



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

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7u/TSA-L-1040/00264517

Certified Mail Number 70080150000350395769

July 8, 2009

Cedric L. Alexander
Federal Security Director
Transportation Security
Dallas/Fort Worth International Airport
510 Airline Drive, Suite 110
Coppell, Texas 75019

Re: Dallas/Fort Worth International Airport Attendance Control Program

Dear Mr. Alexander:

On behalf of American Federation of Government Employees, AFL-CIO (AFGE) union members at Dallas/Forth Worth International Airport, we are writing this letter to request rescission of the Attendance Control Program (ACP) currently implemented at your airport. Our members have been detrimentally impacted by this program with the issuance of unwarranted letters of counseling, letters of reprimand, and leave restrictions for unscheduled leave.

AFGE has received several reports from its Transportation Security Officer (TSO) members that ACP is a program that causes the automatic generation of letters of counseling, letters of reprimand, and leave restrictions. This system has resulted in the unnecessary issuance of adverse employment actions against our members who use unscheduled leave. Often these disciplinary actions have been issued without the consent or approval of the frontline supervisors, Supervisory Transportation Security Officers (STSO), yet the action is still issued because of the automated system established by your managers at DFW.

We believe this program has demoralized your staff because TSOs have been issued adverse employment actions for unscheduled leave use that was necessary and appropriate, and STSOs have been required to issue actions which they oppose. The DFW TSOs and STSOs have never received any formal written documentation of this system from DFW management, and it was implemented without any explanation to the TSOs, Lead Transportation Security Officers, and STSOs who are affected. AFGE has included below some of the draconian actions that have been taken against TSOs under the ACP:

- Employees with more than 300 hours of sick leave have been issued letters of counseling for unscheduled leave usage.
- Letters of counseling have been generated that have bypassed supervisors and been given to the employee by the screening manager.
- ACP was implemented recently, but it relies on three months of prior attendance records for an evaluation of the issuance of adverse actions.
- Leave that had been previously approved is now being reevaluated to determine if a letter of counseling should be issued.
- The use of three days of unscheduled leave during a three month period is a problem, three occurrences, but the use of one two week period of unscheduled leave is not a problem, one occurrence.
- Since there is no written local policy, each terminal is rumored to be enforcing the rules differently.
- One STSO opposed the issuance of a letter of counseling for two of his subordinates. He met with the Screening Manager (SM) to express his disagreement with both letters. The SM reduced one, but allowed the other letter to remain in effect. The STSO met with the Terminal Manager (TM) to request that the remaining letter be reduced, the TM did grant this request. It is a waste of resources, extremely burdensome, and challenging for an STSO to overturn an adverse action that they never would have issued in the first place.
- A TSO, Ron Geffen, was issued a letter of counseling on May 2, 2009, because he left early on April 30, 2009, when SM Anna Jenkins highly recommended that he go home to take care of his sick wife and daughter and have them tested for swine flu. On May 2, 2009, SM Jeff Sims overrode his supervisor's recommendation and issued a letter of counseling. The letter noted that "[c]ontinued excessive usage of unscheduled leave or pattern abuse may result in being placed on leave restriction," yet this employee, as of April 11, 2009, had a sick leave balance of 219.50 hours.

Although the intention of the ACP may have been the creation of a system that allows for a more consistent application of TSA attendance policy, it has resulted in the increase of needless adverse actions that only upset the hardworking TSOs and STSOs at DFW. Everyone needs to occasionally take unscheduled leave, but ACP automatically issues letters of counseling or letters of reprimand without an analysis of the particular circumstances that necessitated the unscheduled leave use. The lack of examination prior to the issuance results in adverse actions that have not been recommended by supervisors, but have been automatically generated based on a calendar entry that may or may not be correct. Once the action has been issued it becomes extremely difficult for the action to be removed or mitigated. Despite the supervisors' ability to provide input after the issuance, this opportunity is practically meaningless because the supervisors do not want to appear as lacking in their adherence to TSA policy or defiant of their managers. Even operating under optimal conditions, ACP is an inefficient use of resources that requires supervisors to devote a significant amount of time to overturning adverse actions they never requested. Because the STSOs are supervisors with the most employee contact, they are the supervisors with the best knowledge of the appropriateness of any adverse employment action. Since ACP poses several challenges to good employment practices, AFGE requests that

you take the following actions to correct a system that is flawed and has significantly damaged morale at your airport:

- Rescind all previously issued letters of counseling, letters of reprimand, and leave restrictions that have been issued under ACP;
- Permit the supervisors to make the final determination on the issuance of a letter of counseling, letter of reprimand, or leave restriction; and
- Rescind ACP.

FSD Alexander, with all due respect, we feel the implementation is well beyond the scope of any discretion allowed to FSDs and local airports to dictate local policy and procedure. Both STSOs and TSOs have expressed their frustration with an attendance system that is unfair. The issuance of letters of counseling, letters of reprimand, and leave restrictions without frontline supervisor input is extremely troubling. We would like a response to our letter within five business days regarding your actions to correct or ameliorate the situation. If you are unable to correct this situation to our satisfaction, then we will address our concerns with officials at TSA's Headquarters. We look forward to a favorable resolution of this issue and continuing to work with you to improve TSO morale at DFW.

Sincerely,



Chad E. Harris, Esq.
Staff Counsel
Office of the General Counsel

cc: John Gage, National President, AFGE
Roy Flores, National Vice President Tenth District, AFGE
Brian DeWyngaert, Chief of Staff, AFGE
Mark D. Roth, General Counsel, AFGE