



A bold voice for transportation workers

ENOUGH IS ENOUGH: GIVE TRANSPORTATION SECURITY OFFICERS POLICIES THAT PROTECT THEM LIKE THEY PROTECT US

Over six years ago this Executive Committee [called upon](#) Congress and the Transportation Security Administration (TSA) to grant full federal employee rights to the 45,000 Transportation Security Officers (TSOs) who keep our nation's airways, mass transit systems and large public gatherings safe and secure. Unfortunately, our call to action has gone unheeded and the intervening years have strengthened our resolve to give these workers the rights they deserve. With the longest ever government shutdown, massive turnover, and the lowest employee morale in the federal workforce, policy makers are letting TSOs down. Now is the time to correct the injustice against the workers who play such a vital role protecting travelers and transportation workers alike.

First and foremost, Congress must immediately pass, and the President must sign the Rights for Transportation Security Officers Act (H.R. 1140), which has been introduced by House Homeland Security Committee Chairman Bennie Thompson. This bill would correct a misguided provision in the Aviation and Transportation Security Act (ATSA) — the bill that created TSA in 2001 — that led to the unequal conditions that TSOs face today. A brief statutory footnote included in the bill has been incorrectly interpreted by the courts and administrative bodies as giving the Transportation Security Administrator the authority to pick and choose whether, and how, Title 5 federal worker rights and protections apply to TSOs.

As a result, TSOs are denied many of the basic federal worker rights and protections that are afforded to virtually all other federal employees, including other TSA workers and those in intelligence agencies. As a body that represents other critical federal safety workers, including air traffic controllers and aviation safety specialists, the TTD Executive Committee believes that worker rights and protections need not be sacrificed in the name of safety or security. In fact, the denial of these rights and protections only contributes to dysfunctional operations at TSA and the consistently low scores the agency receives on employee morale and worker satisfaction surveys.

H.R. 1140 would repeal the TSA Administrator's authority to maintain the existing unequal personnel system that applies only to TSOs, and require TSA to provide the workplace rights and protections granted to other federal employees under Title 5. The bill would also grant TSOs access to the Merit Systems Protection Board — a neutral arbiter in workplace discipline matters that nearly all federal employees have access to, including TSA management and administrative personnel. Finally, the bill would put TSOs on the general pay scale with regular step increases. These reforms would dramatically and immediately improve working conditions for TSOs and is vital for the future success of the workforce. Fortunately, the House of Representatives passed H.R. 1140 on March 5th, 2020 with a bipartisan majority. It is time for the Senate to follow suit.

Granting full Title 5 rights to TSOs and improving their pay will dramatically improve morale and play an important role in solving the massive turnover facing the workforce. According to TSA, in 2017 the agency spent \$75 million to hire and train 9,600 new TSOs. Unfortunately, 20 percent of these officers left within 6 months of being hired. In fact, TSO turnover rates at the 10 largest U.S. airports is between 30-80%. This compares to 17% across the rest of the federal workforce. For an agency that relies on officers who have the knowledge and experience to correctly identify major security threats, this type of turnover is unsustainable, not to mention wasteful.

Given these challenges facing the TSO workforce, it was extremely disheartening when, just a few weeks ago, TSA leadership announced a hiring freeze and an overtime cap for existing TSOs. As the American Federation of Government Employees — the TTD affiliate that represents TSOs — noted after the announcement, this decision will exacerbate existing staffing problems, and contribute to longer security lines at airports. Furthermore, for a workforce that is already dangerously underpaid, the overtime cap will hit TSO pocketbooks particularly hard. For a workforce that recently went over a month without a pay check during the government shutdown, management decisions like these will further deteriorate morale and hurt the long-term effectiveness of the agency.

One solution to the chronic staffing problems and the apparently austere budgets that spur these management decisions is for Congress to pass, and for the President to sign into law the Funding for Aviation Screeners and Threat Elimination Restoration (FASTER) Act (H.R. 1171/S. 472). Introduced by House Transportation and Infrastructure Committee Chairman Peter DeFazio in the House and Senator Ed Markey, this bill would ensure that all money collected through passenger security fees is spent on its intended purpose of TSA security screening. Currently, transportation security fees are deposited in the general treasury, and a portion of the collected money is allocated for other purposes, including debt relief. The bill would wall off these funds in a separate account to only be used on screening operations. The bill has the added benefit of allowing TSA to continue to use these funds to operate in the event of a government shutdown — including to pay TSOs. This is common sense legislation that prevents TSOs from being harmed during another political food fight and by giving the agency the funding it needs to fully staff its TSO workforce.

It is a sad commentary on the current state of Washington, D.C. that this body is once again calling on Congress and the Administration to give workers who protect Americans every single day the most basic federal employee rights. For Members of Congress, who fly every single week, to ignore the plight of these workers is unconscionable. It is past time for the Rights for Transportation Security Officers Act and the FASTER Act to become law, and to give TSOs at least some fraction of the protections that they diligently provide to passengers and transportation workers throughout the country.

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