

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 NTE)	2. Request Number (b)(6)
3. For Additional Information Call (Name and Telephone Number) (b)(6)	4. Proposed Effective Date 06/13/2014
5. Action Requested By (Typed Name, Title, Signature, and Request Date) Cossie Conley 06/09/2014	6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date) (b)(6) 06/10/2014

PART B - For Preparation of SF 50 (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 06/13/2014
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FIRST ACTION

5-A. Code 292	5-B. Nature of Action Return To Duty (Suspension NTE)
5-C. Code 6-D. Legal Authority	
5-E. Code 5-F. Legal Authority	

SECOND ACTION

5-A. Code 6-B. Nature of Action	
5-C. Code 6-D. Legal Authority	
5-E. Code 6-F. Legal Authority	

7. FROM: Position Title and Number

MST TRANSPORT SECURITY OFFICER (BDO)

030870 90352004

8. Pay Plan SV	9. Occ. Code 1802	10. Grade or Level F	11. Step or Rate 0	12. Total Salary \$46,394.00	13. Pay Basis SV	16. Pay Plan SV	17. Occ. Code 1802	18. Grade or Level F	19. Step or Rate 0	20. Total Salary/Award \$46,394.00	21. Pay Basis SV
12A. Basic Pay \$36,485.00	12B. Locality Adj. \$9,909.00	12C. Adj. Basic Pay \$46,394.00	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

16. TO: Position Title and Number

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. Tenure 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite	25. Agency Use	26. Veterans Pref for RIF YES NO
27. FEGLI	28. Annuitant Indicator	28. Pay Rate Determinant	
30. Retirement Plan	31. Service Comp. Date (Leave)	32. Work Schedule F	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 PAC9CR	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

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 June 10, 2014 through June 12, 2014. RTD June 13, 2014. Reference # 14-8553

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)

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. Actions Requested

Suspension NTE (Date) 6/12/2014

3. For Additional Information Call (Name and Telephone Number)

(b)(6)

(b)(6)

2. Request Number

(b)(6)

4. Proposed Effective Date

06/10/2014

5. Action Requested By (Typed Name, Title, Signature, and Request Date)

Cossie Conley

06/09/2014

6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date)

(b)(6)

06/10/2014

PART B - For Preparation of SF 50 (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

4. Effective Date

06/10/2014

FIRST ACTION

5-A. Code 5-B. Nature of Action

150 Suspension NTE (Date)

5-C. Code 5-D. Legal Authority

5-E. Code 5-F. Legal Authority

SECOND ACTION

6-A. Code 6-B. Nature of Action

6-C. Code 6-D. Legal Authority

6-E. Code 6-F. Legal Authority

7. FROM: Position Title and Number

NST TRANSPORT SECURITY OFFICER (BDO)

030870 90352004

8. Pay Plan 9. Occ. Code 10. Grade or Level 11. Step or Rate 12. Total Salary 13. Pay Basis

SV 1802 F 0 \$46,394.00

12A. Basic Pay 12B. Locality Adj. 12C. Adj. Basic Pay 12D. Other Pay

\$36,485.00 \$9,909.00 \$46,394.00

16. Pay Plan 17. Occ. Code 18. Grade or Level 19. Step or Rate 20. Total Salary/Award 21. Pay Basis

SV 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 3 - 10 Points/Disability 5 - 10 Points/Other
2 - 5 Points 4 - 10 Points/Compensable 6 - 10 Points/Compensable/30%

27. FEGLI

24. Tenure

0 - None 2 - Conditional
1 - Permanent 3 - Indefinite

25. Agency Use

26. Veterans Pref for RIF

YES NO

30. Retirement Plan

31. Service Comp. Date (Leave)

32. Work Schedule

F

33. Part-time Hours Per Week

Pay Period

POSITION DATA

34. Position Occupied

1 - Competitive Service 3 - SES General
2 - Excepted Service 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 8 - 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. Approver: 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 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 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 June 10, 2014 through June 12, 2014. RTD June 13, 2014. Reference # 14-8553

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)

PART F - Remarks for SF 50

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



Transportation
Security
Administration

Date: June 6, 2014
To: (b)(6)
Behavior Detection Officer (BDO)
Los Angeles International Airport
From: Stephen Miller
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:

June 10, 2014 Through June 12, 2014

The effective date of your return to duty is: June 13, 2014

Your next scheduled regular workday is: June 13, 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 Procedures

Specification: On April 2, 2014, from 1720 to 1812, you and your partner, Behavior Detection Officer (BDO) (b)(6) were on duty and positioned at the Transportation Security Administration (TSA) at Los Angeles International Airport (LAX) Terminal 5 Checkpoint. During this time frame, you did not walk the line and failed to engage with passengers frequently as required.

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 1812^{1812.5m}, you and your partner, BDO (b)(6) were on duty at the TSA LAX Terminal 5 Checkpoint. During this time frame, you were engaged in conversation with BDO (b)(6). You also failed to reposition yourself at the opposite side of the checkpoint where the highest volume of passengers were located.

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 May 7, 2014, I met with you in a pre-decisional meeting to discuss failure to follow proper screening 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. During this discussion, you admitted that you had not performed SPOT in accordance with the SOP. You also admitted that you had not conducted WTL, engaged passengers, changed positions frequently or positioned yourself to observe the greatest number of passengers entering the checkpoint.

In your written statement originally submitted on May 7, 2014, you stated that you had complied with proper screening procedures and the SOP with your partner BDO (b)(6). You contend that at the time of the video, Terminal 5 pre-check TDC was processing both regular and pre-check passengers. You stated that you and BDO (b)(6) were positioned by the pre-check TDC in order to confer and concur more easily.

In determining the appropriateness of the penalty, I considered a number of factors. Your failure to follow proper screening 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 find your satisfactory job performance and your length of service of over eleven (11) years to be mitigating as well as the fact that you have had no prior discipline.

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. Under the TSA Table of Offenses and Penalties, this penalty is within the mitigated penalty range for your failure to follow proper screening procedures; and recommended penalty range for your negligent performance of duties.

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 three (3) 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.

If you wish to view any of the SSI materials, you may make an appointment with the Deciding Official by contacting 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. You have the right to file a grievance under the grievance procedure established by Human Capital Management Policy 771-4, *National Resolution Center*, and its accompanying Handbook. If you choose to file a grievance, you must submit it in writing to the National Resolution Center within fifteen (15) calendar days of your receipt of this letter. Any grievance must include a copy of the action you are grieving, the reasons you are grieving, any supporting documentation for the grievance, the remedy you seek, and whether you have raised the matter in another forum. You must file your written grievance by email at ResolutionCenter@tsa.dhs.gov, or facsimile at (703) 603-4057 using TSA Form 1115-1, Grievance/Mediation Request. A copy of TSA Form 1115-1 is attached. The Designated Grievance Official (DGO) is Deputy Assistant Federal Security Director (DAFSD) for Screening Christine Pope, 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.



Stephen Miller
Transportation Security Manager

6-8-14
Date

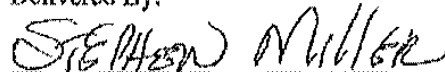
(b)(6)

Acknowledgement of Receipt

(b)(6)

6/8/14
Date

Delivered By:



Signature/Print Name

6-8-14
Date

1. Memo to File From STSM Larry Hamara dated May 2, 2014, Subject Spot SOP Violation – Terminal 5
2. Memo From STSM Stephen Miller To: Christine Pope, Dated May 7, 2014, Subject: Summary – (b)(6)
3. Written Statement from Christina Cosey dated 5/7/2014
4. Written Statement from Eric Domio dated 5/7/2014
5. MEMO TO FILE FROM STSM STEPHEN MILLER TO CHRISTINE POPE, DATED MAY 8, 2014.