



MANPOWER AND
RESERVE AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF WAR
1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

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MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOW FIELD ACTIVITY DIRECTORS

SUBJECT: Schedule Policy/Career Implementation Guidance

REFERENCES: (a) Executive Order 13957, "Creating Schedule F in the Excepted Service," October 21, 2020
(b) Executive Order 14171, "Restoring Accountability to Policy-Influencing Positions Within the Federal Workforce," January 20, 2025
(c) Office of Personnel Management Memorandum, "Guidance Implementing President Trump's Executive Order titled, 'Restoring Accountability to Policy-Influencing Positions in the Federal Workforce,'" January 27, 2025
(d) Office of Personnel Management Memorandum, "Initial Implementing Guidance for Schedule Policy/Career Final Rule (*Improving Performance, Accountability, and Responsiveness in the Civil Service*), February 5, 2026
(e) Office of Personnel Management Memorandum, "Additional Implementing Guidance for Schedule Policy/Career Final Rule (*Improving Performance, Accountability, and Responsiveness in the Civil Service*), February 6, 2026
(f) Secretary of War Memorandum, "Department of War Policy on Prohibited Personnel Practices for Schedule Policy/Career," June 1, 2026
(g) Executive Order 14410 "Implementing Schedule Policy/Career in the Excepted Service," June 3, 2026
(h) Office of Personnel Management Memorandum, "Executive Order *Implementing Schedule Policy/Career in the Excepted Service*," June 8, 2026

On June 3, 2026, President Trump signed Executive Order (E.O.) 14410, "Implementing Schedule Policy/Career in the Excepted Service." This E.O. placed Department of War (DoW) positions with a confidential, policy-determining, policy-making, or policy-advocating character into Schedule Policy/Career, as identified in the Appendix.

Our civilian workforce is the backbone of our national security mission, especially those identified for conversion to Schedule Policy/Career, who have unmatched expertise in shaping the policies that keep our nation safe and secure. The transition to Schedule Policy/Career is designed to better align and support the unique nature of the civilian employee's strategic role in the DoW. Importantly, employees placed in Schedule Policy/Career continue to be fully protected against prohibited personnel practices, including whistleblower reprisal, political

discrimination, and discrimination based on other protected characteristics (reference (f)). Further, to ensure Schedule Policy/Career employees' work is appropriately recognized, the Department will establish a dedicated bonus pool specifically for the Schedule Policy/Career workforce. DoW is committed to investing in rewarding outstanding achievements and continued excellence.

To ensure a smooth and transparent process, consistent with the direction provided in E.O. 14410 at reference (g), DoW Components should have provided written notification to all employees assigned to identified position description numbers by June 10, 2026. The attached guidance provides additional details regarding the implementation of Schedule Policy/Career within the Department. Specifically, it provides exceptions to policy in Department issuances that are necessary to implement references (a) through (h). The referenced exceptions to policy are effective immediately and remain in effect until incorporated in the relevant DoW issuances.

My point of contact for this action is Ms. Lauren Lafaye-Benson, Acting Director, Workforce Governance & Integration, who can be reached at lauren.e.lafaye-benson.civ@mail.mil.

A handwritten signature in black ink, appearing to read 'Michael A. Cogar', with a long horizontal flourish extending to the right.

Michael A. Cogar
Deputy Assistant Secretary of War for Civilian
Personnel Policy

Attachment:
As stated

Attachment

SCHEDULE POLICY/CAREER IMPLEMENTING GUIDANCE

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1.0 IDENTIFICATION OF POSITIONS FOR PLACEMENT INTO SCHEDULE POLICY/CAREER

1.1 Initial Placement in Schedule Policy/Career

- 1.1.1 In accordance with U.S. Office of Personnel Management (OPM) Memorandum, “Guidance on Implementing President Trump’s Executive Order titled, “Restoring Accountability to Policy-Influencing Positions Within the Federal Workforce,”” January 27, 2025, the Department of War (DoW) reviewed its workforce to identify positions of a confidential, policy-determining, policy-making, or policy-advocating character for placement in Schedule Policy/Career. Following this review, DoW petitioned the U.S. Office of Personnel Management (OPM) to recommend these positions for placement into Schedule Policy/Career. OPM reviewed these petitions and recommended that the President move specific positions into Schedule Policy/Career. The President made the final determination on placement of positions into Schedule Policy/Career and issued Executive Order, “Implementing Schedule Policy/Career in the Excepted Service, June 3, 2026, to move the first tranche of identified positions into Schedule Policy/Career. For any encumbered position moved into Schedule Policy/Career by executive order, the incumbent employee will be converted to a Schedule Policy/Career appointment.
- 1.1.2 The President’s determination to place a position and thus an employee into Schedule Policy/Career is not subject to independent review or change by the DoW.
- 1.1.3 DoW does not need to submit a new petition to OPM when filling a position that uses the same position description and entails the same duties as one previously placed into Schedule Policy/Career. The President’s original determination for that position description automatically covers any subsequent, identical positions.
- 1.1.4 Subsequent changes to a Schedule Policy/Career position description’s numbering or a positions organizational realignment do not alter its placement in Schedule Policy/Career.
- 1.1.5 The specific DoW Component positions that were placed in Schedule Policy/Career are listed in the Appendix to Executive Order 14410, “Implementing Schedule Policy Career in the Excepted Service,” June 3, 2026, available at: <https://www.whitehouse.gov/presidential-actions/2026/06/implementing-schedule-policy-career-in-the-excepted-service/>. Employees assigned to any DoW position description number identified in the Appendix where the Appendix identifies the incorrect employing agency should not be placed in Schedule Policy/Career (e.g., positions listed under a Principal Staff Assistant but assigned to a Department of War Agency or Field Activity should not be placed in Schedule Policy/Career). Additional positions may be placed in Schedule Policy/Career via future Executive Orders. The Office of the Deputy Assistant Secretary of War for Civilian Personnel Policy (ODASW(CPP)) also disseminated final lists of positions that were placed in Schedule Policy/Career to DoW Component points of contact.

1.2 Ongoing Review of Position for Placement in Schedule Policy/Career

DoW will conduct annual reviews of new and existing positions to determine whether positions are of a confidential, policy-determining, policy-making, or policy-advocating character and should be placed in Schedule Policy/Career. This review will include positions that are not normally subject to change as a result of a Presidential transition (i.e., competitive service, Schedule A, Schedule B, and Schedule D positions). When DoW determines that a position should be placed into Schedule Policy/Career, the Department will petition the Director, OPM, to recommend that the President place the position into Schedule Policy/Career.

1.2.1 DoW Requirements for Ongoing Review of Positions for Placement in Schedule Policy/Career. The Defense Civilian Personnel Advisory Service (DCPAS) is the designated office for DoW Components to submit requests for the Secretary of War (SecWar) to petition OPM to recommend that the President place a position into Schedule Policy/Career.

- DCPAS will provide procedures for soliciting the annual review information from the DoW Components, to include the appropriate information and data fields to be provided to OPM and a written explanation documenting the basis for the determination that such position should be placed in Schedule Policy/Career.
- DoW Component requests submitted in conjunction with the annual review will be reviewed by the DCPAS for inclusion of appropriate information. DCPAS will prepare and appropriately staff the package for the SecWar to submit the petition to OPM.

1.2.2 DoW Component Requirements for Ongoing Reviews of Positions for Placement in Schedule Policy/Career. The DoW Components will establish internal processes for compliance with the annual review established by DCPAS.

- When a new position is created or when the duties of an existing position are significantly changed (e.g., through a reclassification or update to the position description), it must be assessed against the criteria for Schedule Policy/Career contained in the OPM memorandum referenced in paragraph 1.1.1.
- If the review determines that a position has evolved to include duties of a confidential, policy-determining, policy-making, or policy-advocating nature, the DoW Component must ensure that the position is submitted to DCPAS in accordance with the established annual review.

1.3 Taking Positions Out of Schedule Policy/Career

Before DoW may take a position out of Schedule Policy/Career, the Department must first petition OPM to recommend that the President take the position out of Schedule Policy/Career. This will be accomplished in conjunction with the annual reviews of new and existing positions.

1.3.1 DoW Requirements for Taking Positions Out of Schedule Policy/Career. DCPAS is the designated office for DoW Components to submit requests for the Secretary of War (SecWar) to petition OPM to recommend that the President take a position out of Schedule Policy/Career.

- DCPAS will ensure that established and publicized procedures for soliciting the annual review information from the DoW Components includes review of positions to be taken out of Schedule Policy/Career.

- Requests to remove a position from Schedule Policy/Career must include appropriate information and data fields to be provided to OPM and a written explanation documenting the basis for recommending the position be removed from Schedule Policy/Career.
- DoW Component requests to remove a position(s) from Schedule Policy/Career submitted in conjunction with the annual review will be reviewed by DCPAS for inclusion of appropriate information. DCPAS will prepare and appropriately staff the package for the SecWar to submit the petition to OPM.

1.3.2 DoW Component Requirements for Taking Positions Out of Schedule Policy/Career. The DoW Components will establish internal processes for submitting requests to remove positions from Schedule Policy/Career in conjunction with the annual review established by DCPAS.

- When the duties of a position covered by Schedule Policy/Career are changed to the extent that they no longer meet the criteria for Schedule Policy/Career contained in the OPM memorandum referenced in paragraph 1.1.1 (e.g., they no longer meet the criteria of a confidential, policy-determining, policy-making, or policy-advocating role), the DoW Component must ensure that the position is submitted to DCPAS in accordance with the established annual review.
- DoW Component internal processes should include procedures for consideration of employee requests for review due to a change in position duties (e.g., use established dispute resolution procedures or develop a stand-alone process specific to Schedule Policy/Career reviews).
- Until such time as OPM recommends removal of the position to the President and the President issues an executive order to remove the position from Schedule Policy/Career, the position will remain under Schedule Policy/Career.
- Upon OPM recommendation and the President's issuance of an executive order, the position will be removed from Schedule Policy/Career and placed back into the appropriate personnel system (e.g., the competitive service or a different excepted service schedule). The incumbent employee will be converted to an appointment in that corresponding service along with the position. The incumbent employee will be notified in writing of the applicable conditions of employment using the established notice procedures for the specific appointment type.

2.0 APPLICABILITY TO ALTERNATE PERSONNEL SYSTEMS

- 2.1 In accordance with guidance from the OPM, employees appointed under non-title 5 statutory personnel systems may be placed in Schedule Policy/Career based on the President's designation of the position. If the position description number is identified in the Appendix to the applicable Executive Order placing employees in Schedule Policy/Career, then the employees should be placed under Schedule Policy/Career.
- 2.2 To the extent Schedule Policy/Career applies to such a position, its effect is limited to the removal procedures addressed by the Schedule Policy/Career authorities, unless the governing statute, Executive Order, or implementing regulation provides otherwise.

3.0 COLLECTIVE BARGAINING

3.1 Individual Employee Bargaining Unit Status

- 3.1.1 Placement in Schedule Policy/Career does not in and of itself change an individual position's bargaining unit status and does not automatically exclude the position from collective bargaining.
- 3.1.2 If a determination is made by the Federal Labor Relations Authority (FLRA) that the position is no longer eligible for inclusion in a bargaining unit, then DoW Components will take appropriate steps to remove the position from the bargaining unit (e.g., process a Request for Personnel Action (Standard Form (SF) 52) and Notification of Personnel Action (SF-50) with the appropriate bargaining unit status code, update position description).
- 3.1.3 DCPAS will provide additional operational guidance concerning the requirements for removing positions deemed ineligible from the bargaining unit.

3.2 Clarification of Bargaining Unit Petitions

- 3.2.1 Pursuant to sections 7103(a)(11) and 7112(b)(1) of title 5, U.S.C., collective bargaining units may not include positions considered to be a "management official" where the duties and responsibilities require or authorize the individual to formulate, determine, or influence the policies of the agency. Positions moved into Schedule Policy/Career based on their policy-determining or policy-making responsibilities may meet these criteria.
- 3.2.2 DoW Components will promptly file a unit clarification petition with the Federal Labor Relations Authority (FLRA), where appropriate, pursuant to section 5(e) of Executive Order 13957, as amended by Executive Order 14171, "Establishing Schedule Policy/Career in the Excepted Service," to allow the FLRA to determine whether the incumbents of Schedule Policy/Career bargaining unit positions are required or authorized to formulate, determine, or influence policies of the agency thus meeting the definition of "management official." DoW Components must coordinate with DCPAS to consult with OPM on the submission of unit clarification petitions in accordance with paragraph 3.2.3.
- 3.2.3 In accordance with DoDI 1400.25, Volume 711, "DoD Civilian Personnel Management System: Labor-Management Relations," February 26, 2020, as amended, paragraph 3.5(a)(1), DoW Components must coordinate with DCPAS and their respective DoW Component Headquarters prior to initiating clarification petitions with the FLRA. DCPAS will review and appropriately staff the draft petition to the ODASW(CPP) for consultation with OPM.
- 3.2.4 DCPAS will provide additional guidance concerning DoW Component petitions.
- 3.2.5 After the ODASW(CPP) has consulted with OPM and returned an approved draft to the DoW Component, the DoW Component will submit the petition to the FLRA with a copy to DCPAS.

3.3 Collective Bargaining of Schedule P/C Implementation

- 3.3.1 Unless and until the FLRA determines that certain Schedule Policy/Career bargaining unit positions should be excluded from the bargaining unit, DoW Components must ensure compliance with any applicable, preexisting collective bargaining requirements regarding the impact and implementation of any presidential decision to move bargaining unit positions into Schedule Policy/Career under the Federal Service Labor-Management Relations Statute.
- 3.3.2 DoW Components will engage their labor unions as early as possible to ensure full and expeditious implementation of Schedule Policy/Career in the DoW. When fulfilling any collective bargaining obligations, DoW Components should carefully consider whether a union proposal is negotiable.
 - Any proposals or negotiated provisions that contravene the President's determination to place positions into Schedule Policy/Career are nonnegotiable or unlawful, respectively. Title 5, U.S.C., authorizes unions to bargain over agency policies, but does not authorize them to bargain over Presidential determinations. DoW Components will not agree to any such proposals.
 - DCPAS will strictly enforce this prohibition during agency head review.
- 3.3.3 DCPAS will provide additional operational guidance concerning bargaining impact and implementation of Schedule Policy/Career, as appropriate.

4.0 NOTIFICATION OF PLACEMENT IN SCHEDULE POLICY/CAREER

4.1 Employee Notification of Conditions of Employment

- 4.1.1 At such time as the President issues an executive order placing a position in Schedule Policy/Career, DoW Components will ensure individual written notices are provided to impacted employees within seven (7) calendar days to notify the employee that:
 - The position is in the excepted service.
 - The employee will serve at-will.
 - The employee will not have the right to appeal to the Merit Systems Protection Board (MSPB) in relation to performance, discipline, and matters arising under Chapters 23, 43, and 75 of title 5, U.S.C.
 - Prohibitions on prohibited personnel practices will be enforced by the DoW Office of General Counsel and not the Office of Special Counsel.
 - The employee will be able to retain competitive status.
- 4.1.2 DoW Components should utilize lists of specific positions that were placed in Schedule Policy/Career discussed in paragraph 1.1.5 to ensure all employees assigned to impacted positions receive the proper written notification.
- 4.1.3 An employee's election not to acknowledge receipt of the written notice will not result in any administrative (disciplinary or adverse) action against an employee. The supervisor should mark the notice letter indicating that the employee declined to sign and then sign and date the notice in the appropriate area(s).
- 4.1.4 A sample notification template is provided in Appendix A.

4.2 **Applicant Notification of Conditions of Employment**

4.2.1 Upon offer of employment, DoW Components will ensure that an applicant selected for a position in Schedule Policy/Career is provided a written notice during the onboarding process notifying the applicant that:

- The position is in the excepted service.
- The employee will serve at-will.
- The employee will not have the right to appeal to the Merit Systems Protection Board (MSPB) in relation to performance, discipline, and matters arising under Chapters 23, 43, and 75 of title 5, U.S.C.
- Prohibitions on prohibited personnel practices will be enforced by the DoW Office of General Counsel and not the Office of Special Counsel.
- The employee will obtain competitive status, where applicable, after two years of service in the position.

4.2.2 Further the notice must acknowledge that the applicant has knowingly and voluntarily accepted the position as it has been presented to them.

4.2.3 When an employee is selected for promotion into a Schedule Policy/Career position, the employee will be provided a written notification in accordance with section 4.2.

4.2.4 A sample notification template is provided in Appendix A.

4.3 **Retention of Employee Notices**

4.3.1 DoW Components should retain a copy of the signed and acknowledged employee and applicant notifications and are responsible for establishing procedures to ensure proper retention of these notices.

4.4 **Job Announcement Notification of Conditions of Employment**

4.4.1 DoW Components will ensure all job opportunity announcements (JOAs) for positions in Schedule Policy/Career clearly inform applicants of the status of the position to enable applicants to make informed decisions regarding their employment and to avoid confusion or disputes concerning their status under Schedule Policy/Career. All JOAs for DoW positions under Schedule Policy/Career will include language to clearly explain the nature of the Schedule Policy/Career position, regardless of the method used to announce the vacancy.

4.4.2 Specific language for use in DoW JOAs is contained in Appendix B.

5.0 **DOCUMENTING PLACEMENT OF EMPLOYEES IN SCHEDULE POLICY/CAREER**

5.1 Once the President issues an executive order placing a position in Schedule Policy/Career, DoW Components will take necessary action to properly document the change in employee's Official Personnel Folder within seven (7) calendar days, to include preparation of the Request for Personnel Action (SF-52) and Notification of Personnel Action (SF-50).

- 5.2 OPM Bulletin, "Upcoming Schedule Policy/Career GPPA [Guide to Processing Personnel Actions] and EHRI Data Standards Changes," April 14, 2026, provided advance notice of upcoming changes to the GPPA and EHRI Data Standards related to Schedule Policy/Career. These new data elements support accurate documentation and reporting of personnel actions associated with Schedule Policy/Career positions. Upon release of the GPPA updates, DCPAS will initiate the appropriate updates to the Defense Civilian Personnel Data System (DCPDS).
- 5.3 All personnel actions to place positions in Schedule Policy/Career will be properly coded using the updated GPPA, Chapters 9 and 11. DCPAS may issue further implementing guidance to address use of the GPPA.

6.0 APPOINTMENTS, REASSIGNMENTS, AND PROMOTIONS

6.1 Legal Compliance

- 6.1.1 DoW Components must execute all personnel actions, including appointments, reassignments, and promotions of employees within Schedule Policy/Career, in a fair, transparent manner that adheres to all applicable laws and policies. Employees employed under Schedule Policy/Career are not required to hold any specific personal, policy, or political views. Schedule Policy/Career employees will not be appointed or promoted based on their political affiliation or campaign activities. The primary expectation is that all employees covered under Schedule Policy/Career will faithfully implement the policies of the current administration to the best of their ability, consistent with their constitutional oath and all relevant laws, rules, and regulations.

6.2 Appointments

- 6.2.1 **General.** The fundamental principle governing the placement of all federal employees, including those in the Schedule Policy/Career excepted service schedule, is that the hiring and promotion rules of the personnel system from which the employee was initially appointed will apply. This ensures consistency and fairness in all personnel actions. Employees placed under Schedule Policy/Career generally will be in positions that have the same pay and benefits that apply to other title 5 employees with few exceptions. Placement of the position in Schedule Policy/Career generally will not cause any changes to the employee's current pay or existing benefits.
- 6.2.2 **For positions previously in the competitive service.** Appointments will be made using merit-based competitive hiring procedures as may be prescribed by OPM. This ensures that candidates are evaluated based on their relative abilities, knowledge, and skills in a fair and open competition.
- 6.2.3 **For positions previously in the excepted service.** Appointments will be made using the established procedures for the excepted service schedule/personnel system in which the position was previously assigned.
- 6.2.4 **Veterans' Preference.** When making appointments to positions in Schedule Policy/Career, DoW Components must apply the principles of veterans' preference as far as administratively feasible. Where numerical ratings are used in the evaluation and referral of candidates, DoW Components shall follow the regulations related to veterans'

preference in competitive examining found in part 302 of title 5, CFR, and part 337, subpart A of title 5, CFR. When category ratings are used, DoW Components will follow part 337, subpart C of title 5, CFR. And where another process is used, veterans' preference must be considered a positive factor.

- 6.2.5 **Pathways Programs.** Career appointments of eligible Pathways Program participants made in accordance with Executive Order 13562, "Recruiting and Hiring Students and Recent Graduates," December 27, 2010, as amended by Executive Order 14217, "Commencing the Reduction of the Federal Bureaucracy," February 19, 2025, may include positions in Schedule Policy/Career, subject to review by OPM.

6.3 **At-Will Employment**

- 6.3.1 Schedule Policy/Career employees, whether based on movement into or initial hiring, will be excepted from procedures established under chapters 43 and 75 of title 5, U.S.C., and OPM regulations at parts 432 and 752 of title 5, Code of Federal Regulations (CFR), for performance-based and disciplinary actions. DoW policy prohibiting prohibited personnel practices against employees or applicants for Schedule Policy/Career positions, including retaliation against whistleblowers, will apply as discussed in section 16. Upon conversion or offer of employment, human resources offices will provide notification to the employee as described in section 4.0.

6.4 **Pay Setting Upon Appointment.**

- 6.4.1 DoW Components may use the superior qualifications and special needs pay setting authority to set pay above a step 1 for GS employees newly appointed or reappointed after a 90-day break in service, as applicable.
- 6.4.2 DoW Components may use the maximum payable rate rule, which allows Components to set GS pay based on a higher rate of pay the employee previously received in another Federal position, as applicable.
- 6.4.3 DoW Components may use any flexibilities to set pay for positions that were moved from an excepted service personnel system into Schedule Policy/Career that exist for that personnel system.

6.5 **Competitive Status**

- 6.5.1 Schedule Policy/Career new hires who are appointed via a merit-based competitive hiring process will acquire competitive status after completing two years of continuing service in the same or similar positions. The position must have been moved from the competitive service to Schedule Policy/Career for the employee to obtain competitive status after appointment.
- 6.5.2 Employees appointed to positions that, but for their placement in Schedule Policy/Career, would be hired using excepted service hiring procedures, such as Schedule A for attorneys, may not acquire competitive status.
- An employee whose initial appointment was to a Pathways Program position in Schedule D of the excepted service, and who was subsequently converted to a position in Schedule Policy/Career, with or without an intervening term appointment, and

without a break in service of one day, may acquire competitive status without competitive examination in accordance with part 3.1(a)(5) of title 5, CFR.

- 6.5.3 An employee in the competitive service serving a probationary period when their position is first placed in Schedule Policy/Career will acquire competitive status upon satisfactory completion of one year of current continuous service in that position.
- 6.5.4 In accordance with part 212.401 of title 5, CFR, as amended by the Final Rule, “Improving Performance, Accountability and Responsiveness in the Civil Service,” February 6, 2026, an employee who has competitive status at the time his or her position is first listed in an excepted service schedule, or who is moved into a position in the excepted service, retains competitive status even if the employee moves to another position in the excepted service.
- 6.5.5 Competitive status is an employee’s eligibility to be noncompetitively reassigned, transferred, promoted, or reinstated to a competitive service position without having to compete in an open public examination.

6.6 **Reassignments**

- 6.6.1 Reassignments of Schedule Policy/Career employees may be affected without competition.

6.7 **Promotions**

- 6.7.1 **For Positions Previously in the Competitive Service.** Schedule Policy/Career employees must compete for promotions using merit based competitive procedures.
- 6.7.2 **For Positions Previously in the Excepted Service.** Schedule Policy/Career employees may be promoted using promotion rules from the excepted service system in which the position previously occupied

6.8 **Temporary Promotions**

- 6.8.1 Promotion and internal placement provisions of part 335 of title 5, CFR, only apply to time-limited promotions within the competitive service. Therefore, an employee in the competitive service may not be selected for a time-limited promotion to position in Schedule Policy/Career of the excepted service.
- 6.8.2 If an employee in the competitive service is temporarily promoted to a position at the time that position is to be placed in Schedule Policy/Career, the DoW Component will either:
 - Make the time-limited promotion permanent in accordance with part 335 of title 5, CFR, and then place the employee in Schedule Policy/Career.
 - Terminate the time-limited promotion and return the employee to the position held prior to the promotion (or to a position of equivalent grade and pay).

6.9 **Details**

- 6.9.1 An employee in the competitive service may be detailed from a position in the competitive service to a position in Schedule Policy/Career of the excepted service.

- 6.9.2 An employee in the competitive service who is detailed to a position that is or will be placed in Schedule Policy/Career should not be placed in Schedule Policy/Career as the position to which the employee is detailed is not their position of record. At the end of the detail the employee will be returned to their position of record in the competitive service.

7.0 CLASSIFICATION OF POSITIONS

7.1 Position Description Updates

- 7.1.1 When a position is placed into Schedule Policy/Career, the position description (PD) will be reviewed to determine if changes are required to the OF 8 (or equivalent), such as the position status. Placement of a position in Schedule Policy/Career will generally not in and of itself cause any associated changes to the current pay plan, series, or grade of an established position.
- 7.1.2 DoW Components will enter a statement into the PD for all positions placed in Schedule Policy/Career identifying the previous system the position was in (e.g., competitive service). This will aid in recruitment of positions under Schedule Policy/Career as rules for previous systems apply in recruitment and determining whether or not the employee may gain competitive status. Specific language for use in PDs is included in Appendix C.
- 7.1.3 Basic pen and ink changes to position descriptions are allowable consistent with law and policy. Changes to a Schedule Policy/Career position description's numbering or a positions organizational realignment do not alter its placement in Schedule Policy/Career. Changes to major duties that would impact the position's placement in Schedule Policy/Career will require resubmission and a petition to OPM in accordance with section 1.3. Upon petition and Presidential approval to place a position in or remove a position from Schedule Policy/Career, the impacted employee would need to be notified as described herein.

7.2 Classification Appeal Procedures

- 7.2.1 Employees may file a classification appeal with DCPAS, OPM or through DCPAS to OPM. A classification appeal to OPM cancels any appeal that is under review by DCPAS. Employees must file a classification appeal through the procedures outlined in Department of Defense Instruction (DoDI) 1400.25, Volume 511, "DoD Civilian Personnel management System: Classification Program," May 28, 2015.
- 7.2.2 Employees may appeal the grade, occupational series, and, in some instances, the title of their position. Employees may not appeal the accuracy of the position description (duties) or placement into Schedule Policy/Career using the classification appeal process. When an employee disagrees with the accuracy of the position description, the employees must seek resolution of that issue through the employee's supervisor or via established dispute resolution procedures before submitting a classification appeal.

7.3 Accretion of Duties For Positions Under Schedule Policy/Career

- 7.3.1 An accretion of duties is the addition of duties and responsibilities to an encumbered position which may increase the grade of the position. Components may promote an employee when the addition of duties and responsibilities result in a higher grade. Promotions will be made in accordance with the rules governing the system in which the position was previously in (e.g., competitive service, excepted service).
- 7.3.2 If an accretion of duties results in placing the position in Schedule Policy/Career, it must be approved by the President unless he previously approved the placement of the higher-graded positions. For those positions that require placement into Schedule Policy/Career, follow the procedures in section 1.2 to petition placement.

8.0 PUBLIC FINANCIAL DISCLOSURE REQUIREMENTS

- 8.1 Section 13103(f)(5) of title 5, U.S.C., requires public financial disclosure reports to be filed by employees who are “in a position in the executive branch which is excepted from the competitive service by reason of being of a confidential or policymaking character.” Pursuant to this section, employees placed in Schedule Policy/Career and who are not already required to file a public financial disclosure will now be required to file a public financial disclosure. As a result, these employees will be required to file a New Entrant Public Financial Disclosure Report (New Entrant Report) within thirty (30) calendar days of being placed in Schedule Policy/Career and will also be required to file Periodic Transaction Reports (PTRs) for any reportable transaction on or after the date they are placed in Schedule Policy/Career.
- 8.2 Pursuant to Section 13103(f)(5), the Office of Government Ethics (OGE) is in the process of issuing a regulation to exclude from the public filing requirement any personnel for whom such requirement stems solely from issuance of the Executive Order, “Implementing Schedule Policy/Career in the Excepted Service,” June 3, 2026, (“Schedule Policy/Career filers”). Pending finalization of this regulation, OGE has recommended that agencies issue filing extensions to Schedule Policy/Career filers.
- 8.3 Federal law and regulations authorize extensions to the public financial disclosure report due date for up to ninety (90) calendar days. To be granted the full 90-day extension in compliance with OGE guidance, Schedule Policy/Career filers must request the extension in writing, as follows:
 - 8.3.1 Sign the Applicable Notification/Acknowledgment Form: A request for a 90-day extension has been added to the DoW Sample Notification Templates at Appendix A. This language may not be altered and must be included in all initial placement or selection notifications to DoW employees placed in or selected for Schedule Policy/Career Positions. Schedule Policy/Career filers signing the notification will receive the 90-day extension; or
 - 8.3.2 Submit the Extension Request Form at Appendix A: Existing personnel placed into Schedule Policy/Career Personnel and declining to sign the Notification of Placement in a Schedule Policy/Career Position and Conditions of Employment, must submit the separate Extension Request Form to their local ethics official no later than seventy-five (75) calendar days following placement in Schedule Policy/Career.

9.0 INCENTIVE PAYMENTS FOR RECRUITMENT AND RETENTION

9.1 Student Loan Repayment Program

- 9.1.1 In accordance with section 5379(a)(2) of title 5, U.S.C., and the associated provision in part 537.104(b) of title 5, CFR, employees appointed to or holding positions in Schedule Policy/Career are not eligible for new student loan repayment incentives.
- 9.1.2 As stated in part 537.104(b) of title 5, CFR, an employee whose position is moved into Schedule Policy/Career may continue to receive student loan repayment benefits based on the terms of the existing applicable service agreement, unless eligibility is lost as described in part 537.108 of title 5, CFR.

9.2 Recruitment Incentives

- 9.2.1 In accordance with section 5753(a)(2)(c) of title 5, U.S.C., and the associated provision in part 575.104(a)(3), of title 5, CFR, employees appointed to or holding positions in Schedule Policy/Career are not eligible for new recruitment incentives.
- 9.2.2 As stated in part 575.104(b) of title 5, CFR, an employee whose position is moved into Schedule Policy/Career may continue to receive outstanding recruitment incentive payments based on the terms of the existing applicable service agreement, unless the agreement is otherwise terminated in accordance with part 575.111(a) of title 5, CFR.

9.3 Relocation Incentives

- 9.3.1 In accordance with section 5753(a)(2)(c) of title 5, U.S.C., and the associated provision in part 575.204(a)(3), of title 5, CFR, employees appointed to or holding positions in Schedule Policy/Career are not eligible for new relocation incentives.
- 9.3.2 As stated in part 575.204(b) of title 5, CFR, an employee whose position is moved into Schedule Policy/Career may continue to receive outstanding relocation incentive payments based on the terms of the existing applicable service agreement, unless the agreement is otherwise terminated in accordance with part 575.211(a) of title 5, CFR.

9.4 Retention Incentives

- 9.4.1 In accordance with section 5754(a)(2)(c) of title 5, U.S.C., and the associated provision in part 575.304(a)(3) of title 5, CFR, employees appointed to or holding positions in Schedule Policy/Career are not eligible for new retention incentives.
- 9.4.2 As stated in part 575.304(b) of title 5, CFR, an employee whose position is moved into Schedule Policy/Career may continue to receive retention incentive payments based on the terms of the existing applicable service agreement, unless the agreement is otherwise reduced or terminated in accordance with part 575.311 of title 5, CFR.

10.0 WORKFORCE SHAPING

- 10.1 The conversion of positions to, or placement of employees in, Schedule Policy/Career must not be used as an instrument for broad workforce reshaping or as a method to circumvent statutory

and regulatory reduction in force (RIF) procedures. The DoW prohibits the use of this authority as a substitute for the RIF process.

- 10.2 In the Final Rule, “Improving Performance, Accountability and Responsiveness in the Civil Service,” February 6, 2026, OPM affirmed that existing RIF regulations and procedures set forth in part 351 of title 5, CFR, will continue to apply to all affected employees.
- 10.3 Employees in Schedule Policy/Career positions retain their full RIF protections, including retention rights based on the DoW RIF retention factors. Any RIF affecting these employees must be carried out with all appropriate procedural protections required by law and regulation.
- 10.4 Employees in Schedule Policy/Career may not displace an employee with a higher retention standing. Additionally, employees in Schedule Policy/Career in the excepted service may not be assigned to a competitive service position in accordance with part 351.705(b)(6) of title 5, CFR.

11.0 TRIAL PERIODS

- 11.1 Individuals appointed to positions in Schedule Policy/Career are not subject to trial periods in accordance with part 11.3(a) of title 5, CFR, as amended by Executive Order, “Implementing Schedule Policy/Career in the Excepted Service,” June 3, 2026.
- 11.2 Requirements concerning determinations whether the continued employment of the individual serving the trial period advances the public interest established in Under Secretary of Defense Memorandum, “Implementation of Executive Order 14284, ‘Strengthening Probationary Periods in the Federal Service,’” July 25, 2025, are not applicable to individuals appointed to positions in Schedule Policy/Career. An employee in the competitive service serving a probationary period when their position is first placed in Schedule Policy/Career will acquire competitive status upon satisfactory completion of one year of current continuous service in that position. Refer to section 6.5 for information concerning competitive status.

12.0 DISCIPLINARY AND ADVERSE ACTIONS

Schedule Policy/Career employees are called to serve at the highest levels of the federal career civil service and are critical to the execution of the President’s policy agenda. DoW employees in Schedule Policy/Career positions must faithfully implement Administration and DoW policies to the best of their ability consistent with their constitutional oath. Employees who fail to perform to this standard are subject to disciplinary action, up to and including removal from federal service.

DoW employees in Schedule Policy/Career positions will not be subject to disciplinary or adverse action due to their political affiliations or personally held political beliefs. Employees under Schedule Policy/Career are not required to pledge personal or political support for the President or his policies.

Procedures established under Chapters 43 and 75 of title 5, U.S.C., and OPM regulations at parts 432 and 752 of title 5, CFR, are not applicable to performance-based or disciplinary and adverse actions against employees moved or hired into Schedule Policy/Career, to include requirements to afford an opportunity to improve performance, advance written notice and opportunity to respond orally and/or in writing.

DoW Components will administer all disciplinary and adverse actions in a manner free from unlawful discrimination or harassment and in full compliance with the DoW policy on prohibited personnel practices.

DoW Components will update internal Component discipline and performance policies, as necessary to comply with this implementing guidance. DoW Components must continue to adhere to procedural requirements for performance and discipline contained in collective bargaining agreements for bargaining unit employees, where applicable.

DCPAS may issue additional operationalizing information.

DCPAS and DoW Components will update training provided to human resources staff, supervisors, and managers to be consistent with this implementing guidance.

12.1 **Investigations**

12.1.1 Before taking a disciplinary action, an administrative investigation into the alleged misconduct may need to be conducted and information gathered such as specific facts or details and supporting documentation. This investigation may be conducted by the supervisor or another neutral party appointed by the supervisor (such as an investigating officer appointed to conduct a commander-directed investigation) to provide recommendations to the supervisor. The investigator should consult with the servicing Employee Relations Specialist and/or the assigned legal advisor(s) to ensure all appropriate supporting information and documentation is gathered during the investigation. The supervisor should review all information and documentation gathered in support of the disciplinary action with the servicing Employee Relations Specialist and legal advisor to ensure that any disciplinary action is properly supported and justified by the record. Information collected may include, but is not limited to:

- The employee's bargaining unit status and associated rights, if any.
- Signed and dated detailed witness statements or other documentation and evidence related to the alleged misconduct.
- Written, signed and dated record summarizing any alleged misconduct that was personally observed by the supervisor.
- Written, signed and dated response to the allegations of misconduct from the employee under investigation; or a written, signed and dated record summarizing the employee's response to the allegations of misconduct, if interviewed in person.
- A report of investigation prepared by an investigating officer under a formal investigative process.

12.2 **Administrative Leave**

DoW implementing policy for the Administrative Leave Act of 2016 is contained in Under Secretary of War for Personnel and Readiness (USW(P&R)) Memorandum, "Administrative Leave Act Regulations," October 2, 2025. The provisions of this memorandum will be incorporated into DoDI 1400.25, Volume 630, "DoD Civilian Personnel Management System: Leave," March 19, 2015, as amended, except as provided in paragraph 12.2.3 below.

- 12.2.1 **Administrative Leave for Investigative Purposes.** While conducting an investigation into allegations of misconduct, DoW Components may utilize authorities for administrative leave for investigative purposes pursuant to section 6329a of title 5, U.S.C. and subpart N of part 630 of title 5, CFR, up to the 10 work-day calendar year limit.
- 12.2.2 **Investigative Leave.** While conducting an investigation into allegations of misconduct, DoW Components may utilize authorities for investigative leave pursuant to section 6329b of title 5, U.S.C. and subpart O of part 630 of title 5, CFR, after first exhausting the 10 work days of administrative leave for investigative purposes discussed in paragraph 12.2.1.
- 12.2.3 **Notice Leave.** DoW Components will not utilize authorities for Notice Leave pursuant to 6329b of title 5, U.S.C., and subpart O of part 630 of title 5, CFR, for Schedule Policy/Career employees subject to disciplinary and adverse actions. In accordance with section 12.6. Schedule Policy/Career employees are not afforded an advanced notice period thus are not eligible for Notice Leave. This restriction will be incorporated into DoDI 1400.25, Volume 630.
- 12.3 **Informal Actions**
- 12.3.1 Supervisors continue to provide guidance, coaching, and set clear expectations for standards of conduct for employees under Schedule Policy/Career. Supervisors are responsible for holding employees accountable and documenting misconduct. Informal actions that serve to informally correct behavior and/or warn of possible disciplinary action for continued similar behaviors may still be appropriate in some cases. Supervisors should work with their servicing Employee Relations Specialist to determine if an informal action is appropriate.
- 12.4 **Opportunity to Improve**
- 12.4.1 Supervisors are encouraged not to afford Schedule Policy/Career employees an opportunity to demonstrate “fully successful” performance or to use performance improvement plans when an employee’s performance declines to less than “fully successful” as these steps are no longer required under Schedule Policy/Career. The elimination of these requirements for employees placed in Schedule Policy/Career will be incorporated into DoDI 1400.25, Volume 431, “DoD Civilian Personnel Management System: Performance Management and Appraisal Program,” February 4, 2016, as amended.
- 12.4.2 Elimination of this formal requirement does not prohibit early intervention by supervisors to informally correct and develop an employee’s performance prior to reaching a level that is considered unacceptable. Supervisors may consider tools including, but not limited to: additional assistance, additional training (formal or on-the-job), closer supervision and feedback, and more frequent reporting. Supervisors should appropriately document any efforts to correct or develop performance for use as supporting documentation should it become necessary to take action for unacceptable performance.

12.5 **Penalty Selection**

- 12.5.1 Supervisors should take disciplinary action that is reasonable and proportionate to the misconduct, tailoring the penalty to the totality of the specific facts and circumstances, including a holistic review of past patterns of misconduct. While there may be instances where particular misconduct or instance(s) of unacceptable performance is/are so egregious that it warrants removal, the most severe penalty, this will not always be the case.
- 12.5.2 Supervisors are not required to use progressive discipline. The full range of penalties from reprimand to removal may be considered based on the misconduct or performance in question.
- 12.5.3 Schedule Policy/Career employees may be disciplined at any time and for any reason related to deficient performance or conduct and consistent with the mission of the DoW, so long as the reason does not violate any applicable law, rule, regulation, or DoW policy on prohibited personnel practices, as referenced in section 16.
- 12.5.4 Supervisors are not required to adhere to or rely on a table of penalties to dictate a required penalty, except where required by statute.
- 12.5.5 Final penalty determination is not required to include a review of the specific facts and circumstances in relation to the Douglas Factors established in *Douglas vs. Veterans Administration*, 5 M.S.P.R. 280 (1981).

12.6 **Procedures**

- 12.6.1 Supervisors considering disciplinary action will work directly with the servicing Employee Relations Specialist to obtain advisory service concerning next steps for taking disciplinary action and to ensure proper coordination with the servicing legal office. All disciplinary actions will be completed with speed and conviction, as appropriate.
- 12.6.2 Supervisors, in coordination with the servicing Employee Relations Specialist and/or the assigned legal advisor(s), will draft a Notice of Decision to discipline (e.g., Notice of Decision to Reprimand, Notice of Decision to Suspend, Notice of Decision to Remove). The servicing Employee Relations Specialist and/or the assigned legal advisor(s) will work with the supervisor to ensure the disciplinary action is appropriately supported and documented (e.g., stated reasons are not mere pretext for violation of prohibited personnel practice or circumvention of reduction in force procedures, appropriate supporting documentation is collected and retained). Disciplinary actions will be completed within 10 calendar days of completion of any investigation into the misconduct. The Notice of Decision will include:
 - The nature of the action being taken, to include the duration if the action is a suspension.
 - The reason(s) for the action, stated specifically enough to establish that the basis is not a violation of law, rule, regulation, or DoW policy on prohibited personnel practices.
 - The effective date of the action.

- Appropriate information regarding submitting a complaint concerning alleged violation(s) under the DoW policy on prohibited personnel practices.
- Detailed information regarding any applicable grievance procedure (e.g., administrative grievance procedure, negotiated grievance procedure for a bargaining unit employee).
- The Notice of Decision to discipline must be provided to the employee on or before the effective date of the action.

12.6.3 A sample template Notice of Decision to take disciplinary action is available at Appendix D.

12.6.4 DoW Components will ensure that case files are maintained for all disciplinary and adverse actions as required by their records schedule established pursuant to DoDI 5015.02, *DoD Records Management Program*, February 24, 2015, as amended. The case files should include copies of:

- The Notice of Decision to discipline.
- All supporting material or documentation relied upon for the disciplinary action.
- Any order effecting the action, where applicable.
- Standard Form 50, Notification of Personnel Action, as appropriate.

12.7 **Documenting Disciplinary Actions**

12.7.1 Official Request for Personnel Action (Standard Form 52) and Notification of Personnel Action (Standard Form 50) to document disciplinary actions will be prepared and processed in accordance with the GPPA and maintained in accordance with the Guide to Personnel Recordkeeping.

12.7.2 OPM Bulletin, "Upcoming Schedule Policy/Career GPPA and EHRI Data Standards Changes," April 14, 2026, provided advance notice of upcoming changes to the GPPA and EHRI Data Standards related to Schedule Policy/Career. These new data elements support accurate documentation and reporting of personnel actions associated with Schedule Policy/Career positions. Upon release of the GPPA updates, DCPAS will initiate the appropriate updates to the Defense Civilian Personnel Data System (DCPDS).

12.7.3 All personnel actions to separate an employee in Schedule Policy/Career will be properly coded using the updated GPPA, Chapter 31. DCPAS may issue guidance to address use of the GPPA.

12.8 **Severance Pay**

12.8.1 Employees occupying a position in Schedule Policy/Career are not eligible for severance pay if the DoW Component identifies unacceptable performance or misconduct as the basis for separation in a written notice to the employee.

13.0 PERFORMANCE MANAGEMENT AND AWARDS

13.1 **Performance Management**

- 13.1.1 While employees under Schedule Policy/Career are excepted from procedures under Chapter 43 of title 5, U.S.C., related to addressing unacceptable performance/proposing/taking action based on unacceptable performance, the provisions related to performance appraisal systems and performance management still apply. Accordingly, the OPM amended its regulations in part 432 of title 5, CFR, to exclude employees under Schedule Policy/Career. Regulations in part 430 of title 5, CFR, related to performance management are still applicable to employees under Schedule Policy/Career.
- 13.1.2 Placement in Schedule Policy/Career does not change employee coverage under their current performance management program. For example, employees covered by the Defense Performance Management and Appraisal Program (DPMAP) will continue to be covered by that performance management program.
- 13.1.3 Supervisors continue to provide guidance, coaching, and set clear expectations for performance for employees under Schedule Policy/Career. Supervisors are responsible for holding employees accountable, documenting performance, and providing feedback under the applicable performance management program.
- 13.1.4 Performance management requirements for employees covered by DPMAP and placed in Schedule Policy/Career will be incorporated into DoDI 1400.25, Volume 431.

13.2 **Awards**

- 13.2.1 Generally, DoW employees placed under Schedule Policy/Career remain eligible to receive the same performance-based, special act, and other awards they would have been eligible to receive under applicable policies (e.g., DoDI 1400.25, Volume 451, "DoD Civilian Personnel Management System: Awards," November 4, 2013, as amended) prior to placement in Schedule Policy/Career, except as provided in paragraph 13.2.2, below.
- 13.2.2 Senior professional employees placed under Schedule Policy/Career are no longer eligible to receive Presidential Rank Awards as established under part 451.302 of title 5, CFR. This restriction will be incorporated into policies applicable to SL and ST employees placed under Schedule Policy/Career.
- 13.2.3 The OPM is expected to create a presidential award program for Schedule Policy/Career employees, in accordance with sections 4504 and 4506 of title 5, U.S.C. Additional DoW policy may be issued once that award program is created.
- 13.2.4 DoW Components will set aside a separate bonus pool, and use existing award authorities consistent with part 451 of title 5, CFR, to ensure that Schedule Policy/Career employees are appropriately recognized and rewarded for outstanding work. This requirement is effective immediately and will be included in future versions of the Department of War Awards Spending Guidance for Non-Senior Executive Service and Senior Professional Employees.

14.0 TRAINING AND PROFESSIONAL DEVELOPMENT

14.1 **Training**

14.1.1 Generally, DoW employees placed under Schedule Policy/Career remain eligible for the same training opportunities they would have been eligible to receive under applicable policies prior to placement in Schedule Policy/Career, except as provided in paragraph 14.1.2 below.

14.1.2 DoW employees under Schedule Policy/Career may not be selected and assigned to academic degree training pursuant to section 4107 of title 5, U.S.C., and DoDI 1400.25, Volume 410, "DoD Civilian Personnel Management System: Training, Education, and Professional Development," September 25, 2013, as amended.

14.2 **Professional Credentials**

14.2.1 DoW employees under Schedule Policy/Career are not eligible for payment/reimbursement of expenses to obtain or maintain professional credentials, including expenses for professional accreditation, State-imposed and professional licenses, professional certification, and examinations to obtain such credentials, pursuant to section 5757 of title 5, U.S.C., and DoDI 1400.25, Volume 410.

15.0 GRIEVANCE AND APPEALS

15.1 **Administrative Grievances**

15.1.1 Employees placed in Schedule Policy/Career may grieve certain personnel actions in accordance with DoDI 1400.25, Volume 771, "DoD Civilian Personnel Management System: Administrative Grievance System," December 26, 2013, as amended. The Administrative Grievance System (AGS) is the primary means for non-bargaining unit DoW employees currently and formerly serving in a position under Schedule Policy/Career to grieve matters related to their employment, including disciplinary actions, up to and including removal.

15.1.2 As an exception to policy, employees in Schedule Policy/Career may grieve their removal under the AGS. DoDI 1400.25, Volume 771, Paragraph 2.b.(13) of Enclosure 3 is amended to state, "A separation or termination action, except for the removal of an employee in Schedule Policy/Career of the excepted service." This amendment will be incorporated into DoDI 1400.25, Volume 771.

15.1.3 The AGS may not be used by employees covered by Schedule Policy/Career to grieve:

- The President's determination to place a position and thus an employee into Schedule Policy/Career.
- Any matter covered by the DoW policy on prohibited personnel practices.

15.1.4 No DoW employee may retaliate against an individual for filing or participating in an administrative grievance under this policy. Allegations of retaliation may be addressed through the DoW policy on prohibited personnel practices.

15.1.5 These changes will be incorporated into DoDI 1400.25, Volume 771.

15.2 **Negotiated Grievance Procedures.**

- 15.2.1 Implementation of Schedule Policy/Career, to include placement of an employee into Schedule Policy/Career, does not exclude the employee from collective bargaining under Chapter 71 of title 5, U.S.C. Bargaining unit employees placed in Schedule Policy/Career may grieve matters covered by the negotiated grievance procedure in accordance with procedures established in the applicable collective bargaining agreement.
- 15.2.2 As stated in paragraph 1.1.2, the President's determination to place a position and thus an employee into Schedule Policy/Career is not subject to independent review or change by the DoW and not subject to any negotiated grievance procedures established in the applicable collective bargaining agreement.

15.3 **Appeals to the Merit Systems Protection Board (MSPB)**

- 15.3.1 **Conversion to Schedule Policy/Career.** On February 23, 2026, the MSPB published, "Appellate Jurisdiction Update," 91 FR 8359, amending its regulations in part 1201.3 of title 5, CFR, to remove appeal rights to MSPB for actions related to placement or movement of a civil service employee into an excepted service position without civil service protection. This final rule reflects the OPM's rescission of the basis for appeals previously codified under part 302.603 of title 5, CFR, and was effective March 9, 2026. Therefore, appeals of this nature are not provided for under any law, rule, or regulation and the MSPB does not have jurisdiction to hear appeals from:
- DoW employees moved from the competitive service into the excepted service, or moved between schedules in the excepted service, when the DoW asserts that the employee would lose appeal rights, competitive status, or other previously accrued protections as a result of that move.
 - DoW failure to provide the required notice to the employee regarding whether the move would affect the employee's appeal rights, competitive status, or other accrued protections.
- 15.3.2 **Disciplinary and Adverse Actions.** On February 6, 2026, the OPM published, "Improving Performance, Accountability, and Responsiveness in the Civil Service," 91 FRN 5580, amending regulations in part 752.401(d) of title 5, CFR, "Employees Excluded," to exclude from coverage an employee whose position is in Schedule Policy/Career. Additionally, OPM amended part 752.405 of title 5, CFR, "Appeal and grievance rights," to state employees listed under part 752.401(d) may not appeal to the Merit Systems Protection Board under this section, irrespective of whether they or their positions were previously covered by this subpart.
- Employees covered under Schedule Policy/Career may not appeal an adverse action such as a removal, suspension of more than 14 days, reduction in grade or pay, or furlough for 30 days or less to the MSPB.

16.0 PROHIBITED PERSONNEL PRACTICES

On January 20, 2025, the President signed Executive Order (E.O.) 14171, "Restoring Accountability to Policy-Influencing Positions Within the Federal Workforce." E.O. 14171 reinstated and amended E.O. 13957, "Creating Schedule Policy/Career in the Excepted Service." Section 6(a) of E.O. 13957 requires

DoW to establish rules to prohibit the same personnel practices prohibited by section 2302(b) of title 5, U.S.C., with respect to any employee or applicant for employment in Schedule Policy/Career of the excepted service.

- 16.1 Although employees and applicants for employment in Schedule Policy/Career positions are not covered by section 2302 of title 5, U.S.C., Secretary of War memorandum, "Department of War Policy on Prohibited Personnel Practices for Schedule Policy/Career," June 1, 2026, prohibits the same practices to ensure that personnel actions concerning employees and applicants for employment in Schedule Policy/Career are based on merit alone and that these employees and applicants retain protections against prohibited personnel practices..
- 16.2 DoW Schedule Policy/Career employees and applicants may not seek corrective action before the Office of Special Counsel based on allegations of prohibited personnel practices but may seek corrective action from the DoW Office of General Counsel.
- 16.3 The DoW General Counsel will issue procedures for employees in Schedule Policy/Career to seek corrective action relating to allegations of prohibited personnel practices.
- 16.4 Information about the types of personnel practices prohibited by Department policy is available at <https://www.osc.gov/services/prohibited-personnel-practices/overview/>. Information about complaint procedures for employees in Schedule Policy/Career will be available on the DoW OGC website (<https://ogc.osd.mil/>) in July 2026. Other inquiries related to the Secretary's June 1, 2026, memorandum may be directed to osd.PPPschedPC@mail.mil.

17.0 ADDITIONAL EMPLOYEE PROTECTIONS

- 17.1 DoW employees in Schedule Policy/Career retain all rights and protections afforded by other federal employment and labor laws. These protections are administered by various federal agencies and remain fully in effect for employees placed in Schedule Policy/Career. Key protections include, but are not limited to:
 - 17.1.1 Equal Employment Opportunity Commission: All personnel actions taken under Schedule Policy/Career will be administered in a manner free from unlawful discrimination. All employees, regardless of their placement in Schedule Policy/Career, are protected by federal anti-discrimination, anti-harassment, and anti-retaliation laws. DoW employees in Schedule Policy/Career may continue to raise allegations of unlawful discrimination using established Equal Employment Opportunity (EEO) complaint processes. Any employee who believes they have been subjected to discrimination, harassment, or retaliation must contact an EEO counselor within 45 calendar days of the alleged discriminatory act to preserve their rights under the EEO complaint process. Protections against unlawful discrimination include, but are not limited to, the following:
 - Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), and national origin.
 - The Age Discrimination in Employment Act of 1967 (ADEA), which prohibits discrimination against individuals who are 40 years of age or older.
 - The Equal Pay Act of 1963, which prohibits sex-based wage discrimination.

- The Rehabilitation Act of 1973, Sections 501 and 505, which prohibit discrimination against qualified individuals with disabilities and require provision of reasonable accommodations.
- The Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits discrimination based on genetic information.
- Prohibitions Against Retaliation for Protected Activity: It is unlawful to retaliate against an individual for opposing any practice made illegal by these statutes, for filing a discrimination complaint, or for testifying, assisting, or participating in an EEO investigation, proceeding, or hearing.
- Prohibitions Against Harassment: These laws also prohibit harassment of an individual based on any of the protected characteristics listed above.

17.1.2 Department of Labor:

- Uniformed Services Employment and Reemployment Rights Act (USERRA): Prohibits employment discrimination on the basis of an employee's past, current, or future military service. It also guarantees the right of service members to be reemployed in their civilian job upon their return from military duty, with restoration of seniority, pay, and benefits. DoW employees in Schedule Policy/Career may continue to raise allegations of violations of USERRA using established complaint processes through the Office of Special Counsel and/or the MSPB.
- Federal Employees Compensation Act (FECA): Provides federal employees with workers' compensation benefits for wage loss and medical expenses resulting from any injury or illness sustained in the performance of their duties.

18.0 OPM REVIEW AND REPORTING

- 18.1 OPM has not yet provided specific guidance regarding reporting requirements related to Schedule Policy/Career (e.g., reporting for completion of initial implementation/conversion actions or reporting for ongoing reviews).
- 18.2 Once OPM guidance is received, the ODASW(CPP) will provide additional guidance concerning internal reporting requirements.

APPENDIX A: DOW SAMPLE NOTIFICATION TEMPLATES

Notice to Employee Placed in Schedule Policy/Career Position and Acknowledgement of Conditions of Employment

MEMORANDUM FOR < **Insert Individual's Full Name and Email Address/Mailing Address** >

FROM: <**Insert Official's Name and Title**>

SUBJECT: Notification of Placement in a Schedule Policy/Career Position and Conditions of Employment

This memorandum serves as notice that I, <**Insert Employee Name**> received information concerning the requirements for continued employment as a <**Insert Position Title, Pay Plan, Series and Grade (e.g., GS-0201-15)**> with <**Insert Agency Name**>.

I understand I will serve in an excepted service, Schedule Policy/Career position beginning <**Insert Date**> and that the President's determination to place my position in Schedule Policy/Career is not subject to independent review or change by the Department of War.

I understand that movement into Schedule Policy/Career will result in me occupying an excepted service position and, if I have obtained competitive status I will retain competitive status.

I understand that my service in this position will be at-will.

I understand that my position does not confer appeal rights to the Merit System Protections Board (MSPB) concerning performance, discipline, or any other matter arising under Chapters 23, 43, and 75 of title 5, United States Code.

I understand that prohibitions on prohibited personnel practices will be enforced by the Department of War Office of General Counsel and not the Office of Special Counsel.

I request a 90-day extension to all public financial disclosure deadlines pending OGE regulation excluding me from this requirement.

I understand that the above paragraphs are conditions of my continued employment.

Signature of Employee

Date

Print Name

Signature of Supervisor/Agency Official

Date

Print Name

Schedule Policy/Career Implementing Guidance
Appendix A: DoW Sample Notification Templates

☐ Employee declined to sign

Signature of Supervisor/Agency Official

Date

Notice to Cyber Excepted Service Employee Placed in Schedule Policy/Career Position and
Acknowledgement of Conditions of Employment

MEMORANDUM FOR < **Insert Individual's Full Name and Email Address/Mailing Address** >

FROM: <**Insert Official's Name and Title**>

SUBJECT: Notification of Placement in a Schedule Policy/Career Position and Conditions of Employment
Within the Cyber Excepted Service

This memorandum serves as notice that I, <**Insert Employee Name**> received information concerning the requirements for continued employment as a <**Insert Position Title, Pay Plan, Series and Grade (e.g., GG-####-##)**> with the Department of War, <**Insert Organization**>.

I understand that I will continue to serve in an excepted service position within the Cyber Excepted Service (CES) personnel system under section 1599f of title 10, United States Code. I further understand that effective June 3, 2026, my position has been placed in Schedule Policy/Career, having been determined by the President to be of a confidential, policy-determining, policy-making, or policy-advocating character, and that this determination is not subject to independent review or change by the Department of War.

I understand that my service in this position will be at-will.

I understand that my position does not confer appeal rights to the Merit System Protections Board (MSPB) concerning performance, discipline, or any other matter arising under Chapters 23, 43, and 75 of title 5, United States Code.

I understand that prohibitions on prohibited personnel practices will be enforced by the Department of War Office of General Counsel and not the Office of Special Counsel.

I request a 90-day extension to all public financial disclosure deadlines pending OGE regulation excluding me from this requirement.

I understand that the above paragraphs are conditions of my continued employment.

Signature of Employee

Date

Print Name

Signature of Supervisor/Agency Official

Date

Print Name

☐ Employee declined to sign

Signature of Supervisor/Agency Official

Date

Notice to Applicant Selected for Schedule Policy/Career Position – Prior Competitive Service Position

MEMORANDUM FOR < **Insert Individual's Full Name and Email Address/Mailing Address** >

FROM: <**Insert Official's Name and Title**>

SUBJECT: Acceptance of Schedule Policy/Career Excepted Service Position

Congratulations on your recent selection for a position in the federal service. Because the position is established within Schedule Policy/Career in the excepted service, it is important to highlight several key ways in which it differs from many other federal positions:

- Acceptance of this position will result in your occupying an excepted service position and the President's determination to place that position in Schedule Policy/Career is not subject to independent review or change by the Department of War.
- Your service in this position will be at-will.
- Merit Systems Protection Board (MSPB) appeals of adverse actions concerning performance, discipline or other matters arising under Chapters 23, 43, and 75 of title 5, United States Code, will not apply to this position.
- The position you have been selected for was previously covered under the competitive service and has been filled using applicable merit-based competitive hiring procedures. Therefore, you will obtain competitive status after two years of service in this position.
- Prohibitions on prohibited personnel practices will be enforced by the Department of War Office of General Counsel and not the Office of Special Counsel.

For additional information concerning Schedule Policy/Career, please review Executive Order 13957; Executive Order 14171; the Schedule Policy/Career Final Rule, 91 FR 5580; and Office of Personnel Management's Memorandums, "Initial Implementing Guidance for Schedule Policy/Career Final Rule," February 5, 2026, and "Additional Implementing Guidance for Schedule Policy/Career Final Rule," February 6, 2026. You may also contact <**Insert Agency Human Resources POC**>.

Statement of Acceptance of Excepted Service Position

I have read the above information and understand that I am being appointed to the position of <**Insert Position Title, Pay Plan, Series and Grade (e.g., GS-0201-15) with Agency Name**> in Schedule Policy/Career in the excepted service under title 5 of the United States Code. I acknowledge that I will serve at-will in this position. I also acknowledge that this position does not confer rights to appeal an action to the MSPB concerning performance, discipline, or whistleblowing. I knowingly and voluntarily accept the position as it has been presented to me.

If I am only required to file a public financial disclosure report by reason of service in a Schedule Policy/Career position, a forthcoming Office of Government Ethics regulation will exclude me from filing. Therefore, I request a 90-day filing extension for all public financial disclosure deadlines, pending exclusion.

Receipt Acknowledged by Applicant:

Signature of Applicant

Date

Print Name

Notice to Applicant Selected for Schedule Policy/Career Position – Prior Excepted Service Position

MEMORANDUM FOR < **Insert Individual's Full Name and Email Address/Mailing Address** >

FROM: <**Insert Official's Name and Title**>

SUBJECT: Acceptance of Schedule Policy/Career Excepted Service Position

Congratulations on your recent selection for a position in the federal service. Because the position is established within Schedule Policy/Career in the excepted service, it is important to highlight several key ways in which it differs from many other federal positions:

- Acceptance of this position will result in your occupying an excepted service position and the President's determination to place that position in Schedule Policy/Career is not subject to independent review or change by the Department of War.
- Your service in this position will be at-will.
- Merit Systems Protection Board (MSPB) appeals of adverse actions concerning performance, discipline or other matters arising under Chapters 23, 43, and 75 of title 5, United States Code, will not apply to this position.
- The position you have been selected for was previously covered under the excepted service and does not confer competitive status.
- Prohibitions on prohibited personnel practices will be enforced by the Department of War Office of General Counsel and not the Office of Special Counsel.

For additional information concerning Schedule Policy/Career, please review Executive Order 13957; Executive Order 14171; the Schedule Policy/Career Final Rule, 91 FR 5580; and Office of Personnel Management's Memorandums, "Initial Implementing Guidance for Schedule Policy/Career Final Rule," February 5, 2026, and "Additional Implementing Guidance for Schedule Policy/Career Final Rule," February 6, 2026. You may also contact <**Insert Agency Human Resources POC**>.

Statement of Acceptance of Excepted Service Position

I have read the above information and understand that I am being appointed to the position of <**Insert Position Title, Pay Plan, Series and Grade (e.g., GS-0201-15) with Agency Name**> in Schedule Policy/Career in the excepted service under title 5 of the United States Code. I acknowledge that I will serve at-will in this position. I also acknowledge that this position does not confer rights to appeal an action to the MSPB concerning performance, discipline, or whistleblowing. I knowingly and voluntarily accept the position as it has been presented to me.

If I am only required to file a public financial disclosure report by reason of service in a Schedule Policy/Career position, a forthcoming Office of Government Ethics regulation will exclude me from filing. Therefore, I request a 90-day filing extension for all public financial disclosure deadlines, pending exclusion.

Receipt Acknowledged by Applicant:

Signature of Applicant

Date

Print Name

Public Financial Disclosure Filing Extension Request
To accompany all "Notices to Employee Placed in Schedule Policy/Career Position"
This language may not be altered.

MEMORANDUM FOR ETHICS OFFICIAL

SUBJECT: Request for 90-Day Extension of Public Filing Requirements

I understand that Section 13103(f)(5) of title 5 of the United States Code normally requires public financial disclosure reports (OGE 278) to be filed by employees who are "in a position in the executive branch which is excepted from the competitive service by reason of being of a confidential or policymaking character." Pursuant to this section, the employees whose positions are moved into Schedule Policy/Career and who are not already required to file a public financial disclosure will now be required to file a public financial disclosure upon placement in Schedule Policy/Career. As a result, these employees would be required to file a New Entrant Public Financial Disclosure Report (New Entrant Report) within 30 days of being placed in Schedule Policy/Career and will also be required to file Periodic Transaction Reports (PTRs) for any reportable transaction on or after the date they are placed in Schedule Policy/Career.

Section 13103(f)(5) permits the Director of the Office of Government Ethics (OGE) to issue a regulation to exclude a group of individuals from filing "in cases in which the Director determines such exclusion would not affect adversely the integrity of the Government or the public's confidence in the integrity of the Government." The Office of Government Ethics has stated that they are working to publish an interim final regulation excluding Schedule Policy/Career employees who are not otherwise required to file a public financial disclosure from this filing obligation. In the interim, the DoW Standards of Conduct Office issued a blanket 45-day extension for all DoW employees placed in Schedule Policy/Career for whom the requirement to file an OGE 278 stems solely from issuance of the Executive Order, "Implementing Schedule Policy/Career in the Excepted Service," June 3, 2026.

I am not currently required to file the OGE 278. Since the forthcoming OGE regulation will exclude me from filing, I am requesting a 90-day filing extension for all public financial disclosure deadlines.

Signature of Employee

Date

Print Name

☐ Ethics Official Approval

Signature of Ethics Official

Date

APPENDIX B: DOW LANGUAGE FOR JOB OPPORTUNITY ANNOUNCEMENTS

In an appropriate section of DoW job opportunity announcement on USAJOBS (e.g., under “Conditions of Employment”) or in an appropriate section in other public facing job postings, DoW Components will insert the following language:

As a condition of employment for accepting this position, you will be serving in a position in Schedule Policy/Career of the excepted service. You will obtain competitive status after two years of service in this position, if applicable. Your employment in this position will be at-will. Merit Systems Protection Board (MSPB) appeals of adverse actions concerning performance, discipline, and other matters arising under Chapters 23, 43, and 75 of title 5, United States Code, will not be available to an individual serving in this position. Prohibitions on prohibited personnel practices will be enforced by the Department of War Office of General Counsel and not the Office of Special Counsel.

APPENDIX C: DOW LANGUAGE FOR POSITION DESCRIPTIONS

In an appropriate section of all DoW Position Descriptions for positions placed in Schedule Policy/Career, DoW Components will insert the following language:

In accordance with Executive Order 13957, as amended by Executive Order 14171, “Establishing Schedule Policy/Career in the Excepted Service,” and Executive Order 14410, “Implementing Schedule Policy/Career in the Excepted Service,” this position is being **<established or placed>** under Schedule Policy/Career in the excepted Service. Prior to placement in Schedule Policy/Career this position was a **<competitive service, excepted service, or other applicable statement>** position.

NOTE: Executive Order 14410, “Implementing Schedule Policy/Career in the Excepted Service,” placed the first tranche of DoW positions in Schedule Policy Career. Additional positions may be placed in Schedule Policy/Career via future Executive Orders. For positions placed in Schedule Policy/Career via subsequent Executive Orders, reference to Executive Order 14410 in this template, and the corresponding title, will need to be updated accordingly.

APPENDIX D: DOW SAMPLE NOTICE OF DECISION TO TAKE DISCIPLINARY ACTION

Notice of Decision to Take Disciplinary Action

MEMORANDUM FOR < Insert Individual's Full Name and Email Address/Mailing Address >

FROM: <Insert Official's Name and Title>

SUBJECT: Notice of Decision to <Reprimand, Suspend, Reduce in Grade, Reduce in Pay, Remove>

This memorandum serves to notify you of my decision to <Insert: reprimand you, suspend you without pay for XX calendar days, reduce your grade from <Insert Current Pay Plan and Grade (e.g., GS-15)> to <Insert Reduced Pay Plan and Grade (e.g., GS-14)>, reduce your basic pay from <Insert Current \$00,000>, to <Insert Reduced \$00,0000>, remove you from your position of <Insert Position Title>, <Insert Pay Plan, Series and Grade (e.g., GS-0201-15)> in accordance with Executive Order 13957, as amended by Executive Order 14171, "Creating Schedule Policy/Career in the Excepted Service," and Deputy Assistant Secretary of War for Civilian Personnel Policy Memorandum, "Schedule Policy/Career Implementation Guidance," <Insert Date of Memo>. The effective date of my decision is <Insert Effective Date>. [If this is a Decision to Suspend: Insert details regarding how the suspension will be served (e.g. The suspension will begin on May 11, 2026 and will run for 5 consecutive calendar days. The suspension will end on May 15, 2026 and you will return to a duty status on May 18, 2026.).]

The <reason or reasons> for my decision <is or are>: <Insert Reason(s) for the Decision>.

[If this is a Decision to Remove: Insert additional information regarding out-processing/return of equipment/etc. (e.g., You will be removed from your position as a <Insert Position Title, Pay Plan, Series and Grade (e.g., GS-0201-15)>, and from the Federal Service, effective close of business on <Insert Date>. Until that date, you will remain in <Insert details regarding duty status until the effective date, if applicable (e.g., a duty status, or a paid, non-duty status)>, and you must return all government-issued property (e.g., laptop, badge) to <Insert POC to Receive Equipment>, by <Insert Date>.]

[Include for Non-Bargaining Unit Employee]

You may grieve this action in accordance with Department of Defense Instruction 1400.25, Volume 771, "DoD Civilian Personnel Management System: Administrative Grievance System," available at: https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/140025/140025_vol771.PDF?ver=4NePdW52KHQ4vKeuf6DGCw%3d%3d. The administrative grievance process may not be used to grieve matters covered by the Department of War Policy on Prohibited Personnel Practices. To obtain information on filing a grievance under the administrative grievance system, contact <Insert Name and Contact Info for Agency Human Resources POC>.

[Include for Bargaining Unit Employee]

You may grieve this action in accordance with the negotiated grievance procedure under the applicable bargaining agreement <Insert Negotiated Agreement Citation>. To obtain information on filing

a grievance under the negotiated grievance procedure, contact **<Insert Name and Contact Info for Exclusive Union Representative>**.

[Include for All Employees]

If you believe this action was taken in violation of any prohibited personnel practice, you may elect to file a complaint with the DoW Office of General Counsel in accordance with the procedures established by the DoW General Counsel. Information about complaint procedures is available on the DoW Office of General Counsel website at: <https://ogc.osd.mil>.

You have the right to file a complaint with your Equal Employment Opportunity (EEO) Office if you believe that this action was effected in a discriminatory manner. To do so, you must contact an Equal Employment Opportunity (EEO) counselor within 45 calendar days of receipt of this notice. Information regarding the federal sector EEO process is available on the EEO Commission website at: http://eeoc.gov/federal/fed_employees/complaint_overview.cfm. You may contact your servicing EEO Office at **<Insert EEO Office Contact Information>**. The servicing EEO Office may send the Acknowledgment Order and copy of the appeal to **<Insert Local Human Resources Contact Information to Include Name, Phone Number, and E-mail Address>**. [Note: Consult local collective bargaining agreements to determine if discriminatory matters are covered under the negotiated grievance procedure. If so covered, employees may use either the EEO complaint process or the negotiated grievance procedure, but not both.]

For questions regarding your rights in connection with this decision, contact **<Insert Name and Contact Info for Agency Human Resources POC>**.

<Insert Official's Signature Block>

Employee Acknowledgement: Your signature below only acknowledges receipt of this memorandum. It does not indicate agreement or disagreement with its contents. Failure to sign will not void the contents of this memorandum.

Employee Signature

Date