Implementing Schedule Policy/Career

Briefing for Leaders – Updated June 8, 2026

U.S. Office of Personnel Management

Overview

- Purpose of today's briefing is to give agency leaders an overview of significant changes in the federal personnel system with the implementation of Schedule Policy/Career.
- These regulations implement Executive Order (EO) 13957, establishing Schedule Policy/Career as a schedule in the excepted service for career positions of a confidential, policy-determining, policy-making, or policy-advocating (i.e., policy-influencing) character.
- Employees appointed to Schedule Policy/Career positions are:
  - Hired using merit-based competitive procedures or excepted service procedures
  - At-will employees
  - Eligible for most of the same benefits as all federal employees
- Employees may continue to be represented by labor unions unless and until the Federal Labor Relations Authority (FLRA) removes them from a bargaining unit.

Implementation Timeline

- OPM issued the final rule amending various parts of title 5 of the Code of Federal Regulations on February 5, 2026.

- The President signed Executive Order *Implementing Schedule Policy/Career in the Excepted Service* on June 3, 2026.

- Agencies have **seven** calendar days after E.O. *Implementing Schedule Policy/Career in the Excepted Service* is issued (i.e., June 10, 2026) to start documenting the movement of positions into Schedule Policy/Career by notifying employees; updating position descriptions and human resources information systems; and preparing Standard Form 50s and any internal agency documents to record movement to the new Schedule.

- Agencies must petition OPM to place only those positions in the competitive service, Schedule A, Schedule B, or Schedule D positions within the agency that the agency head determines to be policy-influencing and that are not normally subject to change as a result of a Presidential transition.

Implementation Timeline (cont.)

- Agencies should have begun the process to:
  - Modify internal personnel policies necessary to conform to Schedule Policy/Career regulations, such as hiring, discipline, performance management, student loan repayment, and recruitment, relocation, and retention incentives (i.e., 3Rs).
  - Establish internal agency policy on prohibited personnel practices consistent with Section 6 of EO 13957.
  - Prepare bargaining unit clarification petitions with the FLRA as employees may continue to be represented by labor unions unless and until the FLRA clarifies the unit.

OPM Guidance

- OPM published several guidance resources on www.opm.gov/schedulepc to assist agencies with implementing Schedule Policy/Career regulations on its website:
  - Frequently asked questions and answers
  - Sample policies such as prohibited personnel practices, hiring, and discipline
  - Templates to process key personnel actions and notify employees of the impacts of Schedule Policy/Career
  - Quick reference documents to inform employees, supervisors and managers, and human resources practitioners concerning key features of the regulations

Key Features of Schedule Policy/Career

Recruitment and Hiring

- Schedule Policy/Career will continue to be filled using merit-based hiring procedures:
  - Positions previously in the competitive service will continue to be filled using competitive hiring procedures
  - Positions previously filled in the excepted schedule (e.g., Schedule A, or B) will continue to be filled using those same procedures
  - Hiring must apply veterans' preference as provided for in law and OPM regulations
- Leaders should ensure that both Schedule Policy/Career transfers and new hires receive a statement of the unique characteristics of their positions and acknowledge receipt.

Talent Development and Work/Life

- External Training: Agencies may continue to use appropriated funds to send Schedule Policy/Career employees to external trainings but may not select and assign such employees to academic degree training as defined in 5 USC 4107.
- Telework: Schedule Policy/Career not prohibited under law or OPM guidance from participating in an agency's telework program.

Employee Performance

- Leaders and managers should continue to provide guidance to and set clear expectations for Schedule Policy/Career employees' conduct and performance.
- Leaders and managers may rate Schedule Policy/Career employees pursuant to their internal appraisal system.
- The establishment and use of performance plans should continue to follow all documentation requirements including placement in employees' official personnel folders.
- Schedule Policy/Career employees are excluded from the procedures established under 5 USC 4303 and 5 CFR Part 432 when addressing unacceptable performance.
- Agencies should not use performance improvement plans (PIPs) or unnecessarily place burdensome restrictions on their ability to address performance issues.

Compensation and Benefits

- Awards: the President has provided the head of each agency with authority to set aside a separate bonus pool, in addition to existing awards, to ensure that Schedule Policy/Career employees are appropriately compensated for their outstanding work. Further, OPM will issue a rulemaking to establish a separate Presidential award program specifically for Schedule Policy/Career employees.
- Federal Employees Health Benefits (FEHB): Schedule Policy/Career employees maintain eligibility for all FEHB programs.
- Leave: Schedule Policy/Career employees maintain the same leave accruals and eligibility as all federal employees.

Employee Accountability

- Probationary and Trial Periods:
  - Schedule Policy/Career employees do not serve trial periods.
  - Employees serving a probationary period in the competitive service at the time of their transfer into Schedule Policy/Career will obtain competitive status at the end of one year of service in that position.
- Schedule Policy/Career employees serve at-will:
  - Excluded from unacceptable performance and adverse action procedures; these are now "one-step" actions.
  - Excluded from whistleblower protection procedures under 5 U.S.C. 2302(b); Section 6 of EO 13957 requires agencies to establish protections against prohibited personnel practices.
- Schedule Policy/Career employees retain protections under laws administered by the Equal Employment Opportunity Commission and Department of Labor (e.g., Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)).
- Leaders should partner with their legal counsel to develop internal procedures and practices for ensuring personnel actions are legally defensible.

Employee Accountability (cont.)

- Leaders should follow their internal agency procedure for disciplinary action.
  - If the internal agency procedure provides notice to the employee, leaders should ensure the notice does not include appeal rights to the Merit Systems Protection Board (MSPB).
  - Similarly, a final separation notice should not include appeal rights to the MSPB.
  - Procedures should include documenting unacceptable performance or conduct that is the basis for a separation to avoid severance pay obligations.
  - Note – provisions of existing collective bargaining agreements (CBAs) still apply, so continue to follow any required notice and grievance processes.
- Leaders should ensure that their agency has created and implemented a policy on prohibited personnel practices (PPPs).
  - Schedule Policy/Career employees do not have statutory whistleblowing protections.
  - The President directed agencies to establish their own internal PPP policies providing the same protections established under law.

Labor Relations

- Schedule Policy/Career employees are not automatically excluded from collective bargaining:
  - Consult with your human resources and legal counsel whether any of your Schedule Policy/Career positions should be excluded from collective bargaining under 5 USC 7112(b), including positions that are required or authorized to formulate, determine, or influence the policies of the agency.
- Leaders should honor provisions of an existing CBA that covers Schedule Policy/Career employees who are in a bargaining unit.
  - Note that, while Schedule P/C employees are statutorily excluded from coverage under chapters 43 and 75, they may be able to grieve similar matters under an existing collective bargaining agreement.

Separation and Retirement

- As with any employee, agencies should ensure they appropriately document the reason(s) for the separation of a Schedule Policy/Career employee.
- Unacceptable performance or conduct must be documented in the notice to the employee as the basis for separation to avoid severance pay.
- No effect on retirement benefits: retirement eligibility is determined based on an employee's age and years of federal service.
- Eligibility for an immediate retirement would permit the former employee to retain their Federal Employees Health Benefits (FEHB) health insurance benefits provided they meet the eligibility requirements for continued coverage.

Important Notes

- Schedule Policy/Career is not appropriate as a workforce reshaping tool or a means to avoid following Reduction In Force (RIF) procedures:
  - OPM's RIF regulations and procedures will continue to apply to, and protect, Schedule Policy/Career employees, requiring that RIFs affecting these employees be carried out fairly and providing for appeal rights.
- Reminder: Agencies make recommendations on which positions should be moved to Schedule Policy/Career to OPM, and OPM presents those recommendations to the President. As such, the President maintains the ultimate authority to move positions appointed under Title 5 to Schedule Policy/Career.

Questions

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