



TSA Action Report

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Stories by Tichakorn Hill

Union Election Expected First Quarter 2010



AFGE TSA Local leaders and TSO activists attended the AFGE 38th Convention in Reno in August.

The American Federation of Government Employees is moving full speed ahead in its effort to organize Transportation Security Administration employees as an election for representation of TSA employees could come in early 2010.

But even before the election, more than 12,000 Transportation Security Officers have picked their union of choice by joining AFGE.

This is not a surprise. While other unions insist they can't do anything for TSOs because of the lack of bargaining rights, AFGE proves them wrong by winning Disciplinary Review Board and court cases for TSOs. AFGE TSO activists regularly meet with lawmakers and attend hearings before Congress on behalf of TSOs.

TSOs were also well represented at the AFGE 38th Convention in Reno, NV, in August. TSO Locals sent delegates to the convention, where AFGE President John Gage and National Secretary-Treasurer J. David Cox were re-elected.

TSO Williams Addresses AFL-CIO Convention

AFL-CIO President Trumka Voices Support for AFGE's TSA Campaign

TSO Shawn Williams, women's coordinator of AFGE TSA Local 332 representing TSOs in the Pittsburgh area, spoke at the AFL-CIO convention in Pittsburgh in September, asking the participants to display AFGE's luggage tags when they flew out to show support for TSO workplace rights. After her speech, Williams and her Local President, Kim Kraynak, met with Labor Secretary Hilda Solis to share their experiences as front line security officers.

"There is no way we would have had the opportunity to address Secretary Solis directly were it not for our affiliation with AFGE and the AFL-CIO," Williams said after the meeting. "It was encouraging to see how well our issues were received."

At the convention, newly elected AFL-CIO President Richard Trumka singled out and voiced support for AFGE's TSA campaign. The AFL-CIO and AFGE since have worked together and will have



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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*

What AFGE Local Leaders Say about



“My impression of the meeting was an extremely positive one for the simple fact that for the past seven years we couldn’t even have a discussion about the union.

And for AFGE leaders to have the first opportunity to have a four hour sit down meeting with TSA senior leadership is huge progress and a very important first step to building a respectful partnership between AFGE and TSA. For me personally, it was a huge accomplishment since being a part of this movement from the beginning. I am proud and excited because we have worked so hard to get to this point and we are so close to achieving our dream of being a true federal employee with all the rights as everyone else in the federal government.”

~ **Kimberly Kraynak, president of AFGE Local 332, representing TSOs in Pittsburgh**



“It is inspiring to be personally involved in helping to ensure that our AFGE TSO union membership no longer has to sit at the back of the bus. Equal and whole in the eyes of the law, that's all we ask. Our Local 2617 members can sense we are near the end of restoring equal rights, protections, and collective bargaining for nearly 40,000 TSOs and employees.”

~ **AJ Castilla, president of AFGE Local 2617, representing TSOs in Massachusetts and New Hampshire**



“The meeting which produced the Labor Management discussions opened more doors for us as workers and members of AFGE. I look at this as

TSA's headquarters commitment to the TSA workforce

and its union. Before our meeting, I feel there was no commitment to working together. But I think it needs to be staffed up with additional personnel. For example, there should be labor-management staff that receives and registers complaints from union representatives. That mechanism is not yet in place. We look forward to working together in the near future.”

~ **Bob Marchetta, AFGE Local 2222, representing TSOs in New York and New Jersey.**



“It was a good start to having a place we can talk about a common goal and that's keeping America safe! That's what we want and they want it, too. But in order to do that fully,

we must have TSOs operating without being distracted by an unfair pay and promotion system and treated like second class workers.”

~ **Don Thomas, president of AFGE Local 556, representing TSOs in Orlando, Florida**



“I learned a lot and got to meet a lot of people from other airports. I'm anxious to come back to my airport and share what I learned with my co-workers.”

~ **Melissa Sandoval, president of Local 1046, representing TSOs in New Mexico**



“It was a historical event and I'm glad I was part of it. I also got to talk to some other TSOs and it helps to know that other people are going through the

same things. We all have the same problems at our airports. We're fighting for the right thing.”

AFGE: First to Unionize, First to Organize, F

AFGE's TSO Leadership in 2nd Meeting with Management

Leave, Promotion, Discipline, Split-Shifts, Overtime Discussed

The second labor-management meeting between the Transportation Security Administration and the largest TSA union, the American Federation of Government Employees, took place Oct. 16, 2009 at the TSA headquarters near Washington, DC.

Leave restrictions, promotions, and disciplinary actions dominated the meeting, in which TSA officials admitted that several airports arbitrarily implement policies not endorsed by the headquarters and at odds with TSA national policies.

President John Gage, who led the AFGE team of staff and eight Transportation Security Officers, proposed several changes in TSA's personnel practices, including a request to have a sample of an acceptable doctor's note on the back of a sick leave request so that managers can no longer reject leave requests claiming not enough information is provided. Gage also told TSA officials that leave use does not constitute leave abuse, with which TSA Assistant Administrator for Human Capital Richard Whitford agreed. Whitford said after reviewing several local leave practices, he found that many airports had policies in contradiction with TSA's national policy.

Issues of discussion included:

Promotion: AFGE told TSA that the process of promoting TSOs from the D band to the E band is flawed in that any disciplinary action or claim of use of unapproved sick leave can block a promotion. The union pointed out that TSA's broken leave policies are trapping TSOs in the D band with no hope of promotion. Managers also rarely, if ever, debrief employees who apply for promotion but are not promoted, a violation of the national policy. AFGE requested that TSA publish a uniform criteria for promotion to various positions and debrief TSOs who apply but are not promoted. TSA officials said they are in the process of making promotions more objective and transparent. For example, all airports will use questions. They will also use diverse groups of people with different backgrounds to do the interviews.

Split-shifts: TSA told AFGE that split-shifts should only be voluntary, but the union has learned otherwise. TSA said it will clarify with Federal Security Directors that the number of split-shift slots up for bids should be limited to the number of TSOs who volunteer to work split-shifts. AFGE raised the problem of employees working split-shifts having no place to rest between their two shifts. AFGE also brought up the issue of new employees being hired as full-time while part-timers with years of experience are left waiting. TSA said this shouldn't be happening and promised to take a look at it.

H1N1: AFGE shared with TSA the documentation the union has collected on how H1N1 policies are different at each airport and how inconsistent they are with TSA's national policy. TSA officials reiterated their policy that when people are



sick, they ought to stay home. AFGE linked this health and safety issue to the policy of not allowing TSOs to wear their uniform jackets on the lane. The union argued that TSOs should be allowed to wear their jackets if they are cold especially in winter and the flu season.

Disciplinary issues: AFGE briefed TSA about a local policy being implemented at several airports, including those in Los Angeles, Palm Beach, and Providence, which requires employees to respond to a disciplinary action within 24 hours without allowing them time to consult with their union representatives. TSA officials said this was never approved by TSA. AFGE also raised the issue of untimeliness of disciplinary actions. The union said if employees did something wrong, they should be notified right away and not a year later when they don't remember the incident and can't defend themselves.

Mandatory overtime: The process currently in place does not ensure that everyone can obtain overtime. AFGE suggested a process by which overtime is assigned fairly to those who want it.

Dignity and respect: Gage told TSA that AFGE has received numerous reports of managers berating TSOs in public and in front of passengers. He emphasized that this type of behavior is not conducive to a high performing workplace. AFGE asked that TSA issue a memo asking managers and employees to deal with each other in a professional manner at all times.

The AFGE team included AFGE President John Gage, General Counsel Mark Roth, TSOs Dennis Acevedo (West Palm Beach), Rick McCoy (Chicago O'Hare), Hydrick Thomas (JFK), Aubrey Williams (Atlanta), Rob McNeil (Providence), Valorie Lacey (Philadelphia), Cindy Jensen (Salt Lake City), Kim Kraynak (Pittsburgh), and Bob Marchetta (Local 2222), Staff Counsel Chad Harris, Legislative Representative Charity Wilson, and Labor Relations Specialist Derrick Davis.

The meeting is second in a series of labor-management meetings between TSA and AFGE. The historic, first-ever labor-management meeting took place in July.



Representation Corner

Minneapolis

Dual Citizenship TSO Retains Employment at TSA: A probationary TSO with citizenship in the U.S. and Jordan can now go to work in peace, thanks to AFGE's intervention. After learning that the TSO has dual citizenship, Minneapolis airport management issued the employee a Letter of Interrogatory "for the purpose of determining his suitability for employment" even though the TSO fully disclosed his dual citizenship when applying to work for TSA earlier that year. AFGE attorney Gerald Gilliard helped the TSO file a response, explaining that TSA's own management directives plainly state that dual citizenship is no bar to employment with TSA. The agency subsequently notified the TSO that his security clearance check had been completed and he can continue to be employed by the agency.

"I think that they expected me to quit," the TSO said. "They were surprised to receive a detailed response from an attorney citing their own policies."

New York

JFK TSO Reinstated: JFK management in September rescinded an AFGE member's removal after the union intervened. Management proposed the removal of the employee for allegedly disrespecting another TSO. AFGE National Organizer Van Griffith sent management a rebuttal letter refuting the charges. The employee was subsequently reinstated.

Nashville

Nashville TSO's Removal Overturned: The Disciplinary Review Board (DRB) recently overturned the removal of a Nashville TSO who was removed earlier this year for allegedly lying about his medical restrictions. AFGE argued that the removal was unwarranted and should be overturned because the TSO, who had more than 25 years of federal service, including six years at TSA, never gave false information to his supervisors about his medical restrictions. Siding with AFGE, the DRB ruled that the TSO should be reinstated. AFGE attorney Chad Harris handled the case.

Need Help?

Call the AFGE Hotline at 1-866-392-6832

The Washington Times

AFGE's Letter to the Washington Times Editor

Defending TSOs

Printed Sept. 24, 2009

The Washington Times should be ashamed of itself for its assault on the dedicated men and women of the Transportation Security Administration ("Undermining Airport Security," Editorial, Monday). That The Times believes it is better to have a TSA workforce that is subject to inconsistent agency regulations, supervisor retaliation, mandatory overtime, an ineffective and subjective pay system and grossly misguided testing and training procedures speaks volumes.

The Congressional Budget Office estimate that you reference was not for allowing the work force to bargain collectively but to move it to the General Schedule pay system - and even then, that number is speculative. TSA's budget for 2009 is some \$7 billion. The cost of providing a fair compensation system would be little more than 1 percent of that amount.

Your attack on the American Federation of Government Employees is without merit. While the union has asked TSA to suspend a portion of a questionable skills test that has resulted in unusually high failure rates, our goal in raising this issue was to flag for the agency a process that may not be yielding the results for which it was intended. TSA spends in excess of the 1 percent referenced above to have contractors design and administer its training programs. If Transportation Security Officers are washing out at a higher than average rate, it is prudent business practice to suspend the test until it can be re-evaluated for efficiency. What we have and will continue to take issue with are flawed performance systems that are subject to favoritism, nepotism and unregulated supervisor discretion.

Allowing Transportation Security Officers to bargain collectively would enhance national security in the following ways: providing a structure for the quick and fair resolution of workplace disputes; providing a forum to discuss and resolve important health and safety issues; reducing the number of on-the-job-injuries suffered by TSOs; reducing the high TSO turnover rate by providing a stable worker rotation that is fair, family-friendly and meets workplace needs; increasing public safety by allowing TSOs to go through their union to expose threats to aviation security without fear of retaliation; and addressing procedures for emergency or security situations through a jointly agreed-upon collective-bargaining agreement so that workers are fully aware of their duties in the event of an emergency.

Your editorial implies that management does not agree to a collective-bargaining agreement before it can be ratified by union members. Of course, this is not the case. Both TSA management and AFGE, on behalf of its thousands of TSA members, would negotiate a collective-bargaining agreement together - not in some sort of union power vacuum.

John Gage, National President, American Federation of Government Employees

Out the Historic AFGE/TSA Meeting

~ Justin McCrary, VP of AFGE Local 1040, representing TSOs in the Dallas-Fort Worth area.



“As one of the original Local 1 Executive Board members and being in this fight for so many years, it is rather difficult to summarize this long awaited meeting in a few

sentences. It was truly an honor and a privilege to attend this meeting as a representative of the 1600 members of Local 1234. It is a refreshing change to see that the agency has not only acknowledged AFGE, but is working with AFGE to help make TSA a better place to work. In a recent email to TSA’s NAC, TSA has shown a new willingness to work with us to address issues and concerns that we have brought to the table. This meeting was almost seven years in the making, and it was well worth the wait!”

~ Cris Soulia, president of AFGE Local 1234, representing TSOs in California, Arizona, Nevada, and Hawaii



“I think TSA Headquarters knows that the union is coming, so they wanted to have a dialogue with us prior to that. But after I came back, [local managers]

were threatening to terminate me. But AFGE National went to TSA and DHS top management who sent down a special investigator who intervened. Now management has backed off. It goes to show how they have to respect the union and it’s been good for the cause because people are seeking me out like crazy. People walk up to me and say we’re proud of what you do. I won’t give [TSA] a reason to intimidate everybody else who wants to be a part of this union.”

~ Bridget Knighton, Local 558, representing TSOs in Miami, Ft. Lauderdale, and Palm Beach, Florida



“I’ve been a TSO for seven years and I’ve been taking note of what’s being done or not done here at O’Hare. There were a lot of things going on at the Local level that

TSA headquarters didn’t know about. It was a great experience to have a meeting where TSOs sit with the AFGE national president and TSA management. We spoke from our hearts, from our experiences. To see how our national president commanded their attention, to see Chad, Charity, and Peter work on our behalf just made me feel good.”

~ Ricky McCoy, president of Local 777, representing TSOs in Illinois, Michigan, and Wisconsin

Continued from page 1

the National TSO Solidarity Week on Dec. 13-19 at various airports where members of AFL-CIO affiliated unions, including airline and airport unions, will participate in activities to show support for TSOs. AFGE President Gage also met with AFL-CIO State and Central Labor Body presidents at the convention to coordinate their support in the coming representation election.

AFGE has been affiliated with the AFL-CIO – a federation of 57 national and international labor unions representing more than 11.5 million workers – since AFGE was founded in 1932. Unlike stand-alone unions, AFGE has enjoyed the AFL-CIO’s enormous political clout on Capitol Hill and across the country. Several AFL-CIO affiliated unions already have pledged their support for AFGE’s TSA campaign and are working with AFGE field staff to bolster its presence at every airport in the system.

First to Sit Down with New TSA Management

AFGE: The Most Trusted Union in the Federal Government

There are several labor unions representing employees in the federal sector, but your union – AFGE – is the union of choice for most TSA Employees.



Federal Government: AFGE is the largest union in the federal government. We represent more than 600,000 federal and D.C. government workers nationwide and overseas and 250,000 dues paying members. NTEU has only 70,000 members total. AFGE has grown by 70,000 (the size of all of NTEU) in just over a decade.



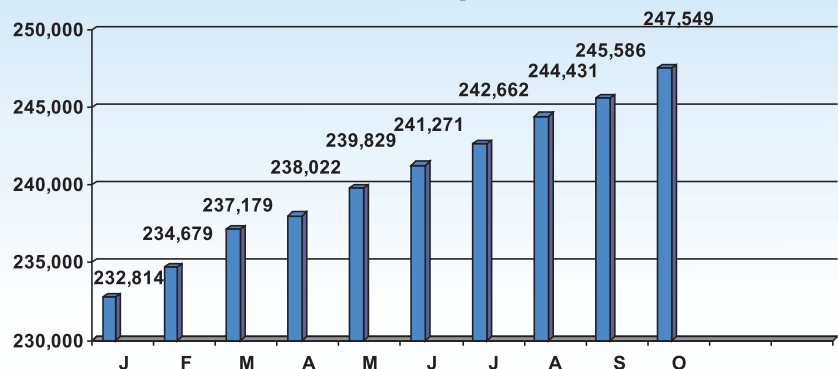
DHS: AFGE is the largest union at Homeland Security. We represent 40,000 employees in DHS, including the Border Patrol, FEMA, Coast Guard, Immigration and Customs Enforcement, and the Citizenship and Immigration Services. Of the DHS workers covered by unions, only Customs and Border Protection (CBP) fall outside of AFGE's representational umbrella.



TSA: AFGE is the largest union at TSA, representing more than 12,000 TSOs. NTEU, by comparison, has around 2,000 members, mostly at a handful of small airports.

NTEU: Too little, too late.
AFGE: The TSA Union –
On your side from the beginning.
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Membership 2009



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