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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, *et al.*

Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONEL
MANAGEMENT, *et al.*,

Defendants.

Case No. 3:25-cv-1780-WHA

**DECLARATION OF REESHA
TRZNADEL IN SUPPORT OF
DEFENDANTS' MOTION FOR STAY OF
MARCH 13, 2025, ORDER**

1 I, Reesha Trznadel, declare, pursuant to 28 U.S.C. § 1746, as follows:

2 1. I am the Acting Chief Human Capital Officer of the Department of Energy
3 (“Department”), headquartered in Washington, D.C. I have served in this position since February
4 28, 2025.

5 2. In my Acting role at the Department, I oversee those responsible for personnel
6 management. I oversee those responsible for tracking and recording personnel actions, including
7 terminations. I assist in ensuring that all personnel actions comply with federal law, including
8 those related to probationary employees.

9 3. Probationary employees in the competitive service are generally employees who
10 have been employed for less than one year. In the excepted service, the probationary period is
11 two years for most employees.

12 4. The probationary period is part of the hiring process, and the Department is
13 generally subject to less stringent procedural requirements when terminating a probationary
14 employee versus terminating employees with final appointments.

15 5. The probationary period is an extended tryout for a finalized appointment.
16 Supervisors evaluate probationary employees to determine whether the employees would be a
17 good fit for long-term employment. An employee’s appointment is not final until they have
18 completed their probationary period.

19 6. On January 20, 2025, although I was not serving in this position at that time, it is
20 my understanding that the Department received a guidance memorandum from the Office of
21 Personnel Management (“OPM”), which requested that agencies identify all probationary
22 employees and determine whether those employees should be retained.

23 7. The Department terminated approximately 555 probationary employees between
24 February 13 and 14, 2025.

25 8. The Court’s order, requiring the Department to reinstate all probationary
26 employees terminated on or about February 13 and 14, 2025, could impose administrative
27 burdens on the Department.
28

1 9. Offers of reinstatement could impose administrative burdens on the Department.
2 Among other things, all reinstated employees will have to be identified, contacted, and
3 onboarded again. The onboarding process includes going through training, filling out human
4 resources paperwork, receiving new equipment, obtaining new security badges and clearances,
5 and re-enrolling in benefits programs.

6 10. I understand from managers that offers of reinstatement could cause confusion.
7 Employees who were terminated just weeks ago will be offered reinstatement. Yet an appellate
8 ruling could reverse the district court's order before terminated employees accept their
9 reinstatement or before they reenter on the job. The Department could withdraw any offers of
10 reinstatement in that circumstance. And even if the employees are reinstated prior to any reversal
11 of the district court's order, the reinstated employees will remain on probation and could again
12 be terminated. In short, employees could be subjected to multiple changes in their employment
13 status in a matter of weeks.

14 11. I understand from managers that the uncertainty associated with this state of
15 affairs could impede supervisors from efficiently managing their workforce. Work schedules and
16 assignments would effectively be tied to hearing and briefing schedules set by the courts. It
17 would be inefficient and disruptive to assign new work to reinstated employees in light of the
18 uncertainty over their future status.

19 12. Finally, I understand from managers that offering reinstatement to terminated
20 probationary employees could interfere with the effective functioning of the Department. Since
21 February, the Department has made meaningful changes to accommodate the challenged
22 terminations, including reassigning the necessary functions of the terminated employees.

23 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
24 and correct.

1 Dated: March 14, 2025

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4 /s/ *Reesha Trznadel*

5 REESHA TRZNADEL
6 ACTING CHIEF HUMAN CAPITAL OFFICER
7 US DEPARTMENT OF ENERGY
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