

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) 8/31/2014	2. Request Number (b)(6)
3. For Additional Information Call (Name and Telephone Number) (b)(6)	4. Proposed Effective Date 08/28/2014
5. Action Requested By (Typed Name, Title, Signature, and Request Date) Ruby Slipka 08/01/2014	6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date)

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 08/28/2014
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FIRST ACTION	SECOND ACTION
6-A. Code 450	6-A. Code
6-B. Nature of Action Suspension NTE (Date)	6-B. Nature of Action
6-C. Code	6-C. Code
6-D. Legal Authority	6-D. Legal Authority
6-E. Code	6-E. Code
6-F. Legal Authority	6-F. Legal Authority

7. FROM: Position Title and Number MST TRANSPORT SECURITY OFFICER (BDO) 030870 90561756	15. TO: Position Title and Number
8. Pay Plan SV	16. Pay Plan SV
9. Occ. Code 1802	17. Occ. Code
10. Grade or Level F	18. Grade or Level
11. Step or Rate 0	19. Step or Rate
12. Total Salary \$42,611.00	20. Total Salary/Award \$42,611.00
13. Pay Basis	21. Pay Basis
12A. Basic Pay \$34,779.00	20A. Basic Pay
12B. Locality Adj. \$7,832.00	20B. Locality Adj.
12C. Adj. Basic Pay \$42,611.00	20C. Adj. Basic Pay
12D. Other Pay	20D. Other Pay
14. Name and Location of Position's Organization SECURITY OPERATIONS WESTERN AREA DEN - DENVER INTERNATIONAL	22. Name and Location of Position's Organization

TA5904100707000000

EMPLOYEE DATA

23. Veterans Preference 1 - None 2 - 5 Point	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	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 - Comparative Service 2 - Excepted Service
35. FLSA Category E - Exempt N - Nonexempt	36. Appropriation Code FACBCR	37. Bargaining Unit Status	38. Duty Station Code 080600031
39. Duty Station (City - County - State or Overseas Location) DENVER - DENVER - CO	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	52.	53.	54.

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
62-11B

OVER

Editions Prior to 7/81 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 62.)

☐ YES ☐ NO

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 this 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 7, 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 09/01/2014
5. Action Requested By (Typed Name, Title, Signature, and Request Date) Ruby Slipka 08/01/2014	6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date) 720-479-(b)(6)

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) HO (b)(6)	2. Social Security Number (b)(6)	3. Date of Birth (b)(6)	4. Effective Date 09/01/2014
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FIRST ACTION		SECOND ACTION	
5-A. Code/5-B. Nature of Action 292 Return To Duty (Suspension NTE)	5-A. Code/5-B. Nature of Action	5-C. Code/5-D. Legal Authority	5-C. Code/5-D. Legal Authority
5-E. Code/5-F. Legal Authority	5-E. Code/5-F. Legal Authority	5-G. Code/5-H. Legal Authority	5-G. Code/5-H. Legal Authority

7. FROM: Position Title and Number MST TRANSPORT SECURITY OFFICER (BDO)	15. TO: Position Title and Number
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8. Pay Plan SV	9. Occ. Code 1802	10. Grade or Level P	11. Step or Rate 0	12. Total Salary \$42,611.00	13. Pay Basis SV	14. Pay SV	17. Occ. Code 1802	18. Grade or Level P	19. Step or Rate 0	20. Total Salary/Award \$42,611.00	21. Pay Basis SV
12A. Basic Pay \$34,779.00	12B. Locality Adj. \$7,832.00	12C. Adj. Basic Pay \$42,611.00	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 DEN - DENVER INTERNATIONAL	22. Name and Location of Position's Organization
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TA5904100707000000

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 Plat for RIF YES ☐ NO ☐
27. FEGLI	28. Annuitant Indicator	29. Pay Rate Determinant	30. Retirement Plan
31. Service Comp. Date Received	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

POSITION DATA

35. FLSA Category E - Except H - Nonexempt	36. Appropriation Code PACSCR	37. Bargaining Unit Status
38. Duty Station Code 080600031	39. Duty Station (City - County - State or Overseas Location) DENVER - DENVER - CO	

40. Agency Data	41.	42.	43.	44.
45. Educational Level	46. Year Degree Attained	47. Academic Discipline	48. Functional Class	49. Citizenship 1 - USA 0 - 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	Approve Date
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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 50.)

☐ YES ☐ NO

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 8606 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 8606 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
Denver International Airport
Denver, CO 80249



Transportation
Security
Administration

Date: July 29, 2014
To: (b)(6)
Master Transportation Security Officer (BDO)
Denver International Airport
From: Donald Cosner
Assistant Federal Security Director-Screening
Denver International Airport
Subject: Notice of Decision on Proposed Five Day Suspension
Reference: (b)(6)

This is notice that I have decided to mitigate the proposed five day suspension and suspend you from duty, without pay, for four (4) calendar days on August 28, 2014 through August 31, 2014. You will return to duty on your next scheduled workday. This decision is made to promote the efficiency of the service and is based on the following:

Charge: Failure to Follow Standard Operating Procedures

Specification: On February 8, 2014, while working on the North Checkpoint at Denver International Airport, you failed to notify the proper management officials of a SPOT Law Enforcement Officer (LEO) Referral and receive an authorization before allowing the passenger in to the sterile area.

On May 24, 2014, you were issued a written Notice of Proposed Five Day Suspension from Deputy Assistant Federal Security Director Gary Pleus based on the above Charge and Specification. The written notice also advised you of your right to make an oral and/or written reply.

In your written reply, dated May 30, 2014, you accepted full responsibility and recognized that you made a mistake. You requested the number of days in the suspension be reduced or removed and requested that whatever the final outcome is, that you be allowed to take your suspension over the course of two (2) pay periods to prevent any financial hardships.

I considered the facts of this case, the proposal notice, and your written and oral replies. As a MBDO, management must have the utmost confidence that you will exercise due diligence in the performance of your duties at all times. Your failure to follow SOP is very serious, as you are expected to continuously meet high standards of conduct. As mitigating factors, I considered that you have been employed by TSA since June 2008, and have no prior discipline. I also considered that you took full responsibility for your actions and were remorseful for the incident. Given the mitigating factors and the latitude in the Table of Offenses and Penalties that allows the use of a

mitigated range for inadvertent violations, I have decided to mitigate the proposed five day suspension to a four day suspension.

Therefore, it is my decision that the reason for this action is supported by a preponderance of evidence and a four day suspension from duty without pay is the appropriate level of discipline and promotes the efficiency of the service.

This action falls within the guidelines in the TSA Table of Offenses and Penalties, section M.1, Failure to Follow Standard Operations Procedures, which recommends a 5-day suspension to removal for the recommended penalty range. The mitigated penalty range suggests a Letter of Reprimand to a 4-day suspension. Given the nature and seriousness of your misconduct and considering the mitigating factors, I find the high end of the mitigated penalty range is the appropriate penalty in this case.

You are cautioned that any repetition of this offense or any other act of misconduct could result in more severe disciplinary action, up to and including removal from Federal Service.

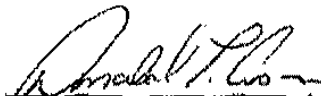
You may grieve this action under the TSA Unitary Dispute Resolution System.

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 the relevant portions of HCM 771-4 Grievance Procedures is attached. The Designated Grievance Official (DGO) is Jeff Podolski, Stakeholder Manager, 303-348-(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.


Donald Cosner

7-29-2014
Date

U.S. Department of Homeland Security
Denver International Airport
Denver, CO 80249

Acknowledgement of Receipt

(b)(6)

7-31-14
Date

Delivery Information:

(b)(6)

7/31/2014
Date

PENALTY DETERMINATION FACTORS
(Authority: Management Directive No. 1100.75-3)

Case No.: (b)(6)

Employee: (b)(6)

Date: July 10, 2014

1. The nature and seriousness of the offense, and its relationship to the employee's duties, position, and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated.

(b)(6) is a Master Behavior Detection Officer (MBDO) and is charged with Failure to Follow Standard Operating Procedures (SOP). On February 8, 2013, while on duty you failed to follow the SOP and notify the proper management officials of a Law Enforcement Referral before allowing the passenger into the sterile area.

2. The employee's job-level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position. For example, certain employees such as supervisors or law enforcement officers may be held to higher standards than other employees.

(b)(6) is a Master Behavior Detection Officer (MBDO) at the Denver International Airport and is assigned to screening operations. TSA expectations of MBDO (b)(6) is to behave in a way that does not bring discredit upon the federal government or TSA and for observing the following basic on-the-job rules, including responding promptly and fully complying with directions and instructions and observing and abiding all laws, rules regulations, and other authoritative policies and guidance, written and unwritten. Your conduct violated TSA MD 1100.73-5, Sections 5.A.(1), (2), and (7), and 6.A., B., D., and E. Your conduct also violated the TSA Screening of Persons by Observations Technique (SPOT) SOP, Sections 3.7.C and 3.7.E.1.

3. The employee's past disciplinary record. If past discipline is used, it must be mentioned in the notice of proposed action.

I have considered that you have no prior formal discipline. Although you have no previous formal discipline, that does not outweigh the seriousness of your misconduct and Failure to Follow the SOP. While you are not a supervisory employee, as an MBDO, you are expected to meet high standards of conduct.

4. The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability.

I have considered that you have worked for the TSA since June 2008 and that you have no prior discipline, attendance, or reliability actions cited for this proposal.

5. The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon supervisors' confidence in the employee's ability to perform assigned duties.

As an MBDO at Denver International Airport, management must have the utmost confidence that you exercise due diligence in the performance of your duties. Your failure to follow the SOP on February 8, 2014, has caused me great concern regarding your ability to perform your duties as assigned.

6. Consistency of the penalty with those imposed upon other employees for the same or similar offenses.

This proposal is within the range of penalties in the TSA Table of Offenses and Penalties as the Charge of Failure to Follow Standard Operating Procedures, Section M.1, is a recommended penalty range of a 5-day-suspension to removal. The proposed 5-day suspension conforms with the table of penalties.

7. The notoriety of the offense or its impact upon the reputation of the agency.

TSA depends upon the public's confidence that it can ensure the safety and security of passengers. As such, you are expected to conduct yourself in a manner that does not diversely reflect on TSA, or negatively impact the ability to discharge its mission, cause embarrassment to the agency, or cause the public and/or TSA to question an employee's judgment or trustworthiness. In regards to your failure to follow the SOP and notify management of a LEO referral before allowing a passenger access the sterile side of security, your conduct is unacceptable.

8. 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.

You are a certified MBDO trained in policy and procedure. You are also required to complete Annual Training with regards to expectations and Employee Responsibilities and Conduct and adhere to standard operating procedures. Additionally, in your April 12, 2014 statement you stated that you were aware of the SOP requirements.

9. The clarity with which the employee was on notice of performance expectations and problems with his or her performance.

You are well aware of the policies and procedures regarding the Employee Responsibilities and Conduct, the TSA SPOT SOP.

10. Potential for the employee's rehabilitation.

I have considered that in your pre-decisional meeting you took responsibility for actions and your actions appear to be unintentional. Therefore, I find your potential for rehabilitation to be good.

11. Mitigating circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, harassment, or bad faith, malice, or provocation on the part of others involved in the matter.

I have considered that you have been employed with the TSA since June 2008 and that you have no formal discipline.

12. The adequacy and effectiveness of alternative actions to deter such conduct or improve performance in the future by the employee or others.

The TSA expects its Master Behavior Detection Officers to be role models and exercise due diligence in the performance of your duties. Although you have no formal discipline this does not outweigh the seriousness of your misconduct and your failure to follow the SOP and notifying the proper management officials of a Law Enforcement Referral before allowing the passenger into the sterile area. I have considered that in both your pre-decisional meeting and your reply to me dated May 30, 2014, you took responsibility for your actions and appear to be remorseful. I have also considered that you have been employed with the TSA since June 2008, and that you have no formal discipline and that your violation of the SOP appears to be unintentional. Management proposed a 5-day suspension, which is at the lower end of the recommended range in the TSA Table of Offenses and Penalties. However, I believe that the mitigated range is warranted. Therefore, I am mitigating the proposed action to a 4-day suspension.

OTHER: [Use additional sheets]

Donald T. Cosner, AFSD-S
Prepared by: _____

07/10/2014
Date: _____

I, (b)(6) am requesting a reevaluation of the proposed 5 day unpaid suspension invoked by circumstances that took place February 8, 2014. I humbly request the number of days in suspension be reduced, or removed for the following reasons:

Firstly, I recognize the mistakes I made with the referral that occurred on February 8th, a mistake that will never happen again. I have learned and grown from the mistake. The referral took place less than two weeks of my transfer to DEN. I was not completely aware of how operations worked here within the program, in their entirety. I thought as we worked together as a team, notifications and such were worked out with said team. Resulting in my impression that the notifications were taken care of, as per my statement following the incident. I will (and have since) always double check to make sure notifications are made and passengers cleared with any referral I am involved with, as I do not want this type of incident to happen again.

Secondly, I believe the incident was solved efficiently as soon as (b)(6) and I found out the notifications were not made and the passenger was not cleared. I believe under the circumstances there were several miscommunications that lead to the lack of notification/non clearance of the passenger. This being said, I believe the recommended punishment for a mitigated incident is a letter of reprimand (LOR) up to four (4) days suspension.

Lastly, under the *TSA MD 1100.75-3, Handbook*, appendix B section (2); "necessary action to make an informed decision...should be completed within 30 days of the incident/allegation/matter. The fact-finding for matters investigated by the TSA Office of Inspection...should generally be completed within 90 days of the allegation/incident/matter". I believe that since 90 days has lapsed, the issuance of punishment should be lowered if not diminished, because during that time period I have had the ability to redeem myself, as well as prove I have learned from the experience. Over that period of time I have also been shown the regulations and procedures appropriate to DEN, for which I was not accustomed to during the time of this incident.

I understand the severity of the incident and in no way am I claiming that I am not partially responsible. I understand my role in the matter and I accept my part in the reprimand. I am simply requesting for a lesser sentencing. I would also like to ask, no matter what the final punishment, that I be allowed to take my suspension over the course of two (2) pay periods.

I ask this because I have a financial responsibility of child support and a full week of none pay during the course of a single pay period will set me back in support payments (potentially resulting in criminal charges being brought against me, and/or an arrest made). From my understanding, having an arrest while under the employment of the TSA would result in my immediate termination. All of which, I would like nothing more than to avoid, especially if it means I will not be able to provide for my family.

Thank you for your time and consideration,

(b)(6)

5-30-14

SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security
Denver International Airport
Denver, CO 80249



**Transportation
Security
Administration**

Date: May 24, 2014

To: (b)(6)
Master Transportation Security Officer (BDO)
Denver International Airport

From: Gary Pious
Deputy Assistant Federal Security Director - Screening
Denver International Airport

Subject: Notice of Five Day Proposed Suspension

Reference: (b)(6)

This is notice that I am proposing to suspend you from duty without pay for five (5) calendar days in order to promote the efficiency of the service. If a decision is made to suspend you, it will not be made or effected earlier than your reply. If you do not reply, a decision will be made no earlier than seven (7) calendar days from the date you receive this letter. This proposal is based on the following:

Charge: Failure to Follow Standard Operating Procedures

Specification: On February 8, 2014, while working on the North Checkpoint at Denver International Airport, you failed to notify the proper management officials of a SPOT Law Enforcement Officer (LEO) Referral and receive an authorization before allowing the passenger in to the sterile area.

Your conduct is in violation of the TSA Screening of Persons by Observations Technique (SPOT) Standard Operating Procedures, Sections 3.7.C. and 3.7.E.1.

Your conduct also violated TSA MD 1100.73-5, Sections 5.A.(1), (2), and (7)., and 6.A., B., D., and E.

5. RESPONSIBILITIES:

- A. TSA employees are responsible for behaving in a way that does not bring discredit upon the Federal Government or TSA, and for observing the following basic on-the-job rules:

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 DETERMINED 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 PENALTY OR OTHER ACTION. FOR U.S. GOVERNMENT ATTACHES, PUBLIC DISCLOSURE IS GOVERNED BY 5 U.S.C. 552 AND 49 C.F.R. PARTS 15 AND 1520.

www.tsa.gov

SENSITIVE SECURITY INFORMATION

U.S. Department of Homeland Security
Denver International Airport
Denver, CO 80249

(1) Reporting to work on time and ready, willing and able to perform the duties of their position. This means reporting for duty free from any effects of alcohol and/or drugs that may impair job performance or conduct; physically and mentally capable of performing his or her job requirements and in appropriate clothing and/or outfitted with required tools or equipment.

(2) Responding promptly to and fully complying with directions and instructions received from their supervisor or other management officials.

(7) Observing and abiding by all laws, rules, regulations and other authoritative policies and guidance.

6. POLICY:

A. TSA employees must comply with all standards, responsibilities, and code of conduct established by this directive and shall report any violation(s) of this directive to appropriate management officials.

NOTE: Failure to comply with this directive and/or failure to report violations of this directive may result in appropriate corrective, disciplinary, or adverse action, up to and including removal.

B. Employees' conduct at work directly affects the proper and effective accomplishment of their official duties and responsibilities. Employees must perform their duties in a professional and business-like manner throughout the workday.

D. Employees in direct contact with the public bear a heavy responsibility, as their conduct and appearance have a significant impact on the public's attitude toward the Federal government and TSA.

E. While on or off-duty, employees are expected to conduct themselves in a manner that does not adversely reflect on TSA, or negatively impact its ability to discharge its mission, cause embarrassment to the agency, or cause the public and/or TSA to question the employee's reliability, judgment or trustworthiness.

February 8, 2014 (b)(6)
On January 27, 2014, you met with your manager to discuss the incident. You were given the opportunity to add additional information concerning this incident. During this meeting you stated you understood what you had done wrong concerning this incident.

I have considered all of the evidence of record. I find the evidence supports the charges and specifications as stated above.

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 PENALTY OR OTHER ACTION, FOR U.S. GOVERNMENT AGENCIES, PUBLIC DISCLOSURE IS GOVERNED BY 5 U.S.C. 552 AND 49 C.F.R. PARTS 15 AND 1520.

www.tsa.gov

~~SENSITIVE SECURITY INFORMATION~~

U.S. Department of Homeland Security
Denver International Airport
Denver, CO 80249

This proposed penalty falls within the range specified in the TSA Table of Offenses and Penalties (TOP). The TOP recommends a five day suspension to removal penalty range for the charge of Failure to Follow Standard Operating Procedures.

In determining the appropriateness of this action, I considered that you have been employed with TSA since June 2011, I believe you are well aware of your responsibilities to know and follow the SOP. You serve as a Master Transportation Security Officer (BDO) and while you are not a supervisory employee, in your position, you serve as a role model for other officers. It is unacceptable for you to engage in these types misconduct when management has entrusted you to be a member of the Behavioral Detection Team.

I took into consideration whether you had adequate notice of the rules you violated. You stated you are aware the SOP states only the PSD or FSD designee can authorize the passenger to enter the sterile area in your April 12, 2014, statement. As an employee of TSA you are expected to meet high standards of conduct. I considered the serious nature of your misconduct and its relationship to your employment with TSA and your role as a Master Transportation Security Officer (BDO).

Therefore, I find that a five day suspension would be the appropriate penalty per the lowest end of the recommended penalty range.

This notice is a proposal and not a decision. You have the right to reply to this proposal orally and/or in writing and furnish any evidence in support of your reply within seven (7) calendar days after the date you receive this proposal. Consideration may be given to extending this time limit if you submit a written request stating your reasons for needing more time to the Deciding Official, Donald Cosner, AFSD-Screening. In the event your request for an extension is denied or granted only in part, you may request a reconsideration of your original request. Your request for reconsideration may be presented to Donald Cosner, Deciding Official orally, and/or in writing. Your written reply and any evidence should be sent to the Deciding Official at TSA, PO BOX 492125, 8700 Pena Blvd, Denver, CO 80249. You may make arrangements for an oral reply by contacting Mr. Cosner at 303-348-

(b)(6) A decision will not be made until after your reply has been received and considered, or if no timely reply is received, until after the time specified for the reply has passed.

You have the right to be represented by an individual of your choice in preparing and presenting any reply. As a bargaining unit employee, you may select a representative from AFGB to serve as your personal representative, but you are not required to do so. You may designate any individual, whether or not that person is affiliated with AFGB, to serve as your personal representative. However, you may not select an individual employed by any union other than AFGB to serve as your personal representative.

If you choose to have a representative, you must provide your representative's name in writing to Donald Cosner before the expiration of the reply period and you must provide written notice of any change in representation. Management has the right to disallow your representative if the

SENSITIVE SECURITY INFORMATION

³
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 PENALTY OR OTHER ACTION. FOR U.S. GOVERNMENT AGENCIES, PUBLIC DISCLOSURE IS GOVERNED BY 5 U.S.C. 552 AND 49 C.F.R. PARTS 15 AND 1520.

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Denver International Airport
Denver, CO 80249

representation creates a conflict of interest or position or, where the representative is a TSA employee, if he or she cannot be spared because of critical TSA work. You are responsible for all costs associated with your representation, including any travel expenses. You may refer to TSA MD 1100.63-3, *Employee Representation*, for additional information.

I have attached the material relied upon to support this proposed suspension. This material will only be released to you and/or your designated representative.

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.

You will be notified in writing of the final decision.

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.

(b)(6)

May 28, 2014
Date

Attachments:

- *Urquhart memo, 2 pages, 2/19/2014
- *Urquhart statement, 2 pages, 2/14/2014
- *Urquhart statement, 4/12/2014
- * (b)(6) statement, 2/8/2014
- * (b)(6) statement, 2 pages, 4/24/2014
- * (b)(6) statement, 4/12/2014
- * (b)(6) statement, 4/12/2014
- * (b)(6) statement, 2/8/2014
- * (b)(6) statement, 2 pages, 4/23/2014
- * (b)(6) statement, 3 pages, 4/23/2014
- * (b)(6) statement, 2 pages, 4/23/2014
- * (b)(6) statement, 2 pages, 4/23/2014
- * (b)(6) statement, 2/13/2014
- * (b)(6) statement, 4/10/2014
- * (b)(6) Statement, 2/14/2014
- * (b)(6) statement, 2/10/2014
- * (b)(6) statement, 3/16/2014
- * (b)(6) statement, 2 pages, 4/24/2014
- * (b)(6) statement, 2/21/2014

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* (b)(6) statement, 4/17/2014
(b)(6) statement, 2/13/2014
(b)(6) statement, 2/12/2014

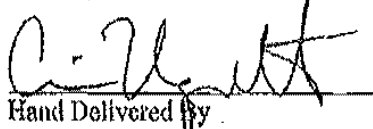
*Denotes policy and/or documents designated as SSI – Unredacted versions of SSI documents not provided will be made available for review upon request in accordance with instructions provided in the proposal notice

Acknowledgement of Receipt

(b)(6)

5-24-2014
Date

Delivery Information:


Hand Delivered By

05-24-2014
Date

C. URQUHART

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