

VA



U.S. Department of Veterans Affairs

Office of the Chief Human Capital Officer

Revised as of April 2, 2026 – Significant Changes in Red

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER (OCHCO) BULLETIN

SUBJECT: Department of Veterans Affairs (VA) implementation of Executive Order 14251, *Exclusions from Federal Labor-Management Relations Programs*

- PURPOSE:** On March 27, 2025, President Trump signed Executive Order (EO) 14251: *Exclusions from Federal Labor-Management Relations Programs*, exempting the Department of Veterans Affairs (VA) from Chapter 71 of title 5 of the United States Code, the Federal Service Labor-Management Relations Statute (FSLMRS or Statute). EO 14251 exempted police officers, firefighters, and security guards from its coverage (collectively referred to as Exempted Employees). EO 14251 also delegated authority to the Secretary to issue an order suspending the application of the EO to any organizational component of VA. On April 17, 2025, Federal Register Notice 16427 was published, exempting employees represented by certain non-national unions from EO 14251's coverage. On November 13, 2025, Federal Register Notice 16427 was rescinded and no other exclusion orders have been issued. Accordingly, except as described herein, the VA is no longer subject to the Statute's coverage.
- Pursuant to EO 14251, the Statute applies to Exempted Employees at VA, and the VA is still subject to the requirements of the Statute for those employees.
- On August 6, 2025, pursuant to EO 14251, the Secretary terminated master collective bargaining agreements, and all amendments, local supplemental agreements, and memoranda of understanding at all levels (collectively referred to as National CBAs) with the American Federation of Government Employees (AFGE), the National Association of Government Employees (NAGE), the Service Employees International Union (SEIU), the National Nurses Organizing Committee/National Nurses United (NNOC/NNU), and the National Federation of Federal Employees (NFFE), except insofar as those National CBAs cover Exempted Employees.¹
- Effective November 13, 2025, pursuant to EO 14251, the collective bargaining agreements, and any amendments, memoranda of understanding, and past practices (collectively referred to as Local CBAs), were terminated for the following local unions: Western Federation of Nurses and Health Professionals (WFNHP), Veterans Affairs Staff Nurse Council (VASNC) Local 5032 at the VA Medical Center Milwaukee, WI; United Nurses Association of California/Union of Healthcare Professionals (UNAC/UHCP) at the VA Medical Center, Loma Linda, CA; Teamsters Union Local 115 at the Department of Veterans Affairs Medical Center, Coatesville, PA; International Brotherhood of Electrical

¹ NNOC/NNU and NFFE do not represent any Exempted Employees. Accordingly, VA no longer recognizes NNOC/NNU or NFFE as the exclusive labor representative of any VA bargaining unit employee.



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Workers (IBEW) Local 2168 at the Cheyenne WY VA Medical Center; and, International Association of Machinists and Aerospace Workers, (IAMAW) Local 1998 at the VA National Cemetery of the Pacific in Honolulu, HI. Additionally, effective November 13, 2025, pursuant to EO 14251, the Local CBAs for Laborers International Union of North America (LIUNA) were terminated, except insofar as any LIUNA Local CBA covers Exempted Employees.²

5. Taking this step removed barriers in VA's ability to effectively execute its mission without delay, resulting in a more responsive and accountable workforce that better serves Veterans and safeguards American interests.
6. However, on March 13, 2026, the AFGE National CBA was reinstated pursuant a Memorandum and Order (Order) issued by the District Court for the District of Rhode Island. The Order was granted in response to a Motion for Preliminary Injunction filed by National VA Council (NVAC) and AFGE Local 2305 (Local 2305) in *AFGE Local 2305 & NVAC v. U.S. Department of Veterans Affairs*, No. 1:25-cv-583-MRD-PAS (*NVAC & Local 2305*). The Court later clarified, however, that VA was not prevented from re-terminating the National CBA "in a lawful manner," and on March 26, 2026, VA re-terminated the AFGE National CBA pursuant to EO 14251.
7. On March 27, 2026, the Court granted NVAC and Local 2305's Motion to Enforce the Preliminary Injunction and, effective that same date, the Court held the March 26 re-termination had no force or effect, and the AFGE National CBA — along with all amendments, local supplemental agreements, and memoranda of understanding — would remain fully applicable and binding in both form and substance.
8. Separately, on March 27, 2026, the District Court for the District of Rhode Island issued a Memorandum and Order granting a Motion for Preliminary Injunction in *United Nurses Association of California, et al. v. U.S. Department of Veterans Affairs*, No. 25-cv-674-MRD-PAS (*United Nurses*). As a result, effective March 27, 2026, the local union CBAs for the local unions involved in the *United Nurses* litigation were reinstated, and VA is once again governed by the terms of these reinstated agreements.
9. **PROCEDURES: While the preliminary injunctions issued in the *NVAC & Local 2305* and *United Nurses* cases remain in effect, this Bulletin and attachments (1) & (2) no longer apply to the following unions and their bargaining unit employees:**
 - a. **AFGE;**
 - b. **Western Federation of Nurses and Health Professionals (WFNHP), Veterans Affairs Staff Nurse Council (VASNC) Local 5032 at the VA Medical Center Milwaukee, WI;**

² LIUNA represents police officers at the VA Medical Center in Wilmington, Delaware.

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- c. **United Nurses Association of California/Union of Healthcare Professionals (UNAC/UHCP) at the VA Medical Center, Loma Linda, CA;**
- d. **International Brotherhood of Electrical Workers (IBEW) Local 2168 at the Cheyenne WY VA Medical Center;**
- e. **International Association of Machinists and Aerospace Workers, (IAMAW) Local 1998 at the VA National Cemetery of the Pacific in Honolulu, HI; and**
- f. **Laborers International Union of North America (LIUNA) Locals 572, 1029, and 1322.**

For these unions, Department organizational components should apply their respective CBAs to both Exempted Employees and Non-Exempted Employees.

However, VA is still not required to follow the Statute, collective bargaining agreement, or any other labor obligation with respect to any Non-Exempted Employee (i.e., an employee covered by EO 14251) represented by a union that is not covered by the preliminary injunctions issued in the *NVAC & Local 2305* and *United Nurses* cases (i.e., NAGE, SEIU, NNOC/NNU, NFFE, and the **Teamsters Union Local 115 at the Department of Veterans Affairs Medical Center, Coatesville, PA (Teamsters)**). The Statute, National CBAs, and Local CBAs for the unions who are not involved in the *NVAC & Local 2305* and *United Nurses* litigation still only applies to Exempted Employees (i.e., employees in occupational series 0083 (Police Officers), 0081 (Firefighters), and 0085 (Security Guards)). Note, the International Association of Fire Fighters (IAFF) at the Little Rock, AR VA Medical Center only represents firefighters and, as such, the entirety of its bargaining unit is Exempted Employees. For the unions listed above (i.e., NAGE, SEIU, NNOC/NNU, NFFE, Teamsters, and IAFF), all Department organizational components should continue with the following actions:

- A. **Bargaining**: The Department will only collectively bargain with the unions representing Exempted Employees. All other negotiations shall immediately cease.
- B. **Grievance and Arbitration proceedings**: The Department will only participate in negotiated grievance or arbitration procedures that cover Exempted Employees. Negotiated grievance and arbitration procedures shall be limited for use by unions representing Exempted Employees. Any other grievance or arbitration procedures currently underway shall immediately cease. If applicable, the administrative grievance procedures outlined in VA Handbook 5021 remain available to employees for use.
- C. **Taxpayer-Funded Union Time (TFUT)**: The Department will only authorize TFUT (official time) for Exempted Employees performing representational activities related to Exempted Employees. All other requests for TFUT will be denied. All employees who encumber positions not exempted from EO 14251's coverage (i.e., Non-Exempted Employees) must transition to perform Agency work 100% of their paid

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time, in their position of record. Management will immediately develop transition plans to verify the competence of employees previously on TFUT, provide any necessary training, and return them to their Department-assigned duties. All organizations will be required to confirm that all employees who encumber positions not exempted from EO 14251's coverage and who were previously using TFUT have been returned full-time to Department-assigned duties.

D. Use of Government Property or Other Government Resources: The Department will only authorize the use of government property and other government resources for union business performed by employees who encumber an Exempted position (i.e., police officer, security guard, and/or firefighter) for the unions that represent Exempted Employees. All Non-Exempted Employees (i.e., non-bargaining unit employees) and non-employee union representatives are prohibited from using government property or other government resources to perform union business. Other government resources include, but are not limited to, government-owned or leased transportation, office and meeting space, reserved parking space(s), IT related resources and software, equipment, and inter-office mail and metered mail accounts. Steps to return non-authorized government property and other government resources shall begin immediately. The return of government property, government resources, and/or government-furnished equipment (GFE) must be coordinated with the Office of Information and Technology (OIT), as applicable, and must occur no later than November 26, 2025. Leadership will ensure the availability of necessary staff to facilitate these efforts. Any union information contained on agency local area network (LANs) or other similar agency networks may, upon specific written request by the union representative, be saved and provided to a designated union representative. Individuals no longer authorized to utilize government property should be directed to remove any personal belongings from union office space.

E. Matters Previously Covered in Terminated National CBAs and Local CBAs: Non-Exempted Employees (i.e., employees who are no longer subject to the Labor Statute pursuant to EO 14251) are no longer covered by the terms of terminated National CBAs and Local CBAs. For these employees, VA organizational components should only follow the procedures outlined in VA policy for human resources matters, including, but not limited to, merit promotion, tours of duty, details, reassignments, hours of work, overtime, telework, leave usage, performance or disciplinary related matters, and official travel.

10. The Office of Labor-Management Relations (LMR) remains responsible for the administration of the Statute and for handling all labor relations matters in VA at all levels. However, given the VA-wide impact of complying with the preliminary injunctions, it may delegate matters within its responsibility to other appropriate organizational components for processing.

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11. Questions: Questions regarding this Bulletin or the attachment: *EO 14251 Frequently Asked Questions and Guidance v3* can be directed to the VACO Office of Labor-Management Relations at vacolmrfags@va.gov or the designated LMR Specialist, available at: [LMR Specialist Assignments](#)

12. Attachments: (1) EO 14251 Frequently Asked Questions and Guidance v3; (2) Employee Communication; (3) Federal Register Notice 50950 rescission published on November 13, 2025; and (4) **Guidance Related to Ongoing Litigation and Preliminary Injunctions Concerning Termination of Certain Collective Bargaining Agreements and Implementation of Executive Order 14251.**

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