



UNITED STATES OF AMERICA  
FEDERAL LABOR RELATIONS AUTHORITY

Washington Regional Office  
1400 K Street, NW, Second Floor • Washington, DC 20424-0001  
(202) 357-6029 FAX: (202) 482-6724

March 2, 2010

Richard A. Whitford  
Assistant Administrator for Human Capital  
Transportation Security Administration  
TSA-21-Human Capital  
601 S. 12<sup>th</sup> Street  
Arlington, VA 20598

Re: Case No. WA-RP-10-0033

Dear Mr. Whitford:

Enclosed is a copy of a petition filed with the Federal Labor Relations Authority (Authority) by the American Federation of Government Employees, AFL-CIO (AFGE). The purpose of the petition is to request an election to determine whether certain non-supervisory employees of the Transportation Security Administration wish to be represented for the purpose of collective bargaining under the Federal Service Labor-Management Relations Statute by AFGE.

The unit proposed for exclusive recognition is described as follows:

Included: All non-supervisory Transportation Security Officers in pay bands D, E, F and G employed by the Transportation Security Administration, Department of Homeland Security.

Excluded: All TSA Headquarters employees and employees described in 5 U.S.C. § 7112(b)(2), (3), (4), (6) and (7).

In accordance with sections 2422.6 and 2422.15 of the Authority's Regulations, please furnish the Region with following information by March 12, 2010:

- a) a current alphabetized list of employees included in the unit described in the petition, together with their job classifications for the payroll period immediately preceding the date the petition was filed. This list should be sent as a paper copy, and as an Excel spreadsheet;
- b) a current alphabetized list of employees described in the petition as excluded from the unit, together with their job classifications for the payroll period immediately preceding the date the petition was filed. This list should be sent as a paper copy, and as an Excel spreadsheet;
- c) the Agency's position on the petition, including the appropriateness of the unit sought;
- d) the names and addresses of any other labor organizations other than AFGE who are affected by the issues raised by the petition.

I am also enclosing a notice of petition that the Agency is requested to disseminate in accordance with section 2422.7 of the Authority's Regulations. The notice advises affected employees about the petition. Please reproduce and post copies of the enclosed notice, inserting the date of posting, in places where notices are normally posted for the employees affected by issues raised in the petition and/or distributed in a manner by which notices to employees are normally distributed. The notice should be posted conspicuously for a period of ten (10) calendar days and not be altered, defaced, or covered by other material.

Please serve copies of your response on the Region and AFGE. Once the information is received, the assigned Authority agent named below will contact the parties to schedule a conference to discuss, narrow and resolve any issues raised by the petition.

Your cooperation in this matter is appreciated.

Sincerely,



Peter A. Sutton  
Acting Regional Director

Enclosures: Petition, Notice to Employees, and FLRA Form 75

Case Assigned to: Jean M. Perata, Deputy Regional Director, San Francisco Region  
415-356-5000, ext. 2010, [jperata@flra.gov](mailto:jperata@flra.gov)

Cathie McQuiston, Assistant Director/Staff Counsel  
American Federation of Government Employees, AFL-CIO  
80 F Street, N.W.  
Washington, D.C. 20001  
[mcquic@afge.org](mailto:mcquic@afge.org)

Karen D. Hilliard  
Senior Advisor, Labor & Employee Relations  
Department of Homeland Security  
USM/CHCO, MS 0170  
Attn: Karen Hilliard  
245 Murray Lane, SW  
Washington, DC, 20528-0170  
[karen.hilliard@dhs.gov](mailto:karen.hilliard@dhs.gov)

Deborah A. Katz  
Director, Partnership Office  
Transportation Security Administration  
TSA-21  
601 So. 12th Street  
Arlington, VA 20598  
[deborah.katz@dhs.gov](mailto:deborah.katz@dhs.gov)



**NOTICE TO EMPLOYEES  
FROM THE  
FEDERAL LABOR RELATIONS AUTHORITY**

A petition has been filed with the Regional Director of the Federal Labor Relations Authority to determine a matter related to the representation of certain employees of the Transportation Security Administration (TSA).

The petition was filed by the American Federation of Government Employees, AFL-CIO (AFGE).

The purpose of the petition is to request an election to determine whether the non-supervisory Transportation Security Officers in pay bands D, E, F and G employed by the TSA wish to be represented for the purpose of collective bargaining by AFGE.

This case is being investigated and **NO DETERMINATION HAS BEEN MADE AT THIS TIME** by the Federal Labor Relations Authority. This Notice should be conspicuously posted for a period of ten (10) days and should not be altered, defaced, or covered by other material.

Any request to intervene or cross-petition, accompanied by any necessary showing of interest, must be submitted in writing and filed with the Regional Director or the Hearing Officer prior to the opening of the hearing. If no hearing is held, a request to intervene and a cross-petition must be filed prior to action being taken by the Regional Director in accordance with section 2422.30 of the Regulations of the Federal Labor Relations Authority.

Federal Labor Relations Authority


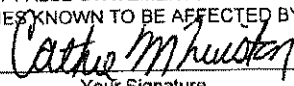
Date of Posting: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Peter A. Sutton", written over a horizontal line.

Peter A. Sutton  
Acting Regional Director  
Federal Labor Relations Authority  
Washington Regional Office  
1400 K St., NW, 2<sup>nd</sup> Floor  
Washington, DC 20424  
202-357-6029, Ext. 2012

Case No. WA-RP-10-0033

**THIS IS AN OFFICIAL GOVERNMENT NOTICE AND MUST NOT BE  
COVERED OR DEFACED**

 <b>UNITED STATES OF AMERICA FEDERAL LABOR RELATIONS AUTHORITY</b>  <b>PETITION</b>		<b>FOR FLRA USE ONLY</b>													
		Case No.	WA-RP-10-C033												
		Date Filed	2/22/10												
<p>See instructions on the back of this form. Attach additional sheets if needed, numbered according to the item to which they pertain. By signing the petition form, a labor organization/petitioner certifies it has submitted to the agency or activity and to the Department of Labor a roster of its officers and representatives, a copy of its constitution and by-laws, and a statement of its objectives.</p>															
<p>1. Clear and concise statement of the purpose of the petition and the issues raised by the petition.                  AFGE seeks an election for exclusive recognition for all Transportation Security Administration (TSA), Department of Homeland Security, non-supervisory Transportation Security Officers (TSOs) in pay bands D, E, F and G.</p>															
<p>2. Description of the unit(s):                  Included: All non-supervisory Transportation Security Officers in pay bands D, E, F and G employed by the Transportation Security Administration, Department of Homeland Security.                   Excluded: All TSA Headquarters employees and employees described in 5 USC 7112(b)(2),(3),(4),(6) and (7).</p>		<p>3. Approximate number of employees in the unit(s) affected by issues raised in the petition.                  Currently 0                  Proposed 40000</p> <p>4. The Petition is supported by:  <input checked="" type="checkbox"/> a showing of interest of not less than 30%                  ___ evidence of membership of not less than 10%                  of the employees in the unit(s) involved in the petition.</p>													
<p>5. PETITIONER:</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">NAME</th> <th style="width:20%;">AFFILIATION / DEPARTMENT</th> <th style="width:40%;">ADDRESS (Street and Number, City, State, and ZIP Code)</th> <th style="width:10%;">PHONE NO</th> </tr> </thead> <tbody> <tr> <td>A. Petitioner AFGE</td> <td>AFL-CIO</td> <td>80 F Street, NW Washington, DC 20001</td> <td>202-639-6410</td> </tr> <tr> <td>B. Petitioner Contact Cathie McQuiston</td> <td>M&amp;O</td> <td>80 F Street, NW Washington, DC 20001</td> <td>202-639-4011</td> </tr> </tbody> </table>				NAME	AFFILIATION / DEPARTMENT	ADDRESS (Street and Number, City, State, and ZIP Code)	PHONE NO	A. Petitioner AFGE	AFL-CIO	80 F Street, NW Washington, DC 20001	202-639-6410	B. Petitioner Contact Cathie McQuiston	M&O	80 F Street, NW Washington, DC 20001	202-639-4011
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<p>6. AGENCY(IES), OTHER THAN PETITIONER, AFFECTED BY THE PETITION:</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">NAME</th> <th style="width:20%;">DEPARTMENT</th> <th style="width:40%;">ADDRESS (Street and Number, City, State, and ZIP Code)</th> <th style="width:10%;">PHONE NO</th> </tr> </thead> <tbody> <tr> <td>A. Activity/Agency Transportation Security Administration</td> <td>DHS</td> <td>601 S. 12th Street Arlington, VA 20598</td> <td>571-227-2891</td> </tr> <tr> <td>B. Activity/Agency Contact Richard Whitford</td> <td>TSA Asst. Admin for Human Capital</td> <td>601 S. 12th St, TSA-21-Human Capital Arlington, VA 20598</td> <td>571-227-2891</td> </tr> </tbody> </table>				NAME	DEPARTMENT	ADDRESS (Street and Number, City, State, and ZIP Code)	PHONE NO	A. Activity/Agency Transportation Security Administration	DHS	601 S. 12th Street Arlington, VA 20598	571-227-2891	B. Activity/Agency Contact Richard Whitford	TSA Asst. Admin for Human Capital	601 S. 12th St, TSA-21-Human Capital Arlington, VA 20598	571-227-2891
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<p>7. LABOR ORGANIZATION(S), OTHER THAN PETITIONER, AFFECTED BY THE PETITION:</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">NAME</th> <th style="width:20%;">DEPARTMENT</th> <th style="width:40%;">ADDRESS (Street and Number, City, State, and ZIP Code)</th> <th style="width:10%;">PHONE NO</th> </tr> </thead> <tbody> <tr> <td>A. Labor Organization NTEU</td> <td></td> <td>1750 H Street, NW Washington, DC 20006</td> <td>202-572-5500</td> </tr> <tr> <td>B. Labor Organization Contact Colleen Kelley</td> <td>National President</td> <td>1750 H Street, NW Washington, DC 20006</td> <td>202-572-5500</td> </tr> </tbody> </table>				NAME	DEPARTMENT	ADDRESS (Street and Number, City, State, and ZIP Code)	PHONE NO	A. Labor Organization NTEU		1750 H Street, NW Washington, DC 20006	202-572-5500	B. Labor Organization Contact Colleen Kelley	National President	1750 H Street, NW Washington, DC 20006	202-572-5500
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B. Labor Organization Contact Colleen Kelley	National President	1750 H Street, NW Washington, DC 20006	202-572-5500												
<p>8A. Date(s) of Recognition/Certification (Month, Day and Year) of any units(s) affected by issues raised in the petition. n/a</p>		<p>8B. Expiration of Current Agreement(s) (Month, Day and Year) covering any unit(s) affected by issues raised in the petition. n/a</p>													
<p>9. Name, title, address, and telephone number of person filing petition.                  Asst. Director/Staff Counsel Cathie McQuiston 80 F Street, NW Washington, DC 20001 202-639-4011</p>															
<p>10. I DECLARE THAT I HAVE READ THIS PETITION AND THAT THE STATEMENTS IN IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT MAKING WILLFULLY FALSE STATEMENTS CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001. THIS PETITION WAS SERVED ON ALL PARTIES KNOWN TO BE AFFECTED BY ISSUES RAISED IN THIS PETITION.</p>															
Cathie McQuiston Type or Print Your Name		 Your Signature													
		2/22/2010 Date													



UNITED STATES OF AMERICA  
FEDERAL LABOR RELATIONS AUTHORITY  
NOTICE OF DESIGNATION OF REPRESENTATIVE

CASE NO.

TO: Regional Director,

I, the undersigned party, hereby designate as my representative in this proceeding, the person whose name and address appears below. Said representative is to be served copies of all formal documents and written communications in this proceeding, excepting subpoenas. This designation shall remain valid until a written revocation is filed by me.

<i>Signature of party (please sign in ink)</i>		<i>Representative's name, address, zip code (print or type)</i>	
<i>Title</i>			
		<i>Area Code</i>	<i>Telephone Number</i>



UNITED STATES OF AMERICA  
**FEDERAL LABOR RELATIONS AUTHORITY**  
WASHINGTON REGION  
1400 K Street, N.W., 2<sup>nd</sup> Floor  
Washington, D.C. 2424-0001  
Telephone: 202-357-6029; Fax: 202-482-6724

March 2, 2010

Colleen Kelley, President  
National Treasury Employees Union  
1750 H Street, N.W.  
Washington, D.C. 20006

Re: Case No. WA-RP-10-0033

Dear Ms. Kelley:

Enclosed is a copy of a petition filed with the Federal Labor Relations Authority (Authority) by the American Federation of Government Employees, AFL-CIO (AFGE). The purpose of the petition is to request an election to determine whether certain non-supervisory employees of the Transportation Security Administration wish to be represented for the purpose of collective bargaining under the Federal Service Labor-Management Relations Statute by AFGE.

The unit proposed for exclusive recognition is described as follows:

Included: All non-supervisory Transportation Security Officers in pay bands D, E, F and G employed by the Transportation Security Administration, Department of Homeland Security.

Excluded: All TSA Headquarters employees and employees described in 5 U.S.C. § 7112(b)(2), (3), (4), (6) and (7).

In accordance with section 2422.6 of the Regulations of the Federal Labor Relations Authority, your labor organization has been identified as being affected by the issues raised by the petition. Section 2422.8(c) of the Regulations provides that except for an incumbent labor organization, a labor organization seeking to intervene shall submit its request in writing to the Region and include a statement that it has complied with 5 U.S.C. 7111(e) and one of the following:

- (1) A showing of interest of ten percent (10%) or more of the employees in the unit covered by a petition seeking an election, with an alphabetical list of the names of the employees constituting the showing of interest; or
- (2) A current or recently expired collective bargaining agreement covering any of the employees in the unit affected by issues raised in the petition; or
- (3) Evidence that it is or was, prior to a reorganization, the recognized or certified exclusive representative of any of the employees affected by issues raised in the petition.

A request to intervene, accompanied by any necessary showing of interest, must be filed with the Regional Director or the Hearing Officer before the hearing opens, unless good cause is shown for

granting an extension. If no hearing is held, a request to intervene must be filed before the Region takes action pursuant to section 2422.30 of the Regulations, including approving an election agreement, directing an election or issuing a Decision and Order. A copy of any request to intervene, excluding any necessary showing of interest, must be served on the TSA and AFGE..

Sincerely,



Peter A. Sutton  
Acting Regional Director

Enclosures: Petition, Notice to Employees and FLRA Form 75

Case Assigned to: Jean M. Perata, Deputy Regional Director  
San Francisco Region  
415-356-5000, ext. 2010  
[jperata@flra.gov](mailto:jperata@flra.gov)

Cathie McQuiston, Assistant Director/Staff Counsel  
American Federation of Government Employees, AFL-CIO  
80 F Street, N.W.  
Washington, D.C. 20001  
[MCQUIC@afge.org](mailto:MCQUIC@afge.org)

Richard A. Whitford  
Assistant Administrator for Human Capital  
Transportation Security Administration  
TSA-21-Human Capital  
601 S. 12<sup>th</sup> Street  
Arlington, VA 20598

Karen D. Hilliard  
Senior Advisor, Labor & Employee Relations  
Department of Homeland Security  
USM/CHCO, MS: 0170  
Attn: Karen Hilliard  
245 Murray Lane, SW  
Washington, DC, 20528-0170  
[karen.hilliard@dhs.gov](mailto:karen.hilliard@dhs.gov)

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Transportation Security Administration  
TSA-21  
601 So 12th Street  
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Jim Bailey  
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[jim.bailey@nteu.org](mailto:jim.bailey@nteu.org)

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