

# Full Text of Email Sent to Administrator Neffenger

October 17, 2016

I am writing you in my role as the AFGE President of Local 899 from Minnesota. On March 11, 2016, you visited the Minneapolis/St. Paul International Airport (MSP) to meet with Senator Amy Klobuchar. I met with you briefly; I was able to shake your hand and hear you explain how you would like to see a better working environment for officers across the country. We both have similar goals – to take care of our officers so that we can detect and defeat threats to our nation’s transportation systems. I believe we must make improvements to the recertification process, clarify the importance of threat detection versus wait times, and equally enforce standards that affect morale and performance.

When you visited MSP on March 11, 2016, you were summoned by Senator Klobuchar, Governor Dayton and the Metropolitan Airports Commission (MAC). MSP had just experienced an abysmal spring break. While we were over-staffed by 20-30 TSOs according to our screener allocation model (SAM), we continued to fail. An increase to our SAM is not enough - we need to be able to retain the officers for whom we have already invested so much time and money.

As the local president for AFGE 899, I represent officers in Minnesota, North Dakota and South Dakota. Since April I have personally witnessed TSA-MSP lose eleven experienced TSA officers due to the annual recertification testing process. Because of a flawed and inflexible testing and recertification assessment process, TSA-MSP’s ability to effectively and efficiently screen is degraded instead of improved with the removal of these officers. These are good officers with solid performance histories, and yet they were not provided any means of challenging or appealing the flawed testing procedures.

At MSP and airports across the country, each officer that was facing removal based on their assessment failure was given a Notice of Proposed Removal. In this Proposal they were notified that the Notice was a “proposal and not a decision.” They were advised that they could reply to the Notice, and “full

consideration” would be given to any reply submitted. Their replies were met with Management’s rigid stance that there was nothing that could be done locally. Some officers (in) voluntarily retired; some (in)voluntarily resigned; and others chose to see the process through and hope for a fair appeal. Once removed, these officers were informed that they “have the right to seek review of this decision through the Office of Professional Responsibility – Appellate Board. (OPRAB).” Though the officers were given the right to appeal, the OPRAB claims that they do not have the authority to assess the validity of the testing process and all appeals have been denied. With both local management and the OPRAB denying authority to review the process, these officers have no venue to have their legitimate grievances heard.

The basis for the appeal varied between employees, but some of the reasons for the appeal include:

- \* The assessment was not consistent with current TSA policies and programs
- \* The IMA is not consistent with the METM training
- \* The IMA is not consistent with the 2016 Annual Proficiency Review User’s Guidance
- \* The IMA is not consistent with the SOP
- \* The assessments are not consistent with ATSA
- \* Improper remediation was given to the employee
- \* Disparate treatment was given to some employees (Supervisors) and not others

The annual proficiency review is not an accurate measurement of TSO proficiency. It is not a realistic test of an officer’s ability to detect real-world threats. The process and content has not changed in any considerable way over the years while the threat has adapted ten-fold. Airports tout TIP image scores well above 95%, yet our red team testing and headquarters evaluation test scores are significantly lower. Why? Any reasonable person would conclude the tests we implement, tests designed to measure technical and tactical performance, are flawed. In place of the current APR process, I suggest we place officers on performance improvement plans until such time that they demonstrate proficiency. If they

cannot succeed in 30, 60, or 90 days, then there is still a mechanism to remove them from service. However, what is currently absent is any mechanism to truly help our officers; instead, we simply blame and remove them. We must also more closely link the employees' supervisors to their performance because bad screening habits are not learned in a vacuum.

I am not suggesting TSA lower its standards. It is our mission to detect threats, and we take that mission very seriously. However, I am urging you to consider the gross double standards that exist today. Morale is decreased when TSOs witness their senior leaders retain their positions after committing gross misconduct while their colleagues are let go. You may not know this, but I attended the April 27, 2016 hearing in Washington, D.C. when AFSD Mission Support Drew Rhoades testified before Congress. I listened to his testimony and the discussions he had with lawmakers afterwards. My fellow officers and I are disheartened at the extent and magnitude of TSA senior leader misconduct, but more disappointed that there are gross double standards for front line officers and management. To my knowledge, TSA did not hold anyone accountable when there was a lapse in EDCH certification at Chicago Midway. Instead of prioritizing threat detection, TSA suspend EDCH certification during the summer so as not to impact the fielding of EDCH teams that would affect wait times.

The officers in my local have entrusted me to do all that I can on their behalf. I made a promise to them that I would fight for their jobs as hard as I would fight for my own. I intend to keep my promise and continue to fight for resolution. Since neither local TSA management nor the OPRAB will even consider our appeals, I am left with only two options: the Administrator or Congress.

In an effort to work with the Agency to find a resolution in this matter, I am bringing these concerns to you first. I did not want to blindside the Agency by going to Congress without giving the TSA a chance to step-up and do the right thing.

Attached to this email you will find a letter created by MSP Local 899, a summary of the results from a survey taken locally, and analogous example of the

ridiculousness that has become our assessment process. These documents were prepared with the intention of immediate distribution to many members of Congress with the hopes that someone would be willing to stand up and take a look at our testing procedures since it is apparent in that TSA-MSP management and the OPRAB cannot.

While members and other leaders are encouraging me to take this straight to congress, I am in favor of an internal TSA resolution for this problem. This is a time sensitive matter, and people's livelihoods are at stake. There are over a hundred officers nationwide that would love to return to their valued positions with TSA, and many more officers that would rather resign than face another year of unfair recertification processes. All the recent efforts to increase staffing could prove fruitless when balanced with the loss of several seasoned officers.

I realize your time is limited as the administrator. But if you want to make improvements, we must hold each other accountable to the same performance and conduct standards. I urge you to consider adapting testing procedures so that they accurately reflect a TSO's duties. I also ask that you consider changing the annual proficiency review to include a mechanism that links employees' supervisors to their performance, as well as implementing performance improvement plans prior instead of automatic and mandatory removal.

I would appreciate a message stating your intentions to help with this issue by October 26, 2016, or I will move forward with my plans to bring this issue to members of Congress.

In your testimony before Congress you stated that "TSA's greatest asset is its people". Unless you were only referring to senior leadership, it is time for you to stand behind your message and show your officers that they are appreciated and valued. The annual recertification process needs to be re-evaluated; the dispute resolution process needs to be reevaluated; and the workforce finally needs to be recognized as the dedicated officers that they are.

Sincerely,

MSP - TSO Celia Hahn, President, Local 899

MSP – TSO Neal Gosman, Treasurer, Local 899