



**Transportation  
Security  
Administration**

U.S. Department of Homeland Security  
LaGuardia Airport  
75-20 Astoria Boulevard, Suite 300  
East Elmhurst, N.Y. 11370

JK

Date: September 24, 2013

To: (b)(6)  
Behavior Detection Officer  
LaGuardia Airport (LGA)

From: Christopher DeNicola  
Transportation Security Manager  
LaGuardia Airport (LGA)

Subject: Letter of Counseling

The purpose of this letter is to counsel you for your actions on August 21<sup>st</sup> and August 22<sup>nd</sup> 2013, specifically:

**1. Failure to follow policies, procedure, practices, protocols, regulations or rules.**

On August 21<sup>st</sup>, 2013 at approximately 1405 hours while standing on the Upper Level curbside at Terminal C, you asked me for an assignment sheet so you could contact your partner, BDO (b)(6). I asked you why your partner's contact information was not written in your BDO notebook. Your response was "I didn't get a chance to do it." According to your notebook, on August 21<sup>st</sup> 2013, your first break began at 1345 hours. After acquiring CCTV footage from the LGA Coordination Center it was determined you walked off the checkpoint at Terminal C at 1332 hours. There was no reference to a suspension of SPOT for 13 minutes.

On numerous occasions Behavior Detection Officers have been told to record any and all movements in their BDO notebooks including their assigned partners contact information for the day and when SPOT Operations are suspended.

**2. Acting in a disrespectful manner towards a supervisor or other management official.**

On August 22<sup>nd</sup>, 2013 at approximately 1945 hours while having a meeting with both STSM Valles and me, in reference to unscheduled breaks, you got up out of your chair and began to raise your voice to an unnecessary level. You then continued to yell and repeatedly stated you wanted to leave the room, I told you to remain seated until the end of our conversation. You continued to act disrespectfully by raising your hands in the air and continuing to yell at an unacceptable level about how you wanted to leave. Once again, I asked you to remain seated and said you could leave when the conversation was over. You continued to state that you wanted to leave and made your way towards the office door. I told you again, to remain seated and wait to be dismissed; you chose to remain standing with your back turned towards STSM Valles while he addressed you. You then went on to state that you felt as if you

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were being targeted by management. At that point STSM Valles and I chose to end the discussion due to your unwillingness to participate. You then walked out of the room and threw a soda/water bottle as you went into the hallway.

I find your actions in violation of TSA Management Directive No. 1100.73-5, Employee Responsibilities and Conduct specifically:

- Section 5.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 rule.

(3) Exercising courtesy and tact in dealing with fellow workers, supervisors, contract personnel (whether on or off-duty) and the public. Supporting and assisting in creating a productive and hospitable model work environment

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

(11) Upholding, with integrity, the public trust involved in the position to which assigned.

As an employee of the Transportation Security Administration you are expected to meet high standards of conduct. It is hoped that this Letter of Counseling will impress upon you the seriousness of your actions and that future discipline will not be necessary. In the future you should record all BDO related movements and personnel assignments in your notebook and maintain the highest level of integrity while performing all job related duties.

If you have any questions about policies, procedure or protocols that are set forth by management be sure to contact your immediate supervisor and address those issues as soon as possible. Also, you are required to write your BDO partners contact information in your notebook on a daily basis and lastly, you must act in a professional manner at all times.

On September 24, 2013 I met with you to discuss this matter. Please be advised that any future incidents of misconduct may result in disciplinary action, up to and including removal from Federal service. If you need further clarification regarding this memorandum and my expectations, please let me know. This letter of counseling is not a disciplinary action and may not be grieved through the agency grievance procedures, nor addressed via the Peer Review process (where applicable). This letter will not be placed in your Official Personnel File (OPF). However, a copy of this letter may be retained in the local supervisory file for up to one year as documentation that you have been placed on notice regarding this issue of concern and the consequences of repeat behavior. 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.

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Attachments: TSA Management Directive No. 1100.73-5

(b)(6)

9/24/13

Acknowledgment of Receipt

(b)(6)

[Employee's Name]

Date

09-24-13

Delivery Information:

(b)(6)

Hand Delivered By

Date

9/24/13