

Judges order Trump officials to offer jobs back to thousands of fired workers

In separate rulings, judges in Maryland and California ordered the reinstatement of probationary workers fired last month across many agencies.

By Salvador Rizzo and Katie Mettler
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SAN FRANCISCO — Two federal judges on Thursday ordered the Trump administration to immediately offer jobs back to thousands of fired probationary workers as they imposed separate, broad roadblocks on the administration's efforts.

The rulings — in Maryland and California — mark the most significant challenge so far to Trump's campaign to shrink and reshape the sprawling, 2.3-million-person bureaucracy. Trump would now have to appeal and win in two, separate legal cases — or seek Supreme Court involvement — to get his workforce reduction effort back on course.

In Maryland, U.S. District Court Judge James K. Bredar required 18 federal agencies to rehire any probationary employees they had terminated since Jan. 20, when Trump took office, and to submit reports to the judge by March 17, outlining compliance with his order and naming each reinstated employee. His ruling came in response to a multistate lawsuit accusing the federal government of illegally terminating tens of thousands of probationary workers, arguing those firings were conducted in an opaque way that has overwhelmed state government support systems for unemployed workers and caused economic harm.

Hours earlier in San Francisco, U.S. District Judge William Alsup said at a court hearing that the Office of Personnel Management — which serves as the federal government's human resources agency — had no legal authority to direct the mass firings in conference calls and written communications last month. He added that individual agencies could downsize their staffs by following the steps

laid out in the federal Reduction in Force Act, a process that administration officials have already [put in motion](#).

The government's effort to cut its workforce, championed by Trump's billionaire adviser Elon Musk, has sparked mounting legal and administrative challenges across the country.

The lawsuit in federal district court in Maryland came from a cohort of 20 Democratic attorneys general nationwide. They argued that the Trump administration had falsely categorized mass layoffs as terminations based on poor individual performance — which gave the government much more leniency to swiftly fire people — when they were actually a Reduction in Force, part of the administration's plan to restructure and downsize the entire federal government.

Under federal laws and regulations dictating the RIF process, the federal government is required to offer additional job protections for military veterans and give certain employees an opportunity to do a job similar to their eliminated one elsewhere in federal government. Those guidelines also require the federal government to give a 60-day notification to affected states so local officials can set up rapid-response teams to support the surge of unemployed residents. But the Trump administration did not do that, the states said.

Bredar, the judge, had signaled at a recent hearing he was likely to agree, noting to a Justice Department attorney that the case was not about whether the government can terminate people, but if those terminations were conducted legally. At one point, Bredar quoted the Silicon Valley mantra embraced by DOGE head Musk: "Move fast and break things."

"Move fast? Fine," Bredar said. "Break things? If that involves breaking the law, then that becomes problematic."

The precise number of probationary employees who have been fired remains unclear. At the hearing in Maryland, Bredar repeatedly pressed a Justice Department attorney to provide a figure, and he responded, "I don't know." The Democratic attorneys general estimate the figure is about 24,000. In his ruling, the judge cited the impact to states.

"Lacking the notice to which they were entitled, the states weren't ready for the impact of so many unemployed people. They are still scrambling to catch up," he

wrote. "They remain impaired in their capacities to meet their legal obligations to their citizens."

Alsup's decision in San Francisco came in a suit filed by labor unions and advocacy groups over the mass terminations and covers workers at the departments of Agriculture, Defense, Energy, Interior, Treasury and Veterans Affairs. The impacted agencies in the other case include the Departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Labor, Transportation, Treasury and Veterans Affairs, as well as the Environmental Protection Agency, the Consumer Financial Protection Bureau, Federal Deposit Insurance Corporation, General Services Administration, Small Business Administration and USAID.

Under Bredar's order — which expires March 27 and excludes those justly fired for cause after a "good-faith" evaluation — employees must be re-hired by 1 p.m. on Monday. The judge scheduled a preliminary injunction hearing for March 26.

Alsup also granted a preliminary injunction Thursday that bars the personnel management office from directing future firings of probationary staff, extending a temporary restraining order he had granted last month. After the initial ruling, the agency revised its guidance and emphasized that the power to terminate employees rested with each individual agency. Trump has since shifted his tone, telling Cabinet secretaries that [they should be the ones to make cuts](#), using a "scalpel" rather than a "hatchet."

But the president has continued his efforts, giving federal agencies a Thursday deadline to submit plans for "large-scale reductions in force." Hours after Alsup's ruling Thursday, administration attorneys filed court papers saying they would appeal.

A former specialist from an Agriculture Department field office, who was fired along with other probationary employees in February, told The Washington Post he will continue interviewing for private sector jobs because "the federal government is too unstable as an employment option."

The former employee, who spoke on the condition of anonymity for fear of retaliation, said that in the weeks it will take to bring all the fired workers back on

board, he is worried about being terminated a second time as part of the agency's reduction-in-force plans.

At the hearing in San Francisco, Alsup castigated a Justice Department attorney arguing on behalf of the Trump administration for submitting "sham" documents and "stonewalling" efforts to gather facts and testimony, incensed that the acting Office of Personnel Management director, Charles Ezell, refused to testify in court Thursday, as the judge had previously ordered.

"I tend to doubt that you're telling me the truth," Alsup told Assistant U.S. Attorney Kelsey Helland, the lone Justice Department lawyer arguing at the hearing.

"You will not bring the people here to be cross-examined," the judge said. "You're afraid to do so, because ... it would reveal the truth. This is the U.S. District Court. ... I've been practicing or serving in this court for over 50 years, and I know how we get to the truth."

The ruling lands as the Trump administration faces dozens of legal challenges to agency dismantlings, funding cuts pushed by Musk's U.S. DOGE Service, widespread firings of federal workers and new immigration restrictions. Many of those suits are still in their early stages, but judges have temporarily blocked some of the administration's moves. The latest came Thursday, when a group of 21 Democratic attorneys general [sued to stop the administration's](#) gutting of the federal Education Department, accusing Trump of exceeding his authority.

An attorney for the unions and advocacy groups said at Thursday's hearing in San Francisco that some agencies moved to reinstate fired probationary employees after Alsup's initial order Feb. 27, including the National Science Foundation and Centers for Disease Control and Prevention, while the Labor Department canceled some terminations that were about to happen. However, "most of the agencies have not rehired people," the attorney, Stacey Leyton, said.

"This action by OPM made Swiss cheese of the federal agencies at every level," an attorney for the coalition of plaintiffs, Danielle Leonard, argued at the hearing Thursday. "This action was intended to cripple these agencies, and that is what it has done."

Justice Department attorneys representing the Trump administration maintained that the personnel management agency never ordered federal agencies to fire employees and was only offering guidance, despite the fact that multiple human resources officials — from the IRS and National Science Foundation and the departments of Agriculture, Defense, Energy and Veterans Affairs — have said OPM ordered them to dismiss their probationary workers, according to court records.

One of those officials, Traci DiMartini, was the chief human capital resources officer at the IRS until she was placed on administrative leave, shortly after Alsup issued a restraining order last month. Her statements had come up in court, and the judge cited them in a written order. DiMartini is not a probationary worker, according to court records.

“Regarding the removal of the probationary employees, again, that was something that was directed from OPM,” DiMartini told IRS employees in a town hall last month. “And even the letters that your colleagues received yesterday were letters written by OPM, put forth through Treasury, and given to us. ... I cannot explain to you why this has happened. I’ve never seen OPM direct people at any agency to terminate.”

Helland said in a letter to the court that DiMartini’s ouster by Treasury Department officials was unrelated and done “without any knowledge of this case.” Attorneys for the unions and advocacy groups said that was false and that DiMartini was willing to testify under subpoena.

In a sworn court declaration filed Feb. 26, Ezell asserted that “OPM did not direct agencies to terminate any particular probationary employees based on performance or misconduct, and did not create a ‘mass termination program.’ ” The personnel agency merely created a “focused review” process, he said. “Agencies took their own actions to terminate employees the agencies did not wish to retain,” Ezell said.

Alsup said at a hearing last month that he found such claims unbelievable, and added Thursday that the evidence in the case indicated OPM did order the mass firings.

The judge had ordered Ezell to give court testimony under oath to clarify the personnel agency’s role in the terminations. Helland did not raise objections to

that order during a hearing last month in San Francisco. But in court papers afterward, Trump administration attorneys said “compelling the testimony of an acting agency head would pose major separation-of-powers concerns, especially at this early stage of litigation.”

Alsup then reiterated his order directing Ezell to testify, noting that he had already submitted a court declaration in the case and was therefore subject to cross-examination. The Justice Department responded by withdrawing his court declaration, saying Ezell “lacks specific knowledge of disputed issues of fact” and would not be taking the stand.

The effort by Trump and Musk to slash the federal workforce has cost thousands of people their jobs, a Washington Post analysis has found. Before the mass firings, the United States employed about 200,000 probationary workers, representing about 10 percent of its civilian federal workforce. Most probationary workers have been on the job for one or two years, but in some cases they include longtime employees who have been promoted or given new positions. Many of them were fired for “performance reasons,” with a template email provided to agencies by OPM, despite having received positive evaluations, according to court records.

Alsup has had harsh words for the Trump administration about the issue, citing cases of employees who received “glowing” or “fully” satisfactory evaluations before being fired.

“That doesn’t look right,” Alsup said at the hearing last month, before issuing the temporary restraining order. “That’s just not right in our country, is it? That we run our agencies with lies like that and stain somebody’s record for the rest of their life? Who is going to want to work in a government that would do that to them?”

Mettler reported from Baltimore. Aaron Wiener and Sarah Blaskey contributed to this report.