

BDO (b)(6)



Transportation
Security
Administration

MEMORANDUM TO FILE

Date: April 9, 2014

From: (b)(6) (b)(6)
DAFSD

Subject: LBDO (b)(6)

On April 2, 2014, LBDO (b)(6) failed to follow the SPOT SOP as well as failing to follow procedures and inattention to duty. See attached supporting documentation.

London has received the following:

8/25/13 Letter of Counseling - failure to maintain Government issued property
11/16/12 Memorandum of Counseling - failure to follow directions

BDO (b)(6)

U.S. Department of Homeland
Security
Los Angeles International Airport
5161 W. Century Blvd. Suite 300
Los Angeles, California 90045



Transportation
Security
Administration

MEMO TO FILE

TO: DAFSD (b)(6)
FROM: STSM (b)(6)
DATE: April 2nd, 2014
SUBJECT: SPOT SOP Violation - L8DO (b)(6)

On Tuesday, April 2nd, 2014 at approximately 1820 hrs, I received a call from AFSD (b)(6) about some CCTV footage he was watching. Specifically, he was watching CCTV on T4 (b)(6) and noticed that one of our BDOs seemed to just be standing outside the entrance to lanes 7/8 and not doing anything. He gave me the times of 1720 - 1810. STSM Miller and I went to T4 and reviewed the CCTV in the T4 manager's office for the time period AFSD (b)(6) provided. We observed numerous possible SOP violations. Specifically, EBDO (b)(6) and MBDO (b)(6) was observed standing against the railing just outside the entrance to lanes 7 and 8 and not performing Walk the Line as prescribed in the SPOT SOP for approximately 40 minutes. I had STSM (b)(6) review the CCTV footage and directed her to have the two BDOs working T4 to observe the footage. After both BDOs viewed the CCTV footage, STSM (b)(6) requested both BDOs write a statement describing what they were doing during the 40 minutes on the CCTV footage. The two BDOs were EBDO (b)(6) and MBDO (b)(6).

(b)(6)

Date

4/2/14

www.tsa.gov

BDO (b)(6)

U.S. Department of Homeland Security
Los Angeles International Airport
600 World Way T-1 Door 532
Los Angeles, California 90045



Transportation
Security
Administration

MEMO TO FILE

DATE: 04/02/2014

Control #

FROM: 1720 hrs

TO: 1806 hrs

SUBJECT:

At approximately 1720 hrs I began discussing best practices with my partner and engaging with passengers at the Terminal 4 alpha checkpoint queue. I stepped off the floor to handle my feminine needs after a few minutes. Upon returning to the floor, I began discussing best practices and reestablishing the baseline with my partner. For the following half an hour or so, I continued to discuss best practices with my partner and discuss TSA's Assessment and SOP. Although we engaged passengers for the duration of this time, we failed to Walk The Line. At 1806, my partner and I departed the checkpoint. I myself was called off the floor to discuss scenario based training by TSM (b)(6) and TSM Alricea Forner. My partner proceeded to the QLC Room.

I believe that I need to better myself at Walk The Line and I will do so in the future.

Respectfully,

(b)(6)

Behavior Detection Program
Los Angeles International Airport

(b)(6)

www.tsa.gov

BDO (b)(6)

U.S. Department of Homeland Security
Los Angeles International Airport
60 World Way T-4, Room 533
Los Angeles, California 90045



Transportation
Security
Administration

MEMO TO FILE

DATE: April 9, 2014

Control #

FROM: (b)(6) - BDA TSM

TO: BDA TSM (b)(6)

SUBJECT: BDO (b)(6) L.BDO (b)(6)

On Wednesday, April 2, 2014 at 2030 hours, I met with L.BDO (b)(6) and BDO (b)(6) to review the contents of a previously recorded CCTV detailing their actions between the hours of 1720 to 1805. I advised both officers that they were observed by a senior TSA official during this time. After viewing the tape in the terminal 4 manager's office (initially set up by TSM (b)(6) who was also present), L.BDO (b)(6) exclaimed "Oh, I'm fired" and M.BDO (b)(6) sat quiet.

I requested a memo-to-file from each officer indicating that I would like for them to give an accounting of what they each saw on the tape and how it related to their specific BDO functions. Both officers completed a report that I placed in an interoffice envelope and hand delivered to BDA TSM (b)(6).

Respectfully,

(b)(6)

Behavior Detection Program
Los Angeles International Airport

www.tsa.gov

BDO (b)(6)

U.S. Department of Homeland Security
Transportation Security Administration
3707 Conway Boulevard, Suite 200
Los Angeles, California 90045



Transportation
Security
Administration

MEMORANDUM

FROM: STSM (b)(6)

TO: DAFSD Christine Pope

DATE: April 2, 2014

SUBJECT: SOP Violation (b)(6)

On April 2, 2014 at approximately 1830 hrs, STSM (b)(6) informed me that he had received a phone call from AFSD Dan Wyllie regarding the conduct of a BDO team at the Terminal 4 Alpha checkpoint. STSM (b)(6) and I reviewed CCTV video of the queuing area outside of the checkpoint for a period of 30 minutes from 1720-1810 hrs. LBDO (b)(6) and BDO (b)(6) were observed standing on the mezzanine adjacent to the queuing area talking and leaning on the railing overlooking the ticketing area for an extended period of time. The queue was sometimes filled with passengers but both BDOs were not engaged as required by SPOT SOP. Neither walked the line (WTL) or engaged any passengers. The only interaction with passengers was when passengers interrupted their conversation and appeared to ask for directions to the proper queue. At several points one or both of the BDOs turned their backs to the queue completely. It was clear from viewing the video that both BDOs were not paying attention to their SPOT duties or following the proper procedures or protocol for conducting SPOT. During the 30 minutes of the video the queuing area was occupied by a significant number of passengers who did not receive SPOT screening by the BDOs. Both (b)(6) were completely disengaged and negligent in the carrying out of their duties as behavior detection officers. Their conduct was not only negligent but a violation of the SPOT SOP as neither of them were walking the line (WTL), engaging passengers or conducting behavior observations as required by SPOT protocol.

(b)(6)

SPOT Transportation Security Manager
Los Angeles International Airport

U.S. Department of Homeland Security
Los Angeles International Airport
5767 W. Century Blvd, Suite 300
Los Angeles, CA 90045



Transportation
Security
Administration

Date: April 29, 2014

To: (b)(6)
Behavior Detection Officer (BDO)
Los Angeles International Airport

From: (b)(6)
Transportation Security Manager
Los Angeles International Airport

Subject: Notice of Three (3) Calendar Day Suspension

Reference: (b)(6)

This is notice that I have decided to suspend you from employment at the Transportation Security Administration (TSA) for three (3) calendar days. You will be suspended without pay beginning on:

May 6, 2014 Through May 8, 2014

The effective date of your return to duty is: May 9, 2014

Your next scheduled regular workday is: May 9, 2014

This decision is made to promote the efficiency of the service and is based on the following:

Charge 1: Failure to Follow Proper Screening Passengers By Observation Techniques (SPOT) Procedures

Specification: On April 2, 2014, from 1720 to 1806, you and your partner, Lead Behavior Detection Officer (LBDO) (b)(6) were on duty and positioned at the Transportation Security Administration (TSA) at Los Angeles International Airport (LAX) Terminal 4 Alpha Checkpoint. During this time frame, you and LBDO (b)(6) did not walk the line and failed to engage with passengers frequently.

Your conduct is in violation of TSA Management Directive (MD) No. 1100.73-5: Employee Responsibilities and Code of Conduct (with attached Handbook): Section 5 – Responsibilities: 5.A (7); and Section 6 – Policy: 6.E.; and TSA Screening Passengers By Observation Techniques (SPOT) Standard Operating Procedures (SOP), Revision #3: Chapter 2: Section 2.5 BDO Duties, 2.5.B.; and Chapter 3, Section 3.2 (Preparation and Positioning) F. (WTL positioning.)

Charge 2: Negligent Performance of Duties

Specification: On April 2, 2014, from 1720 to 1806, you and your partner, LBDO (b)(6) were on duty at the TSA LAX Terminal 4 Alpha Checkpoint. During this time frame, you were engaged in conversation with BDO (b)(6) and ignored passengers that directly passed by you. You also turned your back completely from the queue as passengers walked towards you.

Your conduct is in violation of TSA MD No. 1100.73-5: Employee Responsibilities and Code of Conduct (with attached Handbook): Section 5 – Responsibilities: 5.A and 5.A (7); and Section 6 – Policy: 6. B and 6.E.

Prior to taking this action, I assessed the circumstances surrounding the incident and reviewed all of the relevant evidence. On April 25, 2014, 25, 2014, I met with you in a pre-decisional meeting to discuss failure to follow proper SPOT procedures and your negligence in the performance of your duties on April 2, 2014. You were provided an opportunity to respond orally and/or in writing. You provided a written statement dated April 25, 2014.

In your written statement, you said that on April 2, 2014, at approximately 1720, you began compromising best practices with your partner and engaging with passengers throughout the Terminal 4 Alpha checkpoint queue. You further stated that you failed to Walk the Line for the allotted thirty minutes, but you did engage with passengers from time to time. At 1806, you said that both you and your partner departed the checkpoint. You pointed out that the policy wording is vague and does not define the meaning of "frequent" and thus, it is up to management's discretion as to what is considered such.

In determining the appropriateness of the penalty, I considered a number of factors. I find your satisfactory job performance and your length of service of over four (4) years to be mitigating as well as the fact that you have had no prior discipline. I find that the seriousness of your misconduct, however, outweighs the mitigating factors.

I also note that although not discipline, you received a Letter of Counseling on November 16, 2012 for failure to follow directions. You also received a Letter of Counseling on August 25, 2013 for your failure to maintain Government issued property. These corrective actions, which placed you on notice regarding your obligation to follow all Agency policies and procedures, are aggravating.

Your failure to follow proper SPOT procedures and your negligence in the performance of your duties had a negative impact on your supervisor's confidence in your ability to meet the Agency's mission. As an employee in a position of trust, you are expected to meet high standards of conduct. Your actions have failed to uphold those standards.

I believe a Notice of Three (3) Calendar Day Suspension is the lowest level of discipline to impress upon you the seriousness of your actions, and the importance of adhering to proper

security procedures. This discipline is within the recommended penalty range on the TSA Table of Offenses and Penalties.

It is hoped that this suspension will impress upon you the seriousness of your actions and that future discipline will not be necessary. Future misconduct may lead to further and more severe disciplinary action, up to and including, termination of your TSA employment.

Enclosed is the material relied upon to support this proposed seven (7) calendar day suspension, except for the material considered SSI: TSA Screening Passengers By Observation Techniques (SPOT) Standard Operating Procedures (SOP), Revision #3; and the CCTV video that contains footage of you and your partner's actions on April 2, 2014 at the TSA LAX Alpha Terminal 4 Checkpoint; and the Shift Log dated 04/02/2014 for Terminal 4. If you wish to view any of the SSI material, you may make an appointment with the North Complex Administrative Office at 310-258-4858. This material will be released for review only to you and/or your designated representative.

This notice constitutes a final decision. If you choose to grieve this action under the grievance procedures in TSA HCM 771-4, Handbook, your grievance must be submitted in writing to the National Resolution Center (NRC) within fifteen (15) calendar days of receipt of this letter. The written grievance can be filed by email at Resolutioncenter@tsa.dhs.gov, or facsimile at (703) 603-4057 by using TSA form 1115, Grievance Request. A copy of HCM 771-4 Grievance Procedures is attached. The Designated Grievance Official (DGO) is Assistant Federal Security Director (AFSD) for Screening Brian Bondoc, at 5767 W. Century Boulevard, Suite 3000, Los Angeles, CA 90045, (310) 258-4(b)(6)

If you are interested in participating in mediation of this action, you can initiate the mediation process by calling the National Resolution Center at (571) 227-5097 or emailing Resolutioncenter@tsa.dhs.gov to discuss whether your case is eligible for mediation. You should not file a written request for mediation with the NRC until after this discussion has occurred.

The Employee Assistance Program (EAP) is available to you to provide counseling services and/or assistance and may be contacted at 1-800-222-0364. The EAP is a confidential resource designed to help employees address a wide range of personal or family issues.

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

Attachments:

1. Memo dated 4/25/2014, FR: (b)(6) BDA TSM, TO: BDA TSM (b)(6)
Subject: Employee Discussion (b)(6)
2. Memo to file, Dated 4/25/2014, FR: (b)(6) TO: (b)(6) Subject: none
3. Memo dated 04/09/2014, Fr: DAFSD Pope, Subject: BDO (b)(6)
4. Memo to file dated 04/2/2014 FR: STSM (b)(6) To: DAFSD Chris Pope,
Subject: SPOT SOP Violation - LBDO (b)(6)

5. Memo dated 04/02/2014, Fr: STSM (b)(6) To: DAFSD (b)(6) Subject: SOP Violation - (b)(6)
6. Memo to File dated 04/09/2014. From: (b)(6) To: BDA TSM (b)(6) Subject: BDO (b)(6) / BDO (b)(6)
7. Memo - From: (b)(6) Memo To File, Subject: none, Date: 04/02/2014 from 1720 to 1806.

(b)(6)

Transportation Security Manager

(b)(6)

Acknowledgement of Receipt

(b)(6)

Delivered By:

(b)(6)

Signature/Print Name

4-29-14
Date

04/29/2014
Date

4-29-14
Date

REQUEST FOR PERSONNEL ACTION

PART A - Requesting Office (Also complete Part B, Items 1, 7, 22, 32, 33, 36, and 39.)

1. Action Requested Suspension NTE (Date) 5/8/2014	2. Request Number (b)(6)
3. For Additional Information Call (Name and Telephone Number) (b)(6)	4. Proposed Effective Date 05/06/2014
5. Action Requested By (Typed Name, Title, Signature, and Request Date) Cassie Conley 04/30/2014	6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date) (b)(6) 04/30/2014

PART B - For Preparation of SF 60 (Use only codes in FPM Supplement 292-1. Show all dates in month-day-year order.)

1. Name (Last, First, Middle) (b)(6)	2. Social Security Number (b)(6)	3. Date of Birth (b)(6)	4. Effective Date 05/06/2014
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FIRST ACTION 5-A. Code 5-B. Nature of Action 450 Suspension NTE (Date)	SECOND ACTION 6-A. Code 6-B. Nature of Action
5-C. Code 5-D. Legal Authority	6-C. Code 6-D. Legal Authority
5-E. Code 5-F. Legal Authority	6-E. Code 6-F. Legal Authority

7. FROM: Position Title and Number MST TRANSPORT SECURITY OFFICER (BDO) 030870 90533454	18. TO: Position Title and Number
8. Pay Plan 9. Occ. Code 10. Grade or Level 11. Step or Rate 12. Total Salary 13. Pay Basis SV 1802 F 0 \$43,620.00	16. Pay Plan 17. Occ. Code 18. Grade or Level 19. Step or Rate 20. Total Salary/Award 21. Pay Basis SV
12A. Basic Pay \$34,303.00 12B. Locality Adj. \$9,317.00 12C. Adj. Basic Pay \$43,620.00 12D. Other Pay	20A. Basic Pay 20B. Locality Adj. 20C. Adj. Basic Pay 20D. Other Pay
14. Name and Location of Position's Organization SECURITY OPERATIONS WESTERN AREA LAX - LOS ANGELES INTERNATIONAL	22. Name and Location of Position's Organization

EMPLOYEE DATA 23. Veterans Preference 1 - None 2 - 5 Point 3 - 10 Point/Disability 4 - 10 Point/Compensable 5 - 10 Point/Other 6 - 10 Point/Compensable/30%		24. Tenure 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite	25. Agency Use	26. Veterans Pref for RIF YES NO
27. FEGLI		28. Annuity Indicator	29. Pay Rate Determinant	
30. Retirement Plan		31. Service Comp. Date (Leave)	32. Work Schedule P	33. Part-time Hours Per Biweekly Pay Period
POSITION DATA 34. Position Occupied 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career		35. FLSA Category E - Exempt N - Nonexempt	36. Appropriation Code PACSCR	37. Bargaining Unit Status
38. Duty Station Code 061980037		39. Duty Station (City - County - State or Overseas Location) LOS ANGELES - LOS ANGELES - CA		
40. Agency Data	41.	42.	43.	44.
45. Educational Level	46. Year Degree Attained	47. Academic Discipline	48. Functional Class	49. Citizenship 1 - USA 2 - Other
		50. Veterans Status	51. Supervisory Status	

PART C - Reviews and Approvals (Not to be used by requesting office.)

1. Office/Function	Initials/Signature	Date	Office/Function	Initials/Signature	Date
A.			D.		
B.			E.		
C.			F.		
2. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements.			Signature		Approval Date

CONTINUED ON REVERSE SIDE
62-118

OVER

Editions Prior to 7/91 Are Not Usable After 8/30/93
NSN 7640-01-333-6239

PART D - Remarks by Requesting Office

(Note to Supervisors: Do you know of additional or conflicting reasons for the employee's resignation/retirement?
If "YES", please state these facts on a separate sheet and attach to SF 52.)

☐ YES ☐ NO

3 Day issued on May 6, 2014 through May 8, 2014. RTD May 9, 2014. Reference (b)(6)

PART E - Employee Resignation/Retirement**Privacy Act Statement**

You are requested to furnish a specific reason for your resignation or retirement and a forwarding address. Your reason may be considered in any future decision regarding your re-employment in the Federal service and may also be used to determine your eligibility for unemployment compensation benefits. Your forwarding address will be used primarily to mail you copies of any documents you should have or any pay or compensation to which you are entitled.

This information is requested under authority of sections 301, 3301, and 8506 of title 5, U.S. Code. Sections 301 and 3301 authorize OPM

and agencies to issue regulations with regard to employment of individuals in the Federal service and their records, while section 8506 requires agencies to furnish the specific reason for termination of Federal service to the Secretary of Labor or a State agency in connection with administration of unemployment compensation programs.

The furnishing of this information is voluntary; however, failure to provide it may result in your not receiving: (1) your copies of those documents you should have; (2) pay or other compensation due you; and (3) any unemployment compensation benefits to which you may be entitled.

1. Reasons for Resignation/Retirement (NOTE: Your reasons are used in determining possible unemployment benefits. Please be specific and avoid generalizations. Your resignation/retirement is effective at the end of the day - midnight - unless you specify otherwise.)

2. Effective Date	3. Your Signature	4. Date Signed	5. Forwarding Address (Number, Street, City, State, ZIP Code)
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PART F - Remarks for SF 50

REQUEST FOR PERSONNEL ACTION

PART A - Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 36, and 39.)

1. Action Requested Return To Duty (Suspension NTR)	2. Request Number (b)(6)
3. For Additional Information Call (Name and Telephone Number) (b)(6)	4. Proposed Effective Date 05/09/2014
5. Action Requested By (Typed Name, Title, Signature, and Request Date) Cassie Conley 04/30/2014	6. Action Authorized By (Typed Name, Title, Signature, and Concurrence Date) (b)(6) 04/30/2014

PART B - For Preparation of SF 50 (Use only codes in FPM Supplement 282-1. Show all dates in month-day-year order.)

1. Name (Last, First, Middle) (b)(6)	2. Social Security Number (b)(6)	3. Date of Birth (b)(6)	4. Effective Date 05/09/2014												
FIRST ACTION		SECOND ACTION													
5-A. Code 292	5-B. Nature of Action Return To Duty (Suspension NTR)	6-A. Code	6-B. Nature of Action												
5-C. Code	5-D. Legal Authority	6-C. Code	6-D. Legal Authority												
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority												
7. FROM: Position Title and Number MST TRANSPORT SECURITY OFFICER (BDO) 030870 90533454		18. TO: Position Title and Number													
8. Pay Plan SV	9. Occ. Code 1802	10. Grade or Level F	11. Step or Rate 0	12. Total Salary \$43,620.00	13. Pay Basis	16. Pay Plan SV	17. Occ. Code	18. Grade or Level	19. Step or Rate	20. Total Salary/Award \$34,303.00	21. Pay Basis				
12A. Basic Pay \$34,303.00	12B. Locality Adj. \$9,317.00	12C. Adj. Basic Pay \$43,620.00	12D. Other Pay	20A. Basic Pay	20B. Locality Adj.	20C. Adj. Basic Pay	20D. Other Pay	14. Name and Location of Position's Organization SECURITY OPERATIONS WESTERN AREA LAX - LOS ANGELES INTERNATIONAL				22. Name and Location of Position's Organization			

TA5904108900000000

EMPLOYEE DATA

23. Veterans Preference 1 - None 2 - 5-Point 3 - 10-Point/Disability 4 - 10-Point/Compensable 5 - 10-Point/Other 6 - 10-Point/Compensable(30%)	24. Termination 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite	25. Agency Use	26. Veterans Pref for RIF YES NO
27. FEGLI	28. Annuitant Indicator	29. Pay Rate Determinant	
30. Retirement Plan	31. Service Comp. Date (Leave)	32. Work Schedule F	33. Part-Time Hours Per Biweekly Pay Period
34. Position Occupied 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career		35. FLSA Category E - Exempt N - Nonexempt	36. Appropriation Code PACSCR
37. Bargaining Unit Status		38. Duty Station Code 061980037	
39. Duty Station (City - County - State or Overseas Location) LOS ANGELES - LOS ANGELES - CA		40. Agency Data	

41.	42.	43.	44.
45. Educational Level	46. Year Degree Attained	47. Academic Discipline	48. Functional Class
49. Citizenship 1 - USA 2 - Other	50. Veterans Status	51. Supervisory Status	

PART C - Reviews and Approvals (Not to be used by requesting office.)

1. Office/Function	Initials/Signature	Date	Office/Function	Initials/Signature	Date
A.			D.		
B.			E.		
C.			F.		

2. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements.

Signature

Approval Date

CONTINUED ON REVERSE SIDE
52-118

OVER

Editions Prior to 7/91 Are Not Usable After 6/30/93
NSN 7540-01-333-6239

PART D - Remarks by Requesting Office

(Note to Supervisors: Do you know of additional or conflicting reasons for this employee's resignation/retirement?
If "YES", please state those facts on a separate sheet and attach to SF 50.)

☐ YES ☐ NO

3 Day issued on May 6, 2014 through May 8, 2014. RTD May 9, 2014. Reference (b)(6)

PART E - Employee Resignation/Retirement**Privacy Act Statement**

You are requested to furnish a specific reason for your resignation or retirement and a forwarding address. Your reason may be considered in any future decision regarding your re-employment in the Federal service and may also be used to determine your eligibility for unemployment compensation benefits. Your forwarding address will be used primarily to mail you copies of any documents you should have or any pay or compensation to which you are entitled.

This information is requested under authority of sections 301, 3301, and 8508 of title 5, U.S. Code. Sections 301 and 3301 authorize OPM

and agencies to issue regulations with regard to employment of individuals in the Federal service and their records, while section 8508 requires agencies to furnish the specific reason for termination of Federal service to the Secretary of Labor or a State agency in connection with administration of unemployment compensation programs.

The furnishing of this information is voluntary; however, failure to provide it may result in your not receiving: (1) your copies of those documents you should have; (2) pay or other compensation due you; and (3) any unemployment compensation benefits to which you may be entitled.

1. Reasons for Resignation/Retirement (NOTE: Your reasons are used in determining possible unemployment benefits. Please be specific and avoid generalizations. Your resignation/retirement is effective at the end of the day - midnight - unless you specify otherwise.)

2. Effective Date	3. Your Signature	4. Date Signed	5. Forwarding Address (Number, Street, City, State, ZIP Code)
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PART F - Remarks for SF 50

U.S. Department of Homeland Security
Los Angeles International Airport
5767 W. Century Blvd, Suite 300
Los Angeles, CA 90045



Transportation
Security
Administration

Date: April 29, 2014

To: (b)(6)
Behavior Detection Officer (BDO)
Los Angeles International Airport

From: (b)(6)
Transportation Security Manager
Los Angeles International Airport

Subject: Notice of Three (3) Calendar Day Suspension

Reference: (b)(6)

This is notice that I have decided to suspend you from employment at the Transportation Security Administration (TSA) for three (3) calendar days. You will be suspended without pay beginning on:

May 6, 2014 Through May 8, 2014

The effective date of your return to duty is: May 9, 2014

Your next scheduled regular workday is: May 9, 2014

This decision is made to promote the efficiency of the service and is based on the following:

Charge 1: Failure to Follow Proper Screening Passengers By Observation Techniques (SPOT) Procedures

Specification: On April 2, 2014, from 1720 to 1806, you and your partner, Lead Behavior Detection Officer (LBDO) (b)(6) were on duty and positioned at the Transportation Security Administration (TSA) at Los Angeles International Airport (LAX) Terminal 4 Alpha Checkpoint. During this time frame, you and LBDO (b)(6) did not walk the line and failed to engage with passengers frequently.

Your conduct is in violation of TSA Management Directive (MD) No. 1100.73-5: Employee Responsibilities and Code of Conduct (with attached Handbook): Section 5 – Responsibilities: 5.A (7); and Section 6 – Policy: 6.E.; and TSA Screening Passengers By Observation Techniques (SPOT) Standard Operating Procedures (SOP), Revision #3: Chapter 2: Section 2.5 BDO Duties, 2.5.B.; and Chapter 3, Section 3.2 (Preparation and Positioning) F. (WTL positioning.)

Charge 2: Negligent Performance of Duties

Specification: On April 2, 2014, from 1720 to 1806, you and your partner, LBDO (b)(6) were on duty at the TSA LAX Terminal 4 Alpha Checkpoint. During this time frame, you were engaged in conversation with BDO (b)(6) and ignored passengers that directly passed by you. You also turned your back completely from the queue as passengers walked towards you.

Your conduct is in violation of TSA MD No. 1100.73-5: Employee Responsibilities and Code of Conduct (with attached Handbook); Section 5 -- Responsibilities: 5.A and 5.A (7); and Section 6 -- Policy: 6.B and 6.E.

Prior to taking this action, I assessed the circumstances surrounding the incident and reviewed all of the relevant evidence. On April 25, 2014, I met with you in a pre-decisional meeting to discuss failure to follow proper SPOT procedures and your negligence in the performance of your duties on April 2, 2014. You were provided an opportunity to respond orally and/or in writing. You provided a written statement dated April 25, 2014.

In your written statement, you said that on April 2, 2014, at approximately 1720, you began compromising best practices with your partner and engaging with passengers throughout the Terminal 4 Alpha checkpoint queue. You further stated that you failed to Walk the Line for the allotted thirty minutes, but you did engage with passengers from time to time. At 1806, you said that both you and your partner departed the checkpoint. You pointed out that the policy wording is vague and does not define the meaning of "frequent" and thus, it is up to management's discretion as to what is considered such.

In determining the appropriateness of the penalty, I considered a number of factors. I find your satisfactory job performance and your length of service of over four (4) years to be mitigating as well as the fact that you have had no prior discipline. I find that the seriousness of your misconduct, however, outweighs the mitigating factors.

I also note that although not discipline, you received a Letter of Counseling on November 16, 2012 for failure to follow directions. You also received a Letter of Counseling on August 25, 2013 for your failure to maintain Government issued property. These corrective actions, which placed you on notice regarding your obligation to follow all Agency policies and procedures, are aggravating.

Your failure to follow proper SPOT procedures and your negligence in the performance of your duties had a negative impact on your supervisor's confidence in your ability to meet the Agency's mission. As an employee in a position of trust, you are expected to meet high standards of conduct. Your actions have failed to uphold those standards.

I believe a Notice of Three (3) Calendar Day Suspension is the lowest level of discipline to impress upon you the seriousness of your actions, and the importance of adhering to proper

security procedures. This discipline is within the recommended penalty range on the TSA Table of Offenses and Penalties.

It is hoped that this suspension will impress upon you the seriousness of your actions and that future discipline will not be necessary. Future misconduct may lead to further and more severe disciplinary action, up to and including, termination of your TSA employment.

Enclosed is the material relied upon to support this proposed seven (7) calendar day suspension, except for the material considered SSI: TSA Screening Passengers By Observation Techniques (SPOT) Standard Operating Procedures (SOP), Revision #3; and the CCTV video that contains footage of you and your partner's actions on April 2, 2014 at the TSA LAX Alpha Terminal 4 Checkpoint; and the Shift Log dated 04/02/2014 for Terminal 4. If you wish to view any of the SSI material, you may make an appointment with the North Complex Administrative Office at 310-258-4858. This material will be released for review only to you and/or your designated representative.

This notice constitutes a final decision. If you choose to grieve this action under the grievance procedures in TSA HCM 771-4, Handbook, your grievance must be submitted in writing to the National Resolution Center (NRC) within fifteen (15) calendar days of receipt of this letter. The written grievance can be filed by email at Resolutioncenter@tsa.dhs.gov, or facsimile at (703) 603-4057 by using TSA form 1115, Grievance Request. A copy of HCM 771-4 Grievance Procedures is attached. The Designated Grievance Official (DGO) is Assistant Federal Security Director (AFSD) for Screening Brian Bondoc, at 5767 W. Century Boulevard, Suite 3000, Los Angeles, CA 90045, (310) 258-(b)(6).

If you are interested in participating in mediation of this action, you can initiate the mediation process by calling the National Resolution Center at (571) 227-5097 or emailing Resolutioncenter@tsa.dhs.gov to discuss whether your case is eligible for mediation. You should not file a written request for mediation with the NRC until after this discussion has occurred.

The Employee Assistance Program (EAP) is available to you to provide counseling services and/or assistance and may be contacted at 1-800-222-0364. The EAP is a confidential resource designed to help employees address a wide range of personal or family issues.

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

Attachments:

1. Memo dated 4/25/2014, FR: (b)(6) BDA TSM, TO: BDA TSM (b)(6)
Subject: Employee Discussion/London
2. Memo to file, Dated 4/25/2014, FR: (b)(6), TO: (b)(6) Subject: none
3. Memo dated 04/09/2014, Fr: DAFSD Pope, Subject: BDO (b)(6)
4. Memo to file dated 04/2/2014 FR: STSM (b)(6) To: DAFSD Chris Pope,
Subject: SPOT SOP Violation - LBDO (b)(6)

5. Memo dated 04/02/2014. Fr: STSM (b)(6) To: DAFSD Chris Pope, Subject: SOP Violation - (b)(6)
6. Memo to File dated 04/09/2014. From: (b)(6) To: BDA TSM (b)(6)
Subject: BDO (b)(6) / BDO (b)(6)
7. Memo -- From: (b)(6) Memo To File, Subject: none, Date: 04/02/2014 from 1720 to 1806.

(b)(6)

Transportation Security Manager

(b)(6)

Acknowledgment of Receipt

(b)(6)

Delivered By:

(b)(6)

Signature/Print Name

4-29-14
Date

04/29/2014
Date

4-29-14
Date



Transportation
Security
Administration

April 25, 2014

MEMORANDUM

TO: BDA TSM (b)(6)

SUBJECT: Memo to File -- Employee Discussion (b)(6)

On April 25, 2014 at about 2030 hours, I, BDA TSM (b)(6) met with BDO (b)(6) in the Terminal 1 BDO offices to have a discussion with her about her violation of the SOP that took place at Terminal 4 on Wednesday, April 2, 2014. BDO (b)(6) stated that she maintains her previous stance on the issue but would like to provide more detail.

I advised BDO (b)(6) of the allegations against her and the possible consequences of her actions, utilizing the table of penalties to suggest a range of disciplinary actions from a Letter of Reprimand up to and including removal from federal service. BDO (b)(6) stated that she maintains her previous stance on the issue but would like to provide more detail in her written response. I asked BDO (b)(6) to provide a written statement and she completed her statement before the end of her shift.

(b)(6)

BDA TSM



Transportation
Security
Administration

MEMO TO FILE

DATE: 04-25-2014

Control #

FROM: (b)(6)

TO: (b)(6)

SUBJECT:

At approximately 1720 hours on 04-02-2014, I began compromising best practices with my partner and engaging with passengers throughout the Terminal 4 Alpha checkpoint queue. I stepped off the floor to handle my feminine needs after a few minutes. Upon returning to the floor, for about a half hour or so, I continued to engage with my partner while we engaged with passengers from time to time but failed to Walk the Line for the allotted thirty minutes. According to Section 3.2.F.1, BDOs must not remain in one place for an extended period of time. At 1806, my partner and I departed the checkpoint. I myself was called off the floor to discuss scenario based training by TSM (b)(6) and TSM Alricco Farmer. My partner proceeded to the OLC Room for online training.

Section 3.2.F.1 demands that a BDO change positions with their given partner and move through the queue frequently and as much as possible. Although this wording is very vague and debatable, management holds discretion and power to define what is considered "frequent" and "as much as possible." Because management believes that I could have performed my SPOT abilities with a higher level of efficiency, I will do so in the future. I believe that I can always better myself when a direct order is given; therefore I will Walk The Line and establish the correct positioning as directed by managements' interpretation of the SOP from here forth.

Respectfully,

(b)(6)

Behavior Detection Program
Los Angeles International Airport



Transportation
Security
Administration

MEMORANDUM TO FILE

Date: April 9, 2014

From: Christine Pope
DAFSD

Subject: LBDO (b)(6)

On April 2, 2014, LBDO (b)(6) failed to follow the SPOT SOP as well as failing to follow procedures and inattention to duty. See attached supporting documentation.

London has received the following:

8/25/13	Letter of Counseling – failure to maintain Government issued property
11/16/12	Memorandum of Counseling – failure to follow directions

U.S. Department of Homeland
Security
Los Angeles International Airport
5767 W. Century Blvd Suite 300
Los Angeles, California 90045



Transportation
Security
Administration

MEMO TO FILE

TO: DAFSD Chris Pope
FROM: STSM (b)(6)
DATE: April 2nd, 2014
SUBJECT: SPOT SOP Violation -- LBDO (b)(6)

On Tuesday, April 2nd, 2014 at approximately 1820 hrs, I received a call from AFSD Dan Wyllie about some CCTV footage he was watching. Specifically, he was watching CCTV on T4 Alpha Mezzanine, and noticed that one of our BDOs seemed to just be standing outside the entrance to lanes 7/8 and not doing anything. He gave me the times of 1720 – 1810. STSM Miller and I went to T4 and reviewed the CCTV in the T4 manager's office for the time period AFSD Wyllie provided. We observed numerous possible SOP violations. Specifically, EBDO (b)(6) and MBDO (b)(6) we observed standing against the railing just outside the entrance to lanes 7 and 8 and not performing Walk the Line as prescribed in the SPOT SOP for approximately 40 minutes.

I had STSM (b)(6) review the CCTV footage and directed her to have the two BDOs working T4 to observe the footage. After both BDOs viewed the CCTV footage, STSM (b)(6) requested both BDOs write a statement describing what they were doing during the 40 minutes on the CCTV footage. The two BDOs were EBDO (b)(6) and MBDO (b)(6)

(b)(6)

Date

4/2/14

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MEMORANDUM

FROM: STSM (b)(6)

TO: DAFSD Christine Pope

DATE: April 2, 2014

SUBJECT: SOP Violation (b)(6)

On April 2, 2014 at approximately 1830 hrs, STSM (b)(6) informed me that he had received a phone call from AFSD Dan Wyllie regarding the conduct of a BDO team at the Terminal 4 Alpha checkpoint. STSM (b)(6) and I reviewed CCTV video of the queuing area outside of the checkpoint for a period of 50 minutes from 1720-1810 hrs. LBDO (b)(6) and BDO (b)(6) were observed standing on the mezzanine adjacent to the queuing area talking and leaning on the railing overlooking the ticketing area for an extended period of time. The queue was sometimes filled with passengers but both BDOs were not engaged as required by SPOT SOP. Neither walked the line (WTL) or engaged any passengers. The only interaction with passengers was when passengers interrupted their conversation and appeared to ask for directions to the proper queue. At several points one or both of the BDOs turned their backs to the queue completely. It was clear from viewing the video that both BDOs were not paying attention to their SPOT duties or following the proper procedures or protocol for conducting SPOT. During the 50 minutes of the video the queuing area was occupied by a significant number of passengers who did not receive SPOT screening by the BDOs. Both Morris and London were completely disengaged and negligent in the carrying out of their duties as behavior detection officers. Their conduct was not only negligent but a violation of the SPOT SOP as neither of them were walking the line (WTL), engaging passengers or conducting behavior observations as required by SPOT protocol.

(b)(6)

SPOT Transportation Security Manager
Los Angeles International Airport



Transportation
Security
Administration

MEMO TO FILE

DATE: April 9, 2014 Control #
FROM: (b)(6) BDA TSM
TO: BDA TSM (b)(6)
SUBJECT: BDO (b)(6) I.BDO (b)(6)

On Wednesday, April 2, 2014 at 2030 hours, I met with LBDO (b)(6) and BDO (b)(6) to review the contents of a previously recorded CCTV detailing their actions between the hours of 1720 to 1805. I advised both officers that they were observed by a senior TSA official during this time. After viewing the tape in the terminal 4 manager's office (initially set up by TSM Flores who was also present), LBDO (b)(6) exclaimed "Oh, I'm fired" and MBDO (b)(6) sat quiet.

I requested a memo-to-file from each officer indicating that I would like for them to give an accounting of what they each saw on the tape and how it related to their specific BDO functions. Both officers completed a report that I placed in an interoffice envelope and hand delivered to BDA TSM (b)(6)

Respectfully,

(b)(6)

Behavior Detection Program
Los Angeles International Airport

U.S. Department of Homeland Security
Los Angeles International Airport
100 World Way T-1 Door 332
Los Angeles, California 90045



Transportation
Security
Administration

MEMO TO FILE

DATE: 04/02/2014

Control #

FROM: 1720 hrs

TO: 1806 hrs

SUBJECT:

At approximately 1720 hrs I began discussing best practices with my partner and engaging with passengers at the Terminal 4 alpha checkpoint queue. I stepped off the floor to handle my feminine needs after a few minutes. Upon returning to the floor, I began discussing best practices and reestablishing the baseline with my partner. For the following half an hour or so, I continued to discuss best practices with my partner and discuss PSE's Assessment and SOP. Although we engaged passengers for the duration of this time, we failed to Walk The Line. At 1806, my partner and I departed the checkpoint. I myself was called off the floor to discuss scenario based training by TSM (b)(6) and TSM Alricco Farmer. My partner proceeded to the OLC Room.

I believe that I need to better myself at Walk The Line and I will do so in the future.

Respectfully,

(b)(6)

Behavior Detection Program
Los Angeles International Airport

(b)(6)

www.tsa.gov

1405 SHIPY

[illegible]

1600 SHIFT

NAME	T/L/A/I / Zebra / Terminal / Phone	Phone
(b)(6)	(b)(3) 49 U.S.C. § 114(r)	
DUTY TSM	Phone #	
(b)(6)	310-770-(b)(6)	
	310-754	
Admin	310-258-4818	