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Transportation
Security
Administration

Date: April 17, 2012

To: (b)(6)
MTSO BDO

From: Mark Moser
SPOT Transportation Security Manager
East TN Region TYS, CHA, TRI

Subject: Leave Restriction

I have recently reviewed your attendance record and have determined that a pattern of excessive usage of unscheduled leave exists in conjunction with your RDOs. Excessive and/or unscheduled absences are disruptive and adversely affect the terminal's daily operation. By addressing your leave and attendance record, we hope you will use this opportunity to better manage your use of earned sick and/or annual leave. Below is your unscheduled leave usage record since January 2011.

You were absent or left work early for unscheduled leave on the following dates:

- Sunday 01/09/2011 in conjunction with RDOs
- Sunday 01/16/2011 in conjunction with RDOs
- Monday 01/17/2011 not in conjunction with RDOs
- Sunday 01/30/2011 in conjunction with RDOs
- Monday 02/28/2011 went home early sick (6 hrs)
- Wednesday 03/16/2011 not in conjunction with RDOs
- Thursday 03/17/2011 in conjunction with RDOs
- Thursday 04/28/2011 conjunction with RDOs (Due to weather Tornado)
- Monday 05/09/2011 went home early child sick (5 hrs)
- Tuesday 05/10/2011 no record of call in to ETRCC
- Thursday 05/12/2011 in conjunction with RDOs (Child sick)
- Sunday 07/24/2011 in conjunction with RDOs
- Tuesday 09/06/2011 not in conjunction with RDOs

On September 13, 2011 you were given a letter of counseling by me, SPOT TSM Mark Moser, regarding your excessive use of unscheduled sick leave in accordance with TSA policy.

- Sunday 10/23/2011 in conjunction with RDOs
- Sunday 12/04/2011 in conjunction with RDOs
- Sunday 01/08/2012 in conjunction with RDOs
- Monday 01/09/2012 Left early (6.5 hrs) family member in car accident
- Monday 03/19/2012 not in conjunction with RDOs
- Sunday 04/15/2012 in conjunction with RDOs (Child sick)
- Monday 04/16/2012 Left early (5.5 hrs)

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As you can see, in the past 6 months you have used 5 full and 2 partial days in 7 occurrences. During this period you have used a total of 50 hours of unscheduled leave.

- It is important that you understand the expectations regarding attendance. Chronic and ongoing attendance issues will result in progressive disciplinary action. Regular attendance at work is a condition of your employment. Therefore, it has been decided to impose the following limitations on you to promote the efficiency of TSA. Those limitations are effective immediately.

1. Requests for leave due to sudden illness or a bona fide emergency must be called in a minimum of one hour before the beginning of your scheduled time to report to work directly to the East TN Coordination Center 865-474-6102, Chattanooga checkpoint supervisor 423-240-(b) SPOT TSM Mark Moser 865-243-(b) and you must provide all requested information. You must request leave on each day of absence. If you are incapacitated, a responsible person may call for you. This responsible person must be able to provide pertinent information regarding your illness or bona fide emergency. Failure to follow the call in procedure may result in disciplinary action up to and including removal from federal service.
2. If you request any leave due to sudden illness, regardless of the number of hours taken, you must provide medical documentation from a licensed medical practitioner, clearly stating that you have (had) a medical condition which prevented you from reporting for duty. The documentation must cover the entire period of your scheduled shift(s) you were absent, for the day(s) in question. The documentation must include the medical practitioner's letterhead containing his/her name, address, and telephone number. This medical documentation must be presented to management immediately upon your return to duty. Your failure to properly request leave or to provide the required documents will result in the disapproval of your leave request and you will be charged with Absence Without Leave (AWOL). While not itself a disciplinary action, AWOL may form the basis for disciplinary action, up to and including removal from the Federal Service.
3. Leave will only be approved for those instances where it is deemed to be a bona fide reason for missing work. Each request will be looked at on a case-by-case basis. You are required to provide proof of your reason for missing work, such as a receipt for emergency road service, care for a family member, bereavement, a taxi receipt, etc, immediately upon return to duty. A decision regarding your request for leave will be looked at on a case-by-case basis. If you fail to follow these procedures, or it is confirmed that you did not have a legitimate reason for the request, your request will be disapproved and you may be subject to a charge of AWOL.
4. Your current schedule is 0430-1300 Sunday through Thursday with Friday/Saturday RDOs. You are expected to be at work and be ready to begin at your scheduled shift start time daily. If you are tardy, you must inform your supervisor of the reason for your tardiness immediately upon reporting to work. It will then be decided if you have an acceptable reason for your tardiness. If it is determined you do not have an acceptable reason, you will be charged AWOL for each increment of 15 minutes you were late. If leave is approved for tardiness, it will be charged in increments of 15 minutes.
5. While on Leave Restriction any overtime must be pre-approved by SPOT TSM Mark Moser via TSA form 1107. Overtime will only be approved where it is operationally required.

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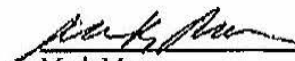
You are highly encouraged to manage your leave with more care. This leave restriction will remain in effect for six (6) months (180 days). I will review your leave record during the next six (6) months (180 days) to determine if these restrictions should remain in effect, be modified, or be withdrawn. I will advise you in writing if this restriction is extended or withdrawn.

You may seek review of this Leave Restriction letter under either the TSA Grievance procedures or Peer Review procedures but not both.

If you elect to grieve this matter under the grievance procedures in TSA Management Directive (MD) 1100.77-2, *Grievance Procedures*, your grievance must be submitted in writing to me within fifteen (15) calendar days of receipt of this letter. A copy of MD 1100.77-2, *Grievance Procedures* is attached.

If you elect Peer Review under the procedures in the HCM 771-3 and attached Handbook, your request for Peer Review must be filed within fifteen (15) calendar days of receipt of this letter. Your request must be in writing and must include a copy of this letter. You may submit your request via facsimile to 571 227-2591. If you would like to file your request electronically or by mail, please contact the Peer Review Support Office at 571-227-5065 for additional filing information.

As your supervisor/manager I am available to give you assistance in this matter. Additionally, if you feel you may have other personal problem, which affects your ability to attend work regularly, you are encouraged to use the Employee Assistance Program (EAP), they can be reached toll free at 1-888-222-0364.


Mark Moser
SPOT Transportation Security Manager

Please sign the acknowledgement of receipt below. Your signature below does not denote agreement with this action; it only represents receipt of this notice on the date signed.

(b)(6)	_____	4-17-12
Acknowledgement Signature		Date
(b)(6)	_____	04/17/2012
Hand Delivered by		Date
(b)(6)	_____	4-17-2012
Witness		Date

Attachments: TSA MD 1100.77-2 Grievance Procedures and TSA Form 1115 Grievance Request

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Transportation
Security
Administration

East Tennessee Region
Mountain View Office Bldg.
3401 Russ Circle, Suite G
Alcoa, TN 37701

Date: April 17, 2012
To: (b)(6)
Transportation Security Officer
Chattanooga Metropolitan Airport
From: Mr. Mark Moser
SPOT Transportation Security Manager
East TN Region TRI/CHA/TYS
Subject: Attachments given during the Leave Restriction

On the 17th day of April when I issued you a Leave Restriction I also gave you a copy of HCM 771-3 Handbook, Peer Review Request and Election Form TSA 1177-2A and HCM Letter NO. 771-3.

Acknowledgement of Receipt:

(b)(6)

4-17-12
April 17, 2012

Delivery Information:

Hand Delivered By
Mark Moser
SPOT Transportation Security Manager

04/17/2012
April 17, 2012