



TSA Action Report

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Stories by Tichakorn Hill

Pressure from AFGE, TSOs Leads to another PASS Revamp

The Transportation Security Administration (TSA) made several changes to its controversial pay system (PASS) for the second year in a row, admitting serious flaws and ditching several components of the system it once hailed.

In an email message sent to TSA employees on March 25, TSA Administrator Kip Hawley described PASS as “far too complicated” and “burdensome” and admitted that Transportation Security Officers were “trained and tested on different standards,” the point TSOs and American Federation of Government Employees long have underscored.

“We want our employees doing their job and gaining knowledge through training, not bogged down with assessments requirements,” Hawley said, explaining why the changes were needed.

The changes, which took effect April 1, include:

- No more sign-in for ‘Fitness for Duty’ when TSOs come to work.
- No more Standard Operating Procedures tests in 2008. TSA will make SOP changes and introduce new

training. Originally, TSOs were tested four times a year. It then was reduced to two. Now TSA is revamping the whole thing.

- Improved image tests. TSA admitted that TSOs were trained and tested on different standards. The agency is working to align training and testing.
- Less paperwork and fewer PASS administrative requirements. Supervisors were spending too much time rating employees on a confusing and time-consuming computer application, instead of coaching and getting involved with the activity at the checkpoint.

- More clearly defined collateral duties. Collateral duties are assignments outside TSOs’ normal screening duties, such as the mentor program in which TSOs train new employees; the property recovery program, which is similar to Lost & Found; and the security program, in which TSOs screen fellow TSOs for extra security. Currently, several parts of these duties such as process and duration are not clearly defined.

- Fewer competency and proficiency require-

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St. Louis Blues



Some of the TSA activists at St. Louis Airport who talked with AFGE about their workplace concerns.

Years ago, managers at St. Louis Airport wanted a weekly town hall meeting with their workers. But after the first few meetings, they decided to go with a monthly meeting instead. And now these town hall meetings rarely take place at all. What happened? Supervisors didn’t let TSOs attend the town halls because they were so short-staffed, and those who did attend brought up so many workplace concerns that management didn’t want to deal with. Not surprisingly, morale has been low and TSOs report that they don’t have much confidence in their managers. Fueled by TSA’s highly subjective pay-for-performance system known as PASS, favoritism is rampant.

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AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

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AFGE’s toll-free TSA HOTLINE # (866) 392-6832 Fax # (202) 639-6492 *Published by AFGE for TSA Employees*

St. Louis

“These people here think they’re gods and they do whatever they want to do,” complained one TSO.

“Supervisors and managers have too much discretion to see things they want to see and not how things are actually done,” chimed in another.

“Favoritism is glorified here. It’s extremely aggravating,” lamented a third.

Asked to elaborate, these TSOs didn’t wait a second to rattle off a long laundry list that has been piling up at the 41st busiest airport in North America. **Collateral duties**, for example, are a real sticking point at this airport. These extra duties are sought after because they are counted towards PASS scores and promotions. But there is no procedure or transparency in how collateral duties are assigned. Managers can give collateral duties to whomever they want.

Other issues include:

Lack of accountability in the higher ranks: TSOs have complained that managers are not held to the same standard as the TSO’s. Managers, say some TSOs, have violated security policies but those wrongdoings usually get covered up and workers don’t speak up for fear of retaliation. One TSO pointed out that in the last five years, not one manager has been fired. This is in sharp contrast to the number of TSOs who have been let go.

Pay: TSOs are severely underpaid compared with other security-related jobs in the government. Several TSOs also are fuming over the fact that split-shift workers this year received an 8-percent pay raise while others received only a 2-3 percent raise.

Shift bidding: TSOs said seniority usually is used in shift bidding, but for those hired at the same time that TSA took over airport screening in 2002 and hundreds of TSOs were hired at St. Louis airport, Social Security numbers are used and they flip-flop the numbers every six months. But some TSOs said there is no real shift bidding policy because managers have the authority to do whatever they want to do. New hires, for example, get weekends off while those who have been there for five years work weekend shifts. TSOs also were told recently that there would be no new shift bids until later this year -- another change in past practice of how shifts are managed.

Evaluation: TSOs complained they are evaluated by screening managers who never are there to watch them work, and these managers can override ratings proposed by the supervisors who work with the TSOs side. TSOs are also rated on subjective standards. One supervisor may think the TSO do his or her job well, but another doesn’t agree.

Management not forthcoming about rules and laws: TSOs thought federal laws, such as the whistleblower protection act, would apply to them because they are federal employees. Many were never told that that is not the case, and when they report a problem, they may get into even more trouble.

“They don’t want unions here because if the unions are here, 90 percent of this mess won’t be allowed,” concluded one TSO.

With so much wrong in how TSA is run, AFGE has worked hard to persuade Congress to grant TSOs collective bargaining rights so that workplace rules can be negotiated and policed. Last year, Rep. Nita Lowey, D-N.Y., introduced H.R. 3212, a bill that would do just that. A companion bill is expected to be introduced in the Senate this year. AFGE is urging TSOs to contact their lawmakers now and urge them to support H.R.3212. The country is best protected when the workforce is highly-trained, well-paid, and fully-empowered, which is not the case today.

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AFGE/TSA 04/08



Representation Corner

Know Your Rights! 3-1-1 on Grievance Timelines: 3 deep breaths; 1 timely chain of responses; 1 call to AFGE

By Hampton Stennis, Staff Counsel

Grievance timelines can be tricky at TSA. First of all, the grievance procedure is not for removals, demotions, indefinite suspensions, or suspensions of 15 or more days. These disciplinary actions go to the Disciplinary Review Board. Also, TSA does not permit you to grieve letters of counseling or oral counselings. Grievances are used primarily for letters of reprimand, suspensions of 14 or fewer days, or leave restrictions. The list of what is excluded from grievance proceedings is found in TSA Management Directive No. 1100.77-2, Grievance Procedures, which is available at www.tsaunion.net under TSA Policies.

Should you find yourself on the receiving end of a grievable disciplinary action or situation, you'll need to move very quickly. Ignoring it will not make it go away! If union members would like to request AFGE assistance in this process, please contact the AFGE TSA Hotline as soon as possible at 1-866-392-6832. The date you receive the final decision regarding the discipline is the date from which the time starts counting down. You have 15 days to file a first-step grievance. This might not give you a lot of time to prepare a grievance, prepare statements from co-workers or witnesses, etc. but it is all the time you get. You may ask for an extension, but be aware that you will be asking the same person who made the disciplinary decision to give you more time, and they might not. However, it is always worth asking for an extension since it could be granted.

Once you file the grievance, another clock begins ticking – another one to which you must pay close attention. From the date the first-step grievance is filed, TSA management may respond at any time in the next 15 days, or they may not choose to respond at all.

If TSA management replies to your grievance within that 15 days and comes back with a decision you are not happy with, you have 15 days from the date they reply to prepare and submit your second-step grievance. For example, if you file a first-step grievance on Sept. 1, and TSA management responds with a decision on Sept.

5, then you have 15 days from that date (Sept. 5) to file the second-step grievance.

If TSA management does not reply to your first step grievance at all, you have 15 days from the date they should have replied to the first-step grievance to file a second-step grievance. For example, if you file on the first of September, TSA's response is due on the 15th of September, if they choose to make a response. If they don't, then your second-step grievance must be filed within 15 days of the 15th.

It's best to press ahead if TSA management does not reply to the first-step grievance. If TSA asks you for more time, be sure to ask for assurances in writing that the delay will not cause the second-step grievance timeline to run out while you wait for their response.

As long as the grievance is hand-delivered, post-marked, or faxed to the official by the due date, then it is considered on-time. It's always a good idea to have your own proof of the date of delivery. If you fax it, save the confirmation sheet that prints out; if you mail it, certified mail is a good idea, as it gives you the receipt with the date you mailed it. Otherwise, TSA management has the envelope with the postmark on it, and sometimes envelopes are tossed or misplaced. If you hand-deliver it, ask for a signature indicating date of receipt and get a copy for your records.

Remember, don't let a deadline slip past. The turnaround times are short, but if you take action quickly and remember the 3-1-1, you can use the grievance system to help get your voice heard.

Union Victory Gets Demoted Dallas LTSO Reinstated

AFGE scored a victory for an LTSO at Dallas Fort Worth International Airport this month. The LTSO was restored to her position as a Lead after being demoted to TSO because TSA management failed to follow the doctrine of progressive discipline in determining the appropriate discipline in her case. The Disciplinary Review Board found that the employee made an unintentional mistake and that she acted quickly to correct it, thereby minimizing operational impact. The board recognized that such mistakes can and do happen, and agreed with AFGE that in this case, a demotion was excessive punishment.

PASS

ments. Integrity/Honesty and Flexibility have been removed from the requirements from Competencies. Technical Proficiency has been removed from Supervisory Accountability. Technical Communication and Relationship Building have been removed from Management Proficiencies.

- No more rating categories. The named categories such as Exceeds, Role Model will be replaced with numeric scores. Payout levels will be distributed using a Rank-and-Rate system.
- Fewer training requirements. It's still not clear which training requirements TSA will do away with.

“These changes confirm AFGE’s unease with PASS as an inherently flawed and subjective system that lacks fairness and credibility,” AFGE General Counsel Mark Roth said. “AFGE has publicly challenged TSA and its pay system for years and is glad that TSA is acting on some of our concerns. That being said, AFGE remains wary about many parts of the PASS structure and will continue to push for the entire system to be replaced by a more rational one.”

Specifically, TSOs still cannot appeal a bad PASS evaluation to an objective third party. PASS still lacks many of the features both the Government Accountability Office and the Merit Systems Protection Board recommend for fair pay-for-performance systems and does not make-up for the years that TSOs have been underpaid.

AFGE also has concerns over some of the new changes. Reduction in required training, for example, is not consistent with statutory requirements TSA is supposed to meet. TSOs have reported that they can’t complete their training requirements because their airport is understaffed. AFGE is concerned that TSA, instead of hiring enough workers to do the work, will reduce

much-needed training to circumvent training requirements.

TSOs offered mixed reviews of the changes. Some support getting rid of the categories, which are Below Standards, Meets Standards, Achieves, Achieves Plus, Exceeds, and Role Model.

“Just because someone is a boss’s pet doesn’t make him or her a “Role Model”,” said a St. Louis TSO.

But some TSOs are more skeptical, saying this change won’t make a difference if more are not made to remove biases in the way management comes up with numeric scores.

Concerns over the image tests were raised by many of the TSOs who wrote to AFGE about the change in the PASS system. Even though the agency is improving these tests, much damage already has been done. The agency has fired TSOs across the country for failing the X-ray parts of the testing even though TSA has publicly admitted that it is flawed.

TSOs also have a problem with Lockheed Martin conducting the tests.

“No one feels comfortable being in a room with two contractors testing us on the job that we have been doing for almost six years now,” said Kim Kraynak, women’s coordinator for AFGE Local 1. “We have no recourse if we feel we were judged improperly. There is no back up for us in that room.”

Getting rid of PASS altogether is the main theme echoed by TSOs because it is grossly subjective. TSOs, for example, are not evaluated by supervisors who work with them, and any two supervisors can have two different sets of standards. Further, managers can assign collateral duties to whomever they want. It has become a matter of who you know and not necessarily what you know that determines whether or not a TSO is going to get promoted.

Visit our website for a copy of the FOIA request.



Shift-bid Nightmare?

If you have been impacted by the way the shift bid process works at your airport, please access the AFGE Zoomerang survey on this issue by using this link:

<http://www.zoomerang.com/Survey/survey-intro.zgi?p=WEB227QSKYBSE9>

Disclosure of Personal Data: AFGE is gathering information about disclosure of personal information by TSA. If you have had your personal/medical information disclosed by TSA, please send your first-hand accounts of the events to tsahotline@afge.org or call AFGE's toll-free TSA Hotline at 1-866-392-6832. Visit us at www.tsaunion.net to learn more about AFGE's work on your behalf.