

United States Senate

WASHINGTON, DC 20510

April 9, 2025

The Honorable Scott Turner
Secretary
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, D.C. 20410

Dear Secretary Turner:

We write to request information regarding reports that the Department of Housing and Urban Development (HUD) is refusing to provide rehired probationary workers with back pay or reinstate their Federal Employees Health Benefits (FEHB) – a move that likely violates federal law.¹ Federal employees at HUD work tirelessly to ensure Americans have access to quality, affordable homes, and it is essential that HUD provide them with the benefits and backpay they are entitled to.

In mid-February, the Office of Personnel Management (OPM) illegally ordered federal agencies to terminate thousands of probationary employees, and the Trump administration swiftly carried out a series of mass firings across the government, including at HUD. Probationary employees are typically government employees hired within the past one to two years, but can also include longtime government employees that were recently hired or promoted to new positions.²

A judge ruled in March that the OPM broke the law by ordering the Departments of Defense, Agriculture, Veterans Affairs, Energy, Treasury, and Interior to terminate probationary employees.³

Accordingly, on March 17, your agency sent an email to over 300 fired probationary employees informing them that they were going to be reinstated, would be placed on administrative leave temporarily, and should notify their state's local office to cancel all unemployment claims.⁴ Your employees were also told in that email that they would receive back pay and benefits.⁵

1 Government Executive, "HUD won't grant rehired probationary workers back pay, FEHB benefits, despite law requiring it," Erich Wagner, March 26, 2025, <https://www.govexec.com/workforce/2025/03/hud-wont-grant-rehired-probationary-workers-back-pay-fehb-benefits-despite-law-requiring-it/404079/>.

2 Government Executive, "Federal agencies are still firing probationary employees—most recently the Navy," February 14, 2025, <https://www.govexec.com/workforce/2025/02/see-which-federal-agencies-are-firing-new-hires/403033/>.

3 CNN, "Judge orders Trump administration to reinstate thousands of fired employees at VA, Defense Department and other agencies," Devan Cole, March 14, 2025, <https://www.cnn.com/2025/03/13/politics/judge-opm-probationary-employees-fired-hearing/index.html>.

4 Federal News Network, "HUD denies backpay to reinstated probationary employees," Drew Friedman, March 27, 2025, <https://federalnewsnetwork.com/pay/2025/03/hud-denies-backpay-to-reinstated-probationary-employees/>.

5 WTOP News, "'It didn't have to be this way': Fired HUD probationary employees denied back pay," Kate Ryan, March 29, 2025, <https://wtop.com/government/2025/03/it-didnt-have-to-be-this-way-fired-hud-probationary->

However, on March 24th, those same employees received a second email from your agency, which stated HUD would not provide employees back pay for the time they were out of their jobs.⁶ This comes when most federal agencies have stated that their probationary employees will receive back pay, including at the Departments of the Interior, Agriculture, Veterans Affairs, Health and Human Services, Transportation, Energy, and the Small Business Administration.⁷ Moreover, federal law requires back pay for federal workers found to be the victim of a wrongful or unwarranted personnel action, including dismissal.⁸

Additionally, HUD did not guarantee employees health insurance coverage through the Federal Employees Health Benefits (FEHB) program. In this second email, HUD informed probationary employees that they could choose to enroll in the temporary continuation of coverage (TCC) to continue receiving health insurance. TCC, however, is costlier than FEHB for employees, as it requires employees to pay the government's share of premiums on top of their own.⁹

HUD employees do not appear to have received any pay or benefits since their reinstatement on March 17th.¹⁰ Your actions are harming federal employees who are dedicated to ensuring Americans have access to safe and affordable housing and are doing nothing to lower housing costs. We urge you to immediately provide back pay for HUD's reinstated employees in accordance with federal law and ensure reinstated employees have access to FEHB. We also request that you respond to the following questions by May 9, 2025:

1. How many probationary employees did HUD rehire from March 17, 2025, through today? Of those probationary employees, how many are on administrative leave? When will these probationary employees be taken off administrative leave and officially return to their jobs?
2. Please provide a detailed plan and timeline that HUD will follow to ensure that rehired probationary employees receive back pay.

[employees-denied-back-pay/](#).

⁶ Government Executive, "HUD won't grant rehired probationary workers back pay, FEHB benefits, despite law requiring it," Erich Wagner, March 26, 2025, "<https://www.govexec.com/workforce/2025/03/hud-wont-grant-rehired-probationary-workers-back-pay-fehb-benefits-despite-law-requiring-it/404079/>."

⁷ *Id.*; Federal News Network, "HUD denies backpay to reinstated probationary employees," Drew Friedman, March 27, 2025, <https://federalnewsnetwork.com/pay/2025/03/hud-denies-backpay-to-reinstated-probationary-employees/>.

⁸ Government Executive, "HUD won't grant rehired probationary workers back pay, FEHB benefits, despite law requiring it," Erich Wagner, March 26, 2025, "<https://www.govexec.com/workforce/2025/03/hud-wont-grant-rehired-probationary-workers-back-pay-fehb-benefits-despite-law-requiring-it/404079/>."

⁹ Federal News Network, "HUD denies backpay to reinstated probationary employees," Drew Friedman, March 27, 2025, <https://federalnewsnetwork.com/pay/2025/03/hud-denies-backpay-to-reinstated-probationary-employees/>.

¹⁰ Federal News Network, "HUD denies backpay to reinstated probationary employees," Drew Friedman, March 27, 2025, <https://federalnewsnetwork.com/pay/2025/03/hud-denies-backpay-to-reinstated-probationary-employees/>.

3. What analysis, if any, did HUD conduct in its work to determine whether or not reinstated probationary employees would receive back pay? Please provide a copy of this analysis and any written communications at the agency regarding the provision of back pay to rehired probationary employees. If no analysis was provided, why not?
4. Please provide a detailed plan and timeline that HUD will follow to ensure that rehired probationary employees are reinstated to the FEHB program.
5. What additional steps is HUD taking to support recently rehired probationary employees?

Thank you for your attention to this important matter.

Sincerely,



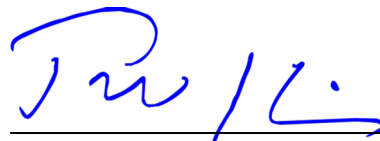
Angela Alsobrooks
United States Senator



Chris Van Hollen
United States Senator



Mark R. Warner
United States Senator



Tim Kaine
United States Senator