

U.S. Department of Homeland Security
Los Angeles International Airport
5767 W. Century Blvd., Ste. 3000
Los Angeles, CA 90045



Transportation
Security
Administration

DATE: June 18, 2014

TO:

(b)(6)

Behavior Detection Officer
Los Angeles International Airport

FROM:

Brian Bondoc
Assistant Federal Security Director - Screening
Los Angeles International Airport

RE:

DGO Response (b)(6)

On June 2, 2014, I received your grievance, in which you grieve a Three (3) Calendar Day Suspension that Transportation Security Manager (TSM) Tracy Wilson issued you on April 29, 2014. Your grievance submission included TSA Form 1115-1 (Grievance - Mediation Request); your written grievance; a copy of the April 29th Suspension with Supporting Documentation; Written Grievance Response from (b)(6) (4 pages). The remedy you seek is to receive a Letter of Counseling (LOC) in lieu of the April 29th Suspension. In addition, you seek back pay for the three days you were suspended.

On June 12, 2014, we met and discussed your grievance. In summary, you admitted failing to follow SPOT procedures and engage in a significant conversation with your BDO partner. You stated that you take full responsibility for your actions and feel as though you let management down. You went on to state that you are looking for mitigation due to the lack of formal discipline and your willingness to correct this behavior.

I have carefully considered the information you provided at the grievance meeting; your grievance and supporting documentation; and the April 29th Three (3) Calendar Day Suspension. For the reasons set forth below, I conclude that the April 29th Suspension should be mitigated to a One (1) Calendar Day Suspension.

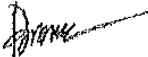
In our grievance meeting you felt extreme remorse for your actions the day of the incident. You stated that you were looking for redemption and would prove to management that this incident was not a true reflection of your work ethic. In addition, you stated that you have been employed with the agency for five (5) years and you have never received any formal disciplinary action.

Based on the foregoing, I have decided to partially grant your grievance.

DGO Response - (b)(6)
Page 2

This decision is final and concludes the grievance process.

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



Brian Bondoc
Assistant Federal Security Director -Screening

6-20-2014
Date

Acknowledgement of Receipt

(b)(6)

12/6/2014
Date

Delivery Information:

(b)(6)

Hand Delivered By:

6/20/14
Date



Transportation
Security
Administration

MEMORANDUM

DATE: June 12, 2014

FROM: STSO (b)(6)

RE: Grievance Response – BDO (b)(6)

Participants: AFSD Brian Bondoc, BDO (b)(6) and STSO (b)(6)

On Thursday, June 12, 2014, at approximately 1600, I sat in on a reply with AFSD Bondoc and BDO (b)(6) for a grievance response to a Three (3) Calendar Day Suspension she received on April 29, 2014. BDO (b)(6) had TSO (b)(6) serving as her representative.

TSO (b)(6) began the meeting by stating that there was no dispute that BDO (b)(6) was observed engaging in conversation with her BDO partner. TSO (b)(6) stated that they were looking for mitigation. BDO (b)(6) stated that she took full responsibility for her actions on the day she was observed failing to follow SPOT procedures. BDO (b)(6) went on to state that she is extremely embarrassed by her actions that day feels as though she has lost management's confidence in her ability to do her job. BDO (b)(6) stated she has been employed with the agency for five (5) years and has never had any disciplinary issues. In addition, BDO (b)(6) stated she has actively been involved in Admin work for the BDO program and wrote the airport proposal last year and would like to prove her true work ethic to management.

AFSD Bondoc stated that he appreciated BDO (b)(6) taking responsibility for her actions. AFSD (b)(6) went on to state that we all make mistakes and that ultimately it is what you learn from it and how you move on from it.

Nothing further to report.

BDO (b)(6)

DEPARTMENT OF HOMELAND SECURITY
Transportation Security Administration

GRIEVANCE - MEDIATION REQUEST

INSTRUCTIONS: This request is to be used to file a grievance and/or mediation request in accordance with TSA Human Capital Management (HCM) policy, HCM Letter 113.3, *National Resolution Center and related Handbook*. TSA's internal grievance process is a formal written grievance to a local Designated Grievance Official (DGO). You must file within 15 calendar days of the action or decision being grieved or from when you first learned or may have been reasonably expected to learn of the decision or action. Filing instructions and time limits are found in HCM 771-4 Handbook. This form must be submitted to the National Resolution Center (NRC) at Resolution Center/HR Ops or faxed to (703) 603-4057. Include all information and documentation specific to this Grievance/Mediation Request.

NOTE: This form is to be used for grievances related to workplace disputes and disciplinary actions beginning January 6, 2013. It is the employee's obligation to provide all necessary information and documentation in support of the grievance as required by the NRC. Failure to comply with these instructions could result in delay of processing and/or the dismissal of the grievance.

SECTION I. Employee Information

Date of Request 05/14/2014 Date Grievable Action or Decision 04/28/2014
Name (b)(6)
Airport Code/Office LAX
Current Position Master Behavior Detection Officer, 1802, F Band
Include Occupational Series & Pay Band (e.g., 1802, F Band)
Phone Number (310) 200 (b)(6) Email Address (b)(6)

SECTION II. Action Requested (check one)

☒ I am filing a Grievance and I am interested in Mediation ☐ I am filing a Grievance and I am NOT interested in Mediation ☐ I am interested in Mediation only

SECTION III. Other Forms of Resolution Sought (Check all that apply)

☐ Office of Professional Responsibility (OPR) ☐ Interest Based Conversation ☐ Office of Civil Rights and Liberties Ombudsman and Traveler Engagement (OCLATE), Civil Rights Division (CRD)
☐ TSCS Executive Review Board (ERB) ☐ Peer Review
☐ Moral Systems Protection Board (MSPB)
☐ Other

SECTION IV. Grievance Information

Action/occurrence giving rise to the grievance: 3 Day Suspension. See attached.
The remedy or personal relief sought: Mitigated Penalty. See attached.

SECTION V. Designation (personal representative)

NOTE: TSA Form 1135-1, *Personal Representative Designation*, must be completed and attached.

Name (if any) (b)(6)
Position/Title TSCM/IFPC Email Address (b)(6)
Phone Number (310) 431 (b)(6) ☒ TSA Employee ☒ AFGE Representative ☐ Other

BDO (b)(6)

SECTION VI: Acknowledgment

I understand any allegation of prohibited discrimination will not proceed through TSA's grievance - filed appeal procedures. Such allegations must be submitted to CRL/OTE, Civil Rights Division. I affirm this information on this form is accurate to the best of my knowledge and belief.

(b)(6)

05/13/2012
(Date)

SECTION VII: National Resolution Center Use Only

Date Received: / / by (check one): ☐ E Mail ☐ Fax ☐ Other

Received by: (Print Name) Case Number

PRIVACY ACT STATEMENT: AUTHORITY: 49 U.S.C. 1141(n) authorizes the collection of this information. PRINCIPAL PURPOSE(S): TSA will use the information in the investigation and resolution of your grievance. ROUTINE USE(S): This information may be shared with officials at the Merit Systems Protection Board, the U.S. Office of the Special Counsel, the Equal Employment Opportunity Commission, and/or any other agency or office when in performance of their official duties. Sharing is governed by System of Records Notice DHS-A11-018 Grievances, Appeals, and Disciplinary Action. DISCLOSURE: Voluntary. Failure to provide this information could result in a delay or inability to resolve your grievance.

Transportation Security Administration

PERSONAL REPRESENTATIVE DESIGNATION

INSTRUCTIONS: TSA employees may use this form to designate a personal representative in accordance with TSA HQ 1101.63-3, Employee Representation, Referral, Grievance, or Discipline. **Do not** use this form for **Behavioral Representative Designation** or **Investigative** and **Internal Security** or **Internal** jobs. The employee designating a personal representative should complete Sections I and II. The employee, representative and management official associated with the representational activity should complete Section III. Submit designations to the management official associated with the representational activity. The management official will provide copies of the completed designation to both the employee and the representative. Representatives who are TSA employees should provide a copy of the designation to his/her supervisor and requesting official for the representational activity. Place request in the appropriate bin for the specific matter in accordance with TSA HQ 1101.63-3, Disposition Schedule. **NOTE:** Either the employee or representative may cancel/withdraw the designation at any time by notifying the management official in writing.

SECTION I. Employee Information

Name (b)(6) Phone No. (b)(6) Email (b)(6)
 Duty Location (e.g., Terminal, Airport) LAX Bldg 1100N-0800
 Position Title Behavior Detection Officer
 Date and Description of Specific Representational Activity 05/12/2014 - Grievance to Internal Security Section

SECTION II. Personal Representative Information (i.e., designated by employee)

Name (b)(6) Phone No. (b)(6) Email (b)(6)
 Duty Location (if TSA employee) T2-PAX-0500-1330
 Position Title (if TSA employee) Transportation Security Officer (TSO)
 Union Affiliation (if any) AFGE TSA Local 1260, AFL CIO

SECTION III. Acknowledgments and Certifications

I authorize the personal representative to act as my representative in the representational activity, the aforementioned matter. This designation will remain in effect until the matter is resolved or I submit a new representative designation.

(b)(6) 05/13/2014

I acknowledge that I am required to adhere to TSA instructions for the proper handling and safeguarding of items that contain Security Information (SSI), if applicable, and that I may not disclose SSI to persons without a need-to-know.

A TSA employee must request approval from his/her supervisor for any absence from duty that is related to the representational activity.

(b)(6) 05/13/2014
 Personal Representative Signature Date

To the best of my knowledge there are no conflicts of interest with the requested designation.

☐ Agree ☐ Disagree (Explain)

Management Official Name Signature Date

SECTION IV. Management Official Use ONLY (to be completed)

☐ Grievance and/or Appeal ☐ EEO Process ☐ Discipline and/or Adverse Action ☐ Investigatory Interview
☐ Other (specify):

PRIVACY ACT STATEMENT: AUTHORITY: 49 U.S.C. § 114(n) authorizes the collection of the information. **PRINCIPAL PURPOSE(S):** This record will document your designation of personal representative. **ROUTINE USE:** The information collected on this form may be disclosed to any individual when DHS has a need for the information in the performance of their official duties, as for all federal records are handled as DHS/TSA OIG General Legal Records (OIGL), DHS/TSA OIG General, Appeals, and Discipline, unless otherwise noted. **DISCLOSURE:** Disclosure of this information is voluntary. Withholding the requested information may result in a delay in the sharing of information with your designated representative.

BDO (b)(6)

Date: May 14, 2014

To: National Resolution Center; ResolutionCenter@tsa.dhs.gov

From: Representative (b)(6) Women's & Fair Practices
Coordinator, American Federation of Government Employees Local 1260, AFL-
CIO: 5757 W. Century Blvd., Suite 700, Los Angeles, CA 90045

Subject: Grievance to Notice of Three (3) Calendar Day Suspension

Reference: (b)(6)

Introduction:

This letter is an attachment to TSA Form 1115-1, *Grievance-mediation Request* ("Form 1115-1"). This written grievance is in response to the *Notice of Three (3) Calendar Day Suspension* ("Suspension Notice") issued by Transportation Security Manager (TSM) Tracy Wilson to Behavior Detection Officer (BDO) (b)(6) on April 29, 2014. Consistent with TSA HCM Letter No. 771-4, *National Resolution Center* ("HCM 771-4"), Handbook Part 2.E.1.(b), this grievance is timely as it is submitted within fifteen (15) days of receipt of the disciplinary action. BDO (b)(6) is further interested in engaging in mediation with TSA Management. BDO (b)(6) has designated (b)(6) Women's & Fair Practices Coordinator (WFPC) for the American Federation of Government Employees (AFGE) Local 1260, AFL-CIO as her Union representative. WFPC (b)(6) is employed by the Agency at Los Angeles International Airport (LAX) airport.

TSA Management issued the Suspension in response to: BDO (b)(6) failure to follow proper Screening Passengers by Observation Techniques (SPOT) procedures and negligent performance of duties. BDO (b)(6) elects to file a grievance as the disciplinary action was not consistent with the applicable provisions of TSA Management Directive No. 1100.75-3, *Addressing Unacceptable Performance and Conduct* ("MD 1100.75-3"), and Handbook. TSA Management's action was not consistent with the MD 1100.75-3, Handbook Section A.31(c). Specifically, a three (3) calendar day suspension was not a reasonable penalty. Furthermore, TSA Management failed to apply the doctrine of progressive discipline per MD 1100.75-3 Section 6.J.(1) BDO London seeks to receive a mitigated penalty less than the issued three (3) calendar day suspension.

Suspension Notice:

The Suspension Notice lists two (2) charges. The first charge is "Failure to Follow Proper Screening Passengers by Observation Techniques (SPOT) Procedures" (Charge 1). Charge 1 specifies that on April 2, 2014, from 1720 to 1806 hours, BDO (b)(6) and her partner, Lead BDO (LBDO) (b)(6), were on duty and positioned at the TSA/LAX Terminal 4 Alpha Checkpoint. The charge goes on to specify that during this time frame, BDO (b)(6) and LBDO (b)(6) did not walk the line and failed to engage with passengers frequently.

BDO (b)(6)

TSA Management found BDO (b)(6) conduct to be in violation of TSA Management Directive No. 1100.73-5, *Employee Responsibilities and Code of Conduct* ("MD 1100.73-5"), Sections 5.A.(7) and 6.E. Additionally, TSA Management found BDO (b)(6) in violation of TSA Screening Passengers by Observation Techniques (SPOT) Standard Operating Procedures (SOP), Revision #3, Chapter 2, Section 2.5 and 2.5.B, and Chapter 3, Section 3.2.F.

The second charge is "Negligent Performance of Duties" (Charge 2). Charge 2 specifies that on April 2, 2014, from 1720 to 1806 hours, BDO (b)(6) and her partner, LBDO (b)(6) were on duty at the TSA/LAX Terminal 4 Alpha Checkpoint. The charge goes on to specify that during this time frame, BDO (b)(6) was engaged in conversation with LBDO (b)(6) and ignored passengers that directly passed by her. The charge further states that BDO (b)(6) turned her back completely from the queue as passengers walked towards her.

TSA Management found BDO (b)(6) conduct to be in violation of MD 1100.73-5, Section 5.A and 5.A.(7). Additionally, TSA Management found BDO (b)(6) in violation of MD 1100.73-5, Section 6.B and 6.E.

The Suspension Notice stated that in determining the appropriateness of the penalty, TSA Management considered a number of factors. TSA Management considered BDO (b)(6) satisfactory job performance, length of service of over four (4) years, and lack of prior discipline to mitigating factors. However, TSA Management stated that the seriousness of BDO (b)(6) misconduct outweighed the mitigating factors.

TSA Management stated that although not disciplinary actions, it noted that BDO (b)(6) received Letters of Counseling (LOCs) on November 26, 2012, and August 25, 2013. TSA Management found the LOCs to be an aggravating matter, as the correct actions placed BDO (b)(6) on notice regarding her obligation to follow all Agency policies and procedures.

TSA Management stated that it believed the three (3) calendar day suspension was the lowest level of discipline to impress upon BDO (b)(6) the seriousness of her action, and the important of adhering to proper security procedures. TSA Management found the discipline to be within the recommended penalty range on the TSA Table of Offenses and Penalties.

Improper Penalty Determination:

TSA Management decided to suspend BDO (b)(6) for three (3) calendar days. However, TSA Management failed to properly carry out proper penalty determination. MD 1100.75-3, Section G provides penalty factors to serve as guidance in proper penalty determination. With all mitigating penalty factors properly considered, TSA Management should have issued a penalty less than the imposed three (3) calendar day suspension.

The following are penalty determination factors not fully and/or properly considered by the TSA Management:

1. TSA Management must consider that BDO (b)(6) offenses were inadvertently committed. Furthermore, BDO (b)(6) took responsibility for her actions.
2. TSA Management stated that BDO (b)(6) lack of discipline was considered a mitigating factor. Nevertheless, TSA Management should have given greater weight to this mitigating factor in penalty determination.

3. TSA Management stated that BDO (b)(6) length of service of over four (4) years, and satisfactory job performance were mitigating factors. However, it must be noted that BDO (b)(6) job performance has been more than just satisfactory. Therefore, BDO (b)(6) job performance should have been given greater weight.
4. The offense has not had an effect on BDO (b)(6) ability to perform at a satisfactory level, or had an effect on her supervisors' confidence in her ability to perform assigned duties. TSA Management incorrectly determined that the confidence of BDO (b)(6) supervisor was negatively impacted. Nevertheless, there is no evidence to support this assertion.
5. There is no evidence to suggest that the penalty was not consistent with those imposed upon similarly situated employees who committed the same or similar offenses.
6. BDO (b)(6) has a high potential for rehabilitation. There is no indication that BDO (b)(6) will find herself again in this situation. Notably, BDO (b)(6) took responsibility for her actions, and subsequently identified the changes she will implement to prevent repeat offenses.
7. TSA Management stated the LOCs issued November 28, 2012, and August 25, 2013, placed BDO (b)(6) on notice regarding her obligation to follow all Agency policies and procedures. MD 1100.75-3, Handbook Section G.(8) provides the following a penalty determination factor: "the clarity with which the employee was on notice of any rules violated in committing the offense or had been warned about the conduct in question." TSA Management took the liberty use the LOCs as aggravating factors. The fact LOCs have a blanket statement with respect with need to follow Agency policies and procedures does not indicate a situation in which BDO (b)(6) has clarity of rules violated in committing the offenses, and therefore, may be used as aggravating factors.
8. TSA Management failed to consider the adequacy and effectiveness of alternative actions to deter the offenses from being repeated in the future.

TSA Management did not apply the doctrine of progressive discipline in deciding an appropriate penalty. MD 1100.75-3 Section 6.J.(1) states that "progressive discipline is the process of using the least severe form of action that may be used to correct a deficiency." TSA Management stated the penalty was within the recommended range of the Table of Offenses and Penalties. It is noted that in Section H.5 of the Table of Offenses and Penalties, the recommended range shows penalties from an LOR to a ten (10) day suspension; the mitigated penalty range is a Letter of Counseling (LOC). Applying the doctrine of progressive discipline plus the mitigating penalty factors will show that a penalty in the mitigated range (LOC) would have been an appropriate penalty to impose on BDO London.

Conclusion:

BDO (b)(6) accepts responsibility for her actions on April 2, 2014. BDO London will ensure she does not engage in this type of misconduct in the future. Nevertheless, the three (3) calendar day suspension was not consistent with MD 1100.75-3 and Handbook; the disciplinary

BDO (b)(6)

action was not a reasonable penalty. Given the issues present, TSA Management's action was not consistent with TSA policy.

Remedy Sought:

BDO (b)(6) seeks to have the three (3) calendar day suspension mitigated to a Letter of Counseling (LOC) plus back pay for the three (3) days suspended without pay. BDO (b)(6) seeks a quick and appropriate resolution to this grievance. BDO (b)(6) Union representative may be contacted at the information listed below, as needed, Thank you for your time and consideration of this grievance.

Respectfully,

(b)(6)

Women's & Fair Practices Coordinator
AFGE Local 1260, AFL-CIO

Contact Information:

Phone: (310) 431 (b)(6)

Fax: (213) 402 - 3617

Email: (b)(6)

BDO (b)(6)

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.B; 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. (WT). positioning.)

(b)(6)

Charge 2: Negligent Performance of Duties

Situation: 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.F.

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 310-258-1858. 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 Bondar, 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 04/22/2014 FR: STSM (b)(6) To: DAFSD Chris Pope,
Subject: SPOT SOP Violation - LBDO (b)(6)

BDO (b)(6)

5. Memo dated 04/02/2014, Fr: STSM (b)(6) To: DAFSD (b)(6), Subject: SOP Violation - Morris/London
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

4-29-14
Date

Acknowledgement of Receipt

(b)(6)

Date

Delivered By:

(b)(6)

Signature/Print Name

4-29-14
Date

BDO (b)(6)



Transportation
Security
Administration

April 23, 2014

MEMORANDUM

TO: BDA TSM (b)(6)

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

On April 23, 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

www.tsa.gov

BDO (b)(6)

U.S. Department of Homeland Security
Los Angeles International Airport
100 World Way T-1 Door 337
Los Angeles, California 90045



Transportation
Security
Administration

MEMO TO FILE

DATE: 01-25-2014

Control #

FROM: (b)(6)

TO: (b)(6)

SUBJECT:

At approximately 1720 hours on 01-02-2014, 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, HLOS 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

www.tsa.gov