

U.S. Department of Homeland Security
St Ann, MO



Transportation
Security
Administration

Date: February 7, 2012

To: (b)(6)
Master Transportation Security Officer (MTSO)
Behavior Detection Officer (BDO)
Lambert – St. Louis International Airport

From: Brian S Meadows
SPOT Transportation Security Manager (STSM)
Lambert – St. Louis International Airport

Subject: Notice of Three (3) Day Suspension

Ref: (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 on the following dates: Friday February 10, 2012 through Sunday February 12, 2012. You are to return to duty on Monday February 13, 2012 at 1100 hours. This decision is made to promote the efficiency of the service and is based on the following:

Charge 1: Failure to Follow Standard Operating Procedures

Specification 1: While performing your duties as a Behavior Detection officer (BDO) during a Plain Clothes Operation (PCO) at Terminal 2 on January 3, 2012 (b)(3) 49 U.S.C. §

(b)(3) 49 U.S.C. § 114(n)

Specifically, on January 3, 2012, you were assigned the duties of a PCO BDO as part of (b)(3) 49 U.S.C. § 114(n)

Your actions are in violation of Transportation Security Administration (TSA) Screening of Passengers by Observation Technique (SPOT) SOP, Revision 2, implemented April 11, 2011, Section 3.15, Plain Clothes Operations. Sec 3.15.B.4 states (b)(3) 49 U.S.C. § 114(n)

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(b)(3) 49 U.S.C. § 114(r)

(b)(3) 49 U.S.C. § 114(r)

On January 6, 2012, I met with you to conduct a pre-disciplinary discussion. You acknowledged at that time that you did in fact engage the group of men in casual conversation and did identify yourself as a TSA officer. You declared that you did not show your DHS identification as it was originally reported.

In determining the appropriateness of the penalty, I have considered a number of factors. When employees fail to comply with Standard Operating Procedures, it potentially brings discredit to the federal government and the TSA.

(b)(3) 49 U.S.C. § 114(r)

Your actions on this day were deliberate and potentially placed yourself, your partner, and the operation in jeopardy. You have been employed for nine years with this agency and this is not the first time your actions have been called into question. Consideration was given to your most recent Letter of Counseling dated February 2011 (in file). At this time, you were counseled for engaging in unprofessional and inappropriate conduct in regards to a female passenger. These actions have negatively affected the level of confidence your management team has in your ability to use sound judgment and make important decisions.

All BDOs in Plain Clothes Operations are expected to know and follow the SOP. These policies and procedures have been put in place to maintain the safety of the officers as well as the integrity of the operation. When employees fail to follow these procedures, it increases the risk of security related incident and it can be adversely affect our ability to provide efficient and effective security.

After careful review of all of the above and consideration of the guidance outlined in the TSA Table of Penalties, I find a three day suspension is consistent with actions taken in similar incidents and is the appropriate penalty.

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. This suspension may be cited as evidence of prior disciplinary action, should future discipline be warranted.

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

You have the right to review the material relied on to support the suspension. This material will be made available for review to you and/or your designated representative by the undersigned at 314-709 (b)(6) to arrange a mutually convenient time.

You may grieve this suspension under either the TSA Grievance procedures or Peer Review procedures but not both.

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* may be found on the TSA Intranet.

If you elect Peer Review under the procedures in the HCM 771-3 and attached Handbook. Your request for Peer Review must be filed within fifteen (15) calendar days of receipt of this letter. Your request must be in writing and must include a copy of this letter. You may submit your request via facsimile to 571 227-2591. If you would like to file your request electronically or by mail, please contact the Peer Review Support Office at 571-227-5065 for additional filing information. A copy of the HCM 771-3 and Handbook may also be found on the TSA Intranet.

If you need assistance in dealing with any personal matters, the Employee Assistance Program (EAP) is available to provide confidential counseling services. EAP can be reached by calling 1-800-222-0364.

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.


Brian S Meadows
Transportation Security Manager

2/7/2012
Date

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Acknowledgement of Receipt

(b)(6)

MTSO – Master Transportation Security Officer

2-7-2012
Date

Acknowledgement of Receipt

Delivery Information:

(b)(6)

Hand Delivered By

2-7-2012
Date

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Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act