



Transportation
Security
Administration

Date: January 08, 2013

To: (b)(6)
MTSO BDO

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

Subject: Leave Restriction

On April 17, 2012 you were put on leave restriction for 6 months for excessive and/or unscheduled absences which expired October 17, 2012.

On September 20, 2012 you were given a Letter of Reprimand for calling out on Wednesday September 12, 2012 not in conjunction with RDOs, for failure to follow leave restriction procedures.

I released you from leave restriction on October 25, 2012.

After reviewing your monthly attendance record with you for Oct/Nov 2012 on December 04, 2012, I informed you that any future unscheduled call-ins may result in moving forward with the next step of disciplinary action. I asked you if you understood the next step and you said, yes, I understand. On Sunday December 30, 2012 you called out again in conjunction with your RDOs. I 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 November 2012.

You were absent for unscheduled leave on the following dates:

- Monday November 12, 2012 not in conjunction RDOs
- Tuesday November 20 to Thursday November 22, 2012 in conjunction with RDOs
- Sunday November 25, 2012 in conjunction with RDOs
- Sunday December 30, 2012 in conjunction with RDOs

As you can see, just in the past 2 months you have used 6 full days of unscheduled leave. 3 out of 4 of unscheduled leave were in conjunction with your RDOs. During this period you have used a total of 48 hours of unscheduled sick/holiday 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. These 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-(b)(6) Chattanooga checkpoint supervisor 423-240-5474, SPOT TSM Mark Moser 865-243-(b)(6) 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.

5

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 the TSA Grievance procedures.

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.

As your supervisor/manager I am available to give you assistance in this matter. Additionally, if you feel you may have other personal problems, 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)

01-08-13
Date

(b)(6)

Hand Delivered by:

01/08/2013
Date

(b)(6)

Witness Name

1/8/2013
Date

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