

***NOTICE:** This guidance is intended as general information and does not constitute legal advice. It does not address specific case facts nor is it intended to be a substitute for individualized legal advice. This guidance does not create an attorney-client relationship, nor is it an agreement to act as an employee's representative in any specific case.*

Understanding the Supreme Court's Removal Decisions: *Trump v. Slaughter* and *Trump v. Cook*

On June 29, 2026, the U.S. Supreme Court issued two decisions about the president's power to remove leaders of federal agencies. The decisions came out the same day, both written by Chief Justice Roberts but they reached different results. This FAQ explains what the Court decided and what it may mean for federal workers. It provides general legal information, not legal advice, and it does not create an attorney-client relationship.

What did the Court decide?

In [*Trump v. Slaughter*](#), the Court held by a vote of 6 to 3 that the Federal Trade Commission's for-cause removal protection violates the separation of powers. Congress, under the FTC Act, allowed the president to remove commissioners only for inefficiency, neglect of duty, or malfeasance in office. The Court held that today's FTC exercises executive power protection and that its commissioners therefore must be removable by the president at will. To the extent [*Humphrey's Executor v. United States*](#) allowed more (see below), the Court overruled it.

In [*Trump v. Cook*](#), decided the same day, the Court declined to let the president remove Lisa Cook from the Board of Governors of the Federal Reserve. By a vote of 5 to 4, the Court kept in place a lower court order that allows Cook to remain in her position while the federal case challenging her dismissal proceeds. The Court treated the Federal Reserve as a special case because of the United States's long tradition of independent central banking, dating back to the 1700s, and it held that a Federal Reserve Governor is entitled by statute to notice and an opportunity to respond before a final removal decision is made.

What was *Humphrey's Executor*, and why does overruling it matter?

For ninety-one years, [*Humphrey's Executor*](#) was the central precedent supporting the independence of multimember agencies like the FTC. It allowed Congress to protect certain agency leaders from removal except for cause, so they could make decisions with some insulation from day-to-day political pressure. *Slaughter* removes that foundation for officers who exercise executive power. The practical result is that for-cause removal protections for many agency heads are now vulnerable, especially where the agency has rulemaking, enforcement, or

litigating authority. The Court left some possible exceptions open, including entities without executive or sovereign powers, the Federal Reserve and non-Article III courts.

Does *Slaughter* mean I can be fired more easily from my federal job?

Probably not based on this case alone. *Slaughter* addresses the removal of the “principal” officers who lead agencies, such as commissioners and board members. Most federal employees are not principal officers, and they generally are not “inferior officers” either. Those categories refer to government officials who exercise significant authority under federal law, not ordinary rank-and-file employees. *Slaughter* does not by itself change the civil service protections that rank-and-file federal employees hold under Title 5 and the Civil Service Reform Act, and it does not eliminate a federal civil servant’s right to appeal an adverse action. The dissent warned that the majority’s reasoning could be used to attack civil service protections, and those protections are already under pressure through other channels, including Schedule Policy/Career reclassification and separate litigation over the President’s authority to remove career employees. But *Slaughter* itself does not directly change your individual job protections or filing deadlines.

What does this mean for the Merit Systems Protection Board, the Federal Labor Relations Authority, and the Equal Employment Opportunity Commission?

The MSPB, FLRA, and EEOC do not all stand in the same posture, but *Slaughter* increases pressure on agencies that decide or affect federal employees’ rights.

Slaughter itself did not decide whether Congress may protect members of adjudicatory bodies, such as the MSPB or FLRA, from presidential removal but practically speaking, the landscape of rights for these agency heads is now less protective. On June 30, 2026, the Supreme Court denied review in [Harris v. Bessent](#), leaving in place a D.C. Circuit decision holding the MSPB’s removal protections unconstitutional. The FLRA’s statutory protections face similar pressure after *Slaughter*. The EEOC is different because its heads do not have explicit statutory removal protections, although litigants have argued that such protections are implicit.

For federal workers, the concern is that a president can remove board members or commissioners at will. That gives the president more leverage over bodies meant to act with independence when they decide or affect workers’ rights.

In short, the independence of federal sector adjudicatory and enforcement bodies is substantially weakened.

I have a case pending before the MSPB, the FLRA, or the EEOC. Does anything change right now?

These decisions do not automatically halt, dismiss, or reset pending cases. Existing deadlines still apply. If you have a matter pending or a deadline approaching, continue to meet every filing and appeal deadline and treat your case as active unless you receive a specific order in your case saying

otherwise. The larger questions about these agencies' independence will play out over time and through further litigation.

What did the Court decide in *Cook*, and does it help federal workers?

Cook cuts the other way from *Slaughter*, but narrowly. The Court kept Lisa Cook in office while her case proceeds. The Court treated the Federal Reserve as a special case grounded in the United States' historical tradition of independent central banking, with particular attention to Founding-era and early congressional practice. It also held that the Federal Reserve statute required that a Governor receive notice and an opportunity to respond before a final removal decision and that courts may review whether cause exists. Those principles are useful to understand, but *Cook* is best read as a narrow Federal Reserve decision, not as broad protection for other independent agencies.

What questions did the Court leave open?

For federal workers, the most important open question is whether the president has independent constitutional authority to remove inferior officers or rank-and-file career employees despite statutory protections, an issue that is being litigated now and that many observers expect to reach the Supreme Court. Another open question is how these decisions will affect agencies that adjudicate or enforce employee rights. *Slaughter* did not resolve that issue on the merits, and *Harris* leaves the D.C. Circuit's MSPB ruling in place, as explained above. The Court also did not define the full scope of the Federal Reserve exception, including how much Founding-era or early historical practice is enough to retain removal protections and what kinds of entities do not exercise executive or sovereign power. These open questions will shape federal employment law in the months ahead.

What should federal employees do now?

Keep meeting your deadlines and treat any pending matter as active. Do not assume that these decisions have changed your individual appeal rights, and do not assume that they have taken those rights away. If you are unsure how a recent development affects your situation, seek advice specific to your case.

[Rise Up offers legal education, screening, and referrals for federal workers](#), and you can request a consultation through our website.

You should also [contact your union](#), if applicable, for specific information about your situation and lawsuits or actions that may have already been filed.