



# Frequently Asked Questions (FAQs) on OPM's Deferred Resignation Program

**Please Note:** This publication is for informational purposes only and does not guarantee any particular result in a specific case. The information provided is not, nor is it intended to be, a substitute for individualized legal or professional advice.

## 1. What is the Deferred Resignation Program?

The Deferred Resignation Program (“Program”) was introduced by an email sent to federal employees on January 28, 2025. Preceded by threats to modify and downsize the federal workforce, the Program purports to allow federal employees to submit a resignation letter that will become effective on September 30, 2025. In exchange, the Program claims that employees will be exempt from “Return to Office” requirements and will maintain their current compensation and benefits until the effective date of their resignation.

Employees should not take the Program at face value. The Program documentation, including the introductory email, an associated guidance memorandum issued by the Office of Personnel Management (“OPM”) on January 28, 2025, and OPM-issued FAQs are riddled with inconsistencies and uncertainties. It is also unclear whether OPM has the legal authority to support the Program or its alleged benefits, and the eligibility criteria are vague

## 2. Is the Program a buyout?

No, the Program is not buyout nor is it a Voluntary Separation Incentive Payment (“VISIP”) program. Instead, it purports to offer employees the ability to submit a deferred resignation and claims employees that do so will continue to receive pay, while still possibly working, until September 30, 2025.

Notably, however, the Program contains no guarantee that an employee’s resignation will be accepted. Nor does the Program guarantee that an employee’s whose resignation is accepted will receive the benefits that the Program purports to offer.

## 3. If an employee chooses to accept the program, are they required to work during the deferred resignation period?

They may be. OPM’s statements are conflicting on this point. According to the OPM email and letter, employees will not be required to work in person but may be assigned remote work duties. The OPM FAQ page also suggests that employees will not be required to work except in “rare cases,” without defining what constitutes “rare cases.” At the same time, the FAQs describe the deferred resignation period as a “nice vacation” and the Program states that employees may be placed on “paid administrative leave.”

## 4. Can an employee take another job during the deferred resignation period?

The FAQ states that the resignation letter does not explicitly prohibit outside employment. However, other existing policies, such as agency-specific regulations requiring prior authorization for outside work, are likely to apply.

## 5. Are all federal employees eligible for the program?

No. Employees in positions related to immigration enforcement and national security, as well as those in any positions specifically excluded by their employing agency, are not eligible. USPS employees and military personnel are also excluded. There is no guidance on how employees can confirm their eligibility or if their agency has specific exclusions.

