



'Not a buyout': Attorneys and unions urge federal workers not to resign

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The Theodore Roosevelt Federal Building, which houses the headquarters of the Office of Personnel Management, is shown on June 5, 2015, in Washington, D.C.

Mark Wilson/Getty Images

Federal employee unions and attorneys are urging government workers not to accept an [offer from the Trump administration](#) to resign from their jobs by Feb. 6 and be paid through the end of September.

"This 'fork' thing is not a buyout," said Jim Eisenmann, a partner with Alden Law Group who represents federal employees, referring to the "Fork in the Road" subject line that accompanied an [email sent to federal workers Tuesday](#). "It's not based on any law or regulation or anything really other than an idea they cooked up to get federal

employees out of the government."

He said the offer may appear like a soft landing for those who don't want to comply with the Trump administration's requirement to return to the office full-time.

"But there's no guarantee other things won't happen to them between now and then, like they won't get fired for some other reason or they won't get laid off pursuant to a reduction in force," Eisenmann added.



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The email told employees that they have until Feb. 6 to accept the deal, calling it a "deferred resignation program." Anyone wishing to resign was instructed to reply to the email with the word "Resign" and hit "Send."

Almost immediately after the memo hit inboxes, federal workers began sharing their confusion, anger and disbelief on Reddit and elsewhere.

Memo lacked clarity on whether employees who resigned would continue to work

Some of the confusion arose from mixed messaging coming from the U.S. Office of Personnel Management (OPM).

The original OPM memo was unclear on whether employees who choose to resign would be expected to work between now and Sept. 30.

Language included in the memo states: "I understand my employing agency will likely make adjustments in response to my resignation including moving, eliminating, consolidating, reassigning my position and tasks, reducing my official duties, and/or placing me on paid administrative leave until my resignation date."



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One part of the letter that was clear was that employees who accepted the offer would not have to comply with return-to-office requirements.

Many employees took that to mean that if they accepted the offer, they would still be expected to work through Sept. 30 but could continue teleworking.

Later, the agency [posted an FAQ](#) stating: "Except in rare cases determined by your agency, you are not expected to work."

An OPM spokesperson confirmed to NPR on Tuesday night that the expectation was that employees would be put on paid administrative leave soon after they replied to the memo.

Some employees even wondered whether the email was real

Another red flag for many employees was the fact that the email came directly from OPM, not from their agency heads, which is standard protocol.

Several federal employees told NPR that before last week, they had never received any communications directly from OPM. Some even questioned whether the email was real.

Federal employee unions have condemned the email and are telling their employees not to resign.

Matthew Biggs, president of the International Federation of Professional & Technical Engineers (IFPTE), went as far as to call the email a "resignation threat."



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"It's written pretty clearly that if you don't take this thing, this so-called offer, you may not have a job," he said, pointing to a part of the memo that informs employees who wish to remain in their jobs that "the certainty of your position or agency" is not assured.

IFPTE represents roughly 30,000 federal employees, including employees at NASA, the Army Corps of Engineers, the Department of Defense and the Department of

Justice.

Biggs says members who work in areas the memo excludes from the resignation offer, including immigration enforcement and national security, nevertheless received the memo.

"We represent people that do cybersecurity at NASA and other places. We represent scientists, engineers. At the Navy yards, we represent folks that prepare these submarines and these aircraft carriers to go out to sea to support our Navy personnel," he said.

"What if all these people accepted the offer? What would that do to our national security?"

Early Wednesday, White House Press Secretary Karoline Leavitt defended the resignation offer, rejecting another union's characterization of it as an attempt to purge the government.

"That's absolutely false," she told reporters outside the White House. "This is a suggestion to federal workers that — they have to return to work. And if they don't, then they have the option to resign, and this administration is very generously offering to pay them for eight months."

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