 6 of EO 13839 and provides the form and instructions for submission of FY2019 and FY2020 data  Attachments: Executive Order 13839; FY2019 OPM Form 5024 Data Collection Form (Rev. October 2020); FY2020 OPM Data Collection Form (Rev. October 2020)
17	Issuance of Regulations on Probation on Initial Appointment to a Competitive Position, Performance-Based Reduction in Grade and Removal Actions and Adverse Actions <a href="https://www.chcoc.gov/content/issuance-regulations-probation-initial-appointment-competitive-position-performance-based">https://www.chcoc.gov/content/issuance-regulations-probation-initial-appointment-competitive-position-performance-based</a>	December 11, 2020	Highlights some of the areas covered by regulation amendments to 5 CFR Parts 315, 432 and 752 and the portions of the Executive Order that were previously enjoined  Attachments: Video highlighting key changes to OPM regulations at 5 CFR Parts 315, 432, and 752; Questions and Answers Attachment
18	Executive Order 13836 – Report to the President on Improving Labor-Management Relations in the Executive Branch.  Distributed directly to agencies that participate in the interagency Labor Relations Working Group – not publicly posted/released.	December 17, 2020	Labor Relations Group recommendations to the President for meeting the goals set forth in section 1 of EO 13836 and for improving the organization, structure, and functioning of labor relations programs across agencies.
19	Changes to OPM Regulations for Probationary Periods; Performance Based Actions; and Adverse Actions (video) <a href="https://www.youtube.com/watch?v=pB1eQa5x2Ng&amp;list=PL66">https://www.youtube.com/watch?v=pB1eQa5x2Ng&amp;list=PL66</a> 1A0022A79B9D45	December 17, 2020	This video highlights key changes to OPM regulations at 5 CFR 315; 5 CFR Part 432; and 5 CFR 752. These regulations update current procedures to make them more efficient and effective in accordance with Executive Order 13839. The regulations also amend references and language due to statutory changes unrelated to Executive Order 13839.