

117TH CONGRESS  
1ST SESSION

# H. R. 249

To provide that certain Executive orders with respect to Federal employee collective bargaining and workplace rights shall have no force or effect, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2021

Mr. KILMER (for himself, Mr. FITZPATRICK, and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on Education and Labor, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide that certain Executive orders with respect to Federal employee collective bargaining and workplace rights shall have no force or effect, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Federal  
5 Workers Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Federal unions play a critical role in pro-  
4 tecting the rights of Federal workers by allowing  
5 members to have a collective voice on the job and in  
6 the legislative process, advance issues for working  
7 families, ensure equal opportunities for all workers,  
8 and raise the standards by which all professional  
9 and technical workers are employed.

10 (2) Collective bargaining is essential to the  
11 union process, because it provides mutual agreement  
12 between all parties that fosters harmonious relation-  
13 ships between the Federal Government and its em-  
14 ployees and protects the interest of both parties.

15 (3) The current administration has acted  
16 through Executive orders and official memorandums  
17 to dismantle Federal unions and undermine their  
18 collective bargaining rights across the Federal work-  
19 force and these directives have already negatively  
20 impacted labor contracts, both signed and under ac-  
21 tive negotiation.

22 (4) These orders set an aggressive schedule for  
23 unions to engage in collective bargaining, while also  
24 slashing the unions official time for performing  
25 union duties by over 91 percent in some cases.  
26 These actions are limiting the ability for unions to

1 prepare for negotiations and perform their legally re-  
2 quired employee representational duties.

3 (5) Section 7101(a) of title 5, United States  
4 Code, states, “Congress finds that labor organiza-  
5 tions and collective bargaining in the civil service are  
6 in the public interest.”. Attempting to eliminate the  
7 union by eliminating almost all its official time repu-  
8 diates the statutory position that unions are in the  
9 public interest.

10 (6) Through these orders, agencies are required  
11 to comply with artificial bargaining schedules, which  
12 undermine good faith negotiations and divert the de-  
13 cision making to an impasse panel, which has no  
14 union representation on it and does not represent  
15 both parties.

16 (7) Collectively, the administration’s actions  
17 have violated Congressional intent, undermined the  
18 ability of unions to engage in collective bargaining,  
19 blocked successful diversity and inclusion training  
20 programs, and threatened the rights and benefits of  
21 millions of Federal workers.

1 **SEC. 3. NULLIFICATION OF EXECUTIVE ORDERS RELATING**  
2 **TO FEDERAL EMPLOYEE COLLECTIVE BAR-**  
3 **GAINING.**

4 Each of the following Executive orders and presi-  
5 dential memorandum are rescinded and shall have no force  
6 or effect:

7 (1) Executive Order 13837 (relating to the use  
8 of official time).

9 (2) Executive Order 13836 (relating to Federal  
10 collective bargaining).

11 (3) Executive Order 13839 (relating to the  
12 Merit Systems Protection Board).

13 (4) Executive Order 13950 (relating to race  
14 and sex stereotyping).

15 (5) Executive Order 13957 (relating to schedule  
16 F in the excepted service).

17 (6) The Presidential Memorandum on the Dele-  
18 gation of Certain Authority under the Federal Serv-  
19 ice Labor-Management Relations Statute, issued to  
20 the Secretary of Defense on January 29, 2020.

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