



STATE OF HAWAII
KA MOKU 'ĀINA O HAWAII

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KA 'OIHANA O KA LOIO KUHINA

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**ATTORNEY GENERAL LOPEZ LEADS COALITION STANDING WITH
FEDERAL WORKERS IN “FORK IN THE ROAD” FEDERAL BUYOUT
CHALLENGE**

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FOR IMMEDIATE RELEASE

February 9, 2025

HONOLULU – Attorney General Anne Lopez is leading a coalition of 21 state attorneys general standing with the nation’s federal employees in a challenge to the Trump administration’s federal “buyout” plan. The so-called “Fork in the Road” directive is an attempt to force federal workers to choose, with only days to decide, between accepting a legally fraught “buyout” and being terminated.

The coalition today moved to file an amicus brief in support of a motion for a temporary restraining order filed by the plaintiffs—the American Federation of Government Employees (AFGE); AFGE Local 3707; the American Federation of State, County and Municipal Employees; and the National Association of Government Employees—against the U.S. Office of Personnel Management’s (OPM) “Fork in the Road” directive, issued on January 28, 2025. It gave most federal employees little more than a week (until February 6) to accept “deferred resignation,” which purportedly would allow federal workers to resign and retain pay and benefits without showing up to work until September 30, 2025, with an implicit threat that their positions may otherwise be eliminated anyway.

The plaintiff unions filed suit in the United States District Court for the District of Massachusetts, emphasizing that the directive and associated FAQs -- which were revised multiple times -- caused widespread confusion and dismay among federal employees, who were faced with an arbitrary deadline based on a directive that the plaintiff unions assert is illegal and contrary to federal ethics regulations. On February 6, 2025, U.S. District Court Judge George A. O'Toole, Jr., stayed the purported deadline of the "Fork directive" until Monday, February 10, 2025, with a hearing to be held at 2:00 p.m. that day in Boston.

"Our Hawai'i 'ohana includes federal employees who provide crucial services to all of us in our state. They deserve to be treated with respect as they serve our country—not like expendable commodities. Hawai'i will support them through this difficult time," said Governor Josh Green, M.D.

"I am proud that Hawai'i took a leading role in this national effort," added Governor Green.

"The so-called 'Fork in the Road' directive disrespects federal workers, many of whom have decades of experience and tremendous expertise," said Attorney General Lopez. "The directive's potential effects on the states and their residents are serious, and today the amici states emphasized why a temporary restraining order is necessary," said Attorney General Lopez.

Assisting Attorney General Lopez in leading the multistate coalition are Solicitor General Kaliko'onālani Fernandes, Special Assistant to the Attorney General Dave Day, Deputy Solicitor General Thomas Hughes, and Deputy Attorney General Danica Swenson.

As Attorney General Lopez emphasized in the coalition's proposed amicus brief, the indiscriminate loss of indispensable federal employees could have a devastating effect on cooperative aspects of federal, state, and local government—from those who care for veterans to those who arrive when natural disaster strikes. The brief also describes the coercive nature of the directive to our Nation's public servants. The coalition urged the court to grant a temporary restraining order to prevent irreparable harm to federal workers -- our friends and neighbors -- and to protect the public interest.

Joining Attorney General Lopez on the proposed amicus brief are the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, Washington, and the District of Columbia.

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