

Judge blocks Trump administration’s mass firings of federal workers. By Salvador Rizzo, *The Washington Post*, 27 Feb 2025



SAN FRANCISCO — A federal judge on Thursday ordered the Office of Personnel Management to rescind directives that initiated the mass firing of probationary workers across the government, ruling that the terminations were probably illegal, as a group of labor unions argued in court.

U.S. District Judge William Alsup ordered OPM to rescind its previous directives to more than two dozen agencies, including the Department of Defense, the Park Service, the Bureau of Land Management, the National Science Foundation and others identified in a lawsuit. The ruling — a temporary restraint on the government that will be revisited in the coming weeks — is one of the biggest roadblocks so far to President Donald Trump’s effort to slash the federal workforce.

“Congress has given the authority to hire and fire to the agencies themselves. The Department of Defense, for example, has statutory authority to hire and fire,” Alsup said from the bench as he handed down the ruling Thursday

evening in federal court in San Francisco. “The Office of Personnel Management does not have any authority whatsoever, under any statute in the history of the universe, to hire and fire employees at another agency. They can hire and fire their own employees.”

An OPM spokesperson said the agency had no immediate comment.

A group of union plaintiffs and advocacy organizations led by the American Federation of Government Employees, which represents about 800,000 federal workers nationwide, argued in legal filings that OPM broke the law when it ordered government agencies in mid-February to fire all probationary employees, defined as those who are in the first or second year on the job.

The United States employs about 200,000 such workers, which represents about 10 percent of its civilian federal workforce. Tens of thousands already have been dismissed, often with a template email provided by OPM that falsely cites performance reasons for the terminations, the unions said. Trump and other administration officials have said the cuts are meant to reduce the size of the federal workforce.

“OPM, the federal agency charged with implementing this nation’s employment laws, in one fell swoop has perpetrated one of the most massive employment frauds in the history of this country, telling tens of thousands of workers that they are being fired for performance reasons, when they most certainly were not,” attorneys for the unions said in a court filing.

Many of the employees “had received excellent performance reviews” and were terminated without input from their supervisors, the unions said. Swept up in the cuts were vital employees in charge of forest-fire prevention in California, as well as Federal Aviation Administration workers in airports across the country, staff members providing support services to veterans and researchers at the National Science Foundation.

“OPM has no legal authority to order the termination of any employee at a federal agency, let alone all federal employees nationwide,” an attorney for the plaintiffs, Danielle Leonard, argued at the hearing Thursday.

In response to the lawsuit, the Justice Department and the acting OPM director, Charles Ezell, said the unions lacked legal standing to challenge the

firings in court and should take their claims to the Federal Labor Relations Authority, a panel of presidential appointees, or the Merit Systems Protection Board. The latter board [halted](#) the terminations of six probationary employees in a ruling issued this week, which could have wider implications for the larger pool of [fired probationary employees](#).

The Justice Department argued that the president has “inherent constitutional authority” to decide “how best to manage the Executive Branch, including whom to hire and remove, what conditions to place on continued employment, and what processes to employ in making these determinations.” Ezell said in a court filing that “only the highest-performing probationers in mission-critical areas demonstrate the necessary fitness or qualifications for continued employment.”

An assistant U.S. attorney, Kelsey Helland, argued Thursday that some agencies, including the Justice Department, simply ignored OPM’s communications about firing probationary employees. He said the unions and advocacy groups were “conflating a request from OPM with an order from OPM.”

The Trump administration attorneys also claimed in court papers that OPM had not ordered federal agencies to fire specific employees and did not create a “mass termination program” but rather a “focused review” process. Alsup was skeptical of that argument; multiple agency officials — from the Defense and Agriculture departments, the IRS, the Department of Veterans Affairs, and the National Science Foundation — have said OPM ordered them to fire probationary workers, according to court records.

“How could so much of the workforce be amputated, suddenly, overnight? It’s so irregular and so widespread and so aberrant in the history of our country. How could this all happen with each agency deciding on its own to do something so aberrational?” said Alsup, who was appointed to the bench by President Bill Clinton in 1999. “I don’t believe it.”

The unions said in a legal filing that “[n]o federal agency had announced any terminations of probationary employees in the positions each agency carefully vetted, authorized, and hired employees to perform, prior to OPM’s order.” They added that OPM barely gave officials a chance to justify keeping

probationary workers: “OPM required agencies to adhere to a *200-character limit* in any explanation provided as to why any individual employee should be retained by the agency.”

A federal judge in D.C. last week [denied](#) a similar request for a temporary restraining order filed by government worker unions, ruling that he did not have legal jurisdiction to hear the case and that the unions should take their challenge to the Federal Labor Relations Authority. Trump fired the chairwoman of that agency before her term was set to expire in July. In the meantime, the authority consists of one Republican appointee and one Democratic appointee.

“Probationary employees are the lifeblood of these agencies,” the judge said Thursday. “They come in at the low level and work their way up, and that’s how we renew ourselves and reinvent ourselves.”

Emily Davies contributed to this report.