

U.S. Department of Homeland Security
Transportation Security Administration
3848 Northwest Drive
Atlanta, Georgia 30337



Transportation
Security
Administration

Date: December 04, 2013

To: (b)(6)
Master Behavior Detection Officer
Hartsfield-Jackson Atlanta International Airport

From: Joseph Zavodny
SPOT Transportation Security Manager
Hartsfield-Jackson Atlanta International Airport

Subject: Letter of Reprimand- Failure to Follow Procedures

Ref: Case# (b)(6)

On November 19, 2013 after the completion of your shift you failed to follow the instructions concerning the securing of your BDO Notebook, which is considered to be SSI, in that you initialed the notebook inventory sheet indicating that you had placed the notebook in the PM secured lockbox, when in fact you had the notebook in your possession in your pants pocket. When initially contacted you stated that you had placed the notebook in the lockbox, only to find it in your pocket when you finally returned home. The instructions emphasizing the importance of the securing of your BDO Notebook must be followed without exception and with no regard to your duty assignment.

TSA Management Directive No. 1100.73-5, Employee Responsibilities and Conduct (MD 1100.73-5), provides TSA policy, procedures, and standards for employee responsibilities and conduct within the TSA that conform to generally acceptable standards of behavior and ethical conduct.

MD 1100.73-5, section 5, paragraph A (7), provides, in pertinent part, that TSA employees must respond promptly and fully comply with directions and instructions received from their supervisors or other identified or appropriate management officials.

In addition, MD 1100.73-5, section 5, provides, in pertinent part, that employees are responsible to behave in a way that does not bring discredit upon the Federal Government or TSA, which includes the following basic on-the-job rules:

MD 1100.73-5, section 5, paragraph A (7), provides, in pertinent part, that TSA employees must observe and abide by all laws, rules, regulations and other authoritative policies and guidance, written and unwritten.

MD 1100.73-5, Section 6, paragraph A, provides, in pertinent part, that TSA employees shall comply with all standards and responsibilities established by this directive and shall report any violation(s) of this directive to appropriate management officials. Failure to comply with this directive and/or failure to report violations of this directive may result in appropriate corrective action, including discipline up to and including removal.

It is hoped that this Letter of Reprimand 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. This Letter of Reprimand may be cited as evidence of prior disciplinary action, should future discipline be warranted.

This Letter of Reprimand will be placed in your Official Personnel Folder (OPF) for up to a two-year period, during which it may be cited as a prior formal disciplinary action in any future disciplinary matter. However, your supervisor may decide to remove the letter prior to the expiration of the two-year period. Once it is removed from your OPF, your supervisor will retain the letter indefinitely as evidence that you were on notice about the performance or conduct in question.

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 using TSA form 1115, Grievance Request. A copy of HCM 771-4, Handbook is attached.

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 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.

(b)(3)

SPOT Transportation Security Manager

12/5/2013
Date

Page 3 of 3

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: HCM 771-4, Handbook, National Resolution Center
HCM Letter No. 771-4, National Resolution Center

Acknowledgement of Receipt:

Refused to Sign witnessed by Spira D. Haynes

Paul Abraham
Master Behavior Detection Officer

Date

Spira D. Haynes
12/6/13

Delivery Information:

Spira D. Haynes SISM

Witness Name & Title

12/6/13

Date:

Hand Delivered by

Date

Summary of Pre-Decisional Discussion with Employee

On 11/22/2013 I met with : MTSO (BDO) (b)(6)
(insert date) (insert employee's name and job title)
to have a Pre- Decisional Discussion. At that time:

See I advised the employee of the following allegations and the possible consequences of the following allegation(s):

Allegation #1: Failure to follow policies, procedures, practices, protocols, regulations or rules.

See I provided the employee an opportunity to respond orally and/or in writing.

The employee responded as follows:

See Orally on 11/22/2013, and stated as follows: "I'll provide a written statement."
(insert date)

See attached statement

(If more space is needed, attach additional pages.)

See In writing on 11/22/2013 I have attached a copy of the written
(insert date)
response.

Signed: Spiva R. Haynes, STSM

Name & Title of Manager or Supervisor

See

11/29/13
Date



Transportation
Security
Administration

SENSITIVE SECURITY INFORMATION

TSA Employee Statement

In addition to this Statement, a separate Statement is required from each TSA Employee who witnessed or participated in the incident. Reporting Officer must review all statements.

Your Name: (b)(6)	Title: MBDO	Duty Location & Shift: 1400-2230
Location of Incident (Chkpt, I, etc.):	Date & Time of Incident: November 19 th , 2013	Your physical position at time of incident:

Who else witnessed or participated in the incident?

Describe what happened. Write in chronological order. Provide facts, not opinions and conclusions. Did the individual say anything during the incident? If yes, quote their actual words to the best of your ability. Include only what you know/witnessed firsthand. Write clearly and legibly or type. If additional room is required, attach additional sheets.

ON NOVEMBER 19TH 2013, I RECEIVED MY NOTEBOOK FROM STSM J. GROOVER AND WAS ON DISPATCH ASSIGNMENTS FOR THAT DAY. FOR THAT DAY, I DIDN'T HAVE TO USE MY NOTEBOOK AND WHEN THE END OF THE DAY CAME, I SIGNED THE BOOK AND THOUGHT I PLACED MY NOTEBOOK IN THE PROPER HOLDER. ON NOVEMBER 20TH, I WAS CALLED BY STSM S. HAYES AND MBDO (b)(6) ABOUT MY NOTEBOOK MISSING, I DID REMEMBERED PLACING MY NOTEBOOK IN THE HOLDER THE PREVIOUS EVENING. I WAS NOT NEAR MY HOME AT THE TIME TO CHECK MY UNIFORM TO SEE IF IT WAS IN THERE. WHEN I GOT HOME THE FOLLOWING MORNING (NOVEMBER 21ST 2013 0800AM, I CHECKED MY UNIFORM WHICH WAS STILL IN THE HAMPER I LEFT IT, AND DISCOVERED MY NOTEBOOK IN MY BACK POCKET, I LET I-BAND (b)(6) AWARE OF THE SITUATION AND I RETURNED THE NOTEBOOK TO STSM S. HAYES AT THE AIRPORT AT 14:15PM

Printed Name:

(b)(6)

Signature

(b)(6)

11/22/2013

WARNING: This document may contain Privacy Act protected or other sensitive information and should be protected from unauthorized disclosure. TSA Employees and contractors may share this information within DHS on a need-to-know basis. Disclosure outside of DHS must be approved by the Office of Chief Counsel and TSA Privacy Office.

SENSITIVE SECURITY INFORMATION

WARNING: THIS RECORD CONTAINS SENSITIVE SECURITY INFORMATION THAT IS CONTROLLED UNDER 49 C.F.R. PARTS 15 AND 1520. NO PART OF THIS RECORD MAY BE DISCLOSED TO PERSONS WITHOUT A "NEED TO KNOW," AS DEFINED IN 49 C.F.R. PARTS 15 AND 1520, EXCEPT WITH THE WRITTEN PERMISSION OF THE ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION OR THE SECRETARY OF TRANSPORTATION. UNAUTHORIZED RELEASE MAY RESULT IN CIVIL PENALTIES OR OTHER ACTION, FOR U.S. GOVERNMENT AGENCIES, PUBLIC DISCLOSURE GOVERNED BY 5 U.S.C. 552 AND 49 C.F.R. PARTS 15 AND 1520.

TSA-ATL Local Form of TSA Form 414, 11/10 [File 400.9]

PM BDO NOTEBOOK IN/OUT AUDIT FY 2014

(b)(3) 49 U.S.C. § 1114(n)

Place Initials in Appropriate In/Out Block

		17-Nov	18-Nov	19-Nov	20-Nov	21-Nov	22-Nov	23-Nov
PI- 1	(b)(6)	OUT (b)(6)	OUT (b)(6)	(b)(6)		(b)(6)		
PI- 2		OUT	OUT	OUT (b)(6)	IN	OUT (b)(6)	OUT (b)(6)	OUT (b)(6)
PI- 3	(b)(6)		OUT	OUT	IN	OUT	OUT	OUT
PI- 4			OUT	OUT	IN	OUT	OUT	OUT
PI- 5			(b)(6)			(b)(6)	(b)(6)	
PI- 6			OUT (b)(6)	OUT (b)(6)	IN			
PI- 7			(b)(6)	OUT	IN			
PI- 8				OUT	IN			
PI- 9				(b)(6)	IN			
PI- 10					IN		OUT (b)(6)	OUT (b)(6)
PI- 11		OUT (b)(6)	OUT		IN		(b)(6)	(b)(6)
PI- 12		OUT	(b)(6)		IN			OUT
PI- 13		OUT	OUT		IN			(b)(6)
PI- 14		OUT	(b)(6)		IN			OUT
PI- 15		OUT			IN			OUT
PI- 16	(b)(6)				IN	OUT	OUT	(b)(6)
PI- 17			OUT	OUT		(b)(6)	(b)(6)	
PI- 18	Not used	OUT	OUT	OUT	OUT	OUT	OUT	OUT
PI- 19	Not used	OUT	OUT	OUT	OUT	OUT	OUT	OUT

(b)(3) 49 U.S.C. § 1114(n)

Place Initials in Appropriate In/Out Block

		17-Nov	18-Nov	19-Nov	20-Nov	21-Nov	22-Nov	23-Nov
PII- 1	(b)(6)	OUT (b)(6)	OUT (b)(6)	OUT (b)(6)		(b)(6)		
PII- 2		OUT	OUT	OUT	IN	(b)(6)	OUT (b)(6)	
PII- 3		OUT	OUT	OUT	IN	OUT (b)(6)	(b)(6)	IN
PII- 4		OUT	OUT	OUT	IN	OUT	(b)(6)	IN
PII- 5		OUT	OUT	OUT	IN	OUT	OUT (b)(6)	
PII- 6		OUT	OUT	OUT	IN	OUT	(b)(6)	
PII- 7	(b)(6)		OUT	OUT	IN	(b)(6)	(b)(6)	OUT (b)(6)
PII- 8		OUT	OUT	OUT	IN			OUT
PII- 9		OUT	OUT	OUT	IN	OUT	OUT	OUT
PII- 10		OUT	OUT	OUT	IN	IN	OUT	OUT
PII- 11	Not used	OUT	OUT	OUT	OUT	OUT	OUT	OUT
PII- 12	Not used	OUT	OUT	OUT	OUT	OUT	OUT	OUT
PII- 13	Not used	OUT	OUT	OUT	OUT	OUT	OUT	OUT

TURN IN TO MANAGER AT THE END OF EACH SHIFT

Page 121 of 227

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act