



April 10, 2025

**By online portal**

United States Office of Special Counsel  
1730 M St. N.W, Suite 218  
Washington, D.C. 20036-4505

**Re: The United States Environmental Protection Agency's use of administrative leave exceeding statutory limits for employees deemed to have served in environmental justice roles and request for immediate return to duty status**

Dear Office of Special Counsel,

Complainants with and through counsel at Public Employees for Environmental Responsibility hereby petition the Office of Special Counsel for an immediate return to duty status for several EPA employees placed on administrative leave in excess of the statutory limit of ten days due to the classification of their work as having to do with environmental justice matters. We have filed individual complaints on behalf of these employees, but as the process proceeds forward, we hope that OSC will petition the MSPB for a stay of this action also on behalf of those similarly situated, as it did for the mass firings of probationary employees.

The George H. Bush administration introduced environmental equity and justice ("EJ") programming to EPA in the 1990s to assist communities in areas especially impacted by pollution. With Congressionally appropriated funding, EJ programs have helped such communities obtain cleaner water, air, and soil; provided safe shelter before and after hurricanes; and provided training and workforce development.

Within weeks of taking office, President Trump rescinded thirty years' worth of executive actions directed at these communities. In early February, EPA placed nearly 170 employees of its Office of Environmental Justice and External Civil Rights on administrative leave. Later that month, EPA put additional employees from other EPA offices on administrative leave for the same rationale: that their jobs involved EJ responsibilities. While some have been brought back, many others remain on paid leave more than two months later with no official guidance on what comes next for them. As explained in detail in the attached complaint, this violates the Administrative Leave Act, which prohibits the placement of employees on administrative leave for more than ten days in any calendar year. In addition to violating the Administrative Leave Act, EPA's use of administrative leave in this way violates foundational merit system principles and constitutes multiple prohibited personnel practices ("PPPs") under 5 U.S.C. § 2302.

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Each individual complaint includes the following attachments:

- Notice of placement on administrative leave
- Email chain showing constructive denial of the opportunity to receive alternate work assignment or transfer to a different position

We respectfully request that the Office of Special Counsel investigate this matter and also intercede on behalf of these complainants – and all those similarly situated – to request that the Merit Systems Protection Board stay the blanket administrative leave being illegally imposed, pending OSC's investigation into EPA's prohibited conduct.

Please let us know of any way we may help expedite the filing this process, and please contact us with any questions, concerns, or requests to supplement information.

Sincerely,

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