

The Rights for Transportation Security Officers Act

August 8, 2017

Producer

Claire Garney

Director

Alistair Taylor

Fast facts on the Rights for Transportation Security Officers Act

Bill introduced in 2016 and reintroduced in 2017

Context



- Currently, the TSA administrator has the authority to employ, appoint, discipline, terminate and adjust the compensation for transportation security officers (TSOs)
- TSOs are prohibited from striking, a measure that would not be altered in the bill
- TSOs are not covered by the Family and Medical Leave Act and Labor Standards Act protections, while most administrative and managerial jobs at TSA are covered

Provisions of the bill



- The bill was introduced to give TSA employees the labor protections granted to other federal workers
- Even though 70% of TSA workers are a part of the union, there is still the potential to increase collective bargaining power
- The bill would give TSOs not only more bargaining power, but also whistleblower protections, protections against discrimination, the ability to appeal disputes to independent third parties such as the Merit Systems Protection Board and bring them into line with General Service wage levels

Aims of the bill



- Lawmakers created the bill in order to address high attrition rates and a “culture of retaliation” at the TSA
- By improving worker protections, they hope to stem the high employee turnover and make the TSA more appealing in the labor market
- By boosting its employee numbers, the TSA can keep up with the increase in travelers and better protect national security



There have been various forms of this pay-for-performance system over the years, and it has devolved down to the point where TSOs are getting the highest rating, but they’re not seeing it reflected in their paychecks at all. Under the General System, which includes a form of evaluation that is built into that system, there is the transparency, fairness and stability that is currently lacking.”

-- Charity Wilson, a legislative representative with the American Federation of Government Employees

Challenges

- Opponents of the bill argue that by having TSOs excluded from Title V, the TSA has the flexibility and discretion to make decisions quickly and with national security in mind
- At present, performance among TSOs remains an issue, and the TSA is not screening potential employees thoroughly, TSA Precheck status is not stringent enough, and agents are not catching mock explosives and firearms during audits and inspections

“Thompson, Lowey introduce bill to improve TSA frontline workforce,” Committee on Homeland Security - Democrats, May 3, 2017; Erich Wagner, “Lawmakers renew effort to give TSA screeners civil service protections,” Government Executive, May 4, 2017; Ian Smith, “Legislation would move TSA employees to GS pay system,” FedSmith, May 7, 2017; Michelle Malkin, “TSA’s union power grab: Thousands slowing down airports,” Townhall, May 18, 2016; Melanie Zanona, “Low morale at TSA contributing to high turnover rates, long lines,” The Hill, May 26, 2016; Keith Laing, “Dems push for greater labor protections for TSA workers,” The Hill, February 9, 2016.

Supporters of H.R. 2309, the Rights for Transportation Security Officers Act of 2017

Sponsor



Rep. Bennie G. Thompson (D-MS), Ranking Member of House Committee on Homeland Security

- Introduced bill

Original co-sponsor



Rep. Nita M. Lowey (D-NY), Ranking Member of House Committee on Appropriations

- Introduced bill

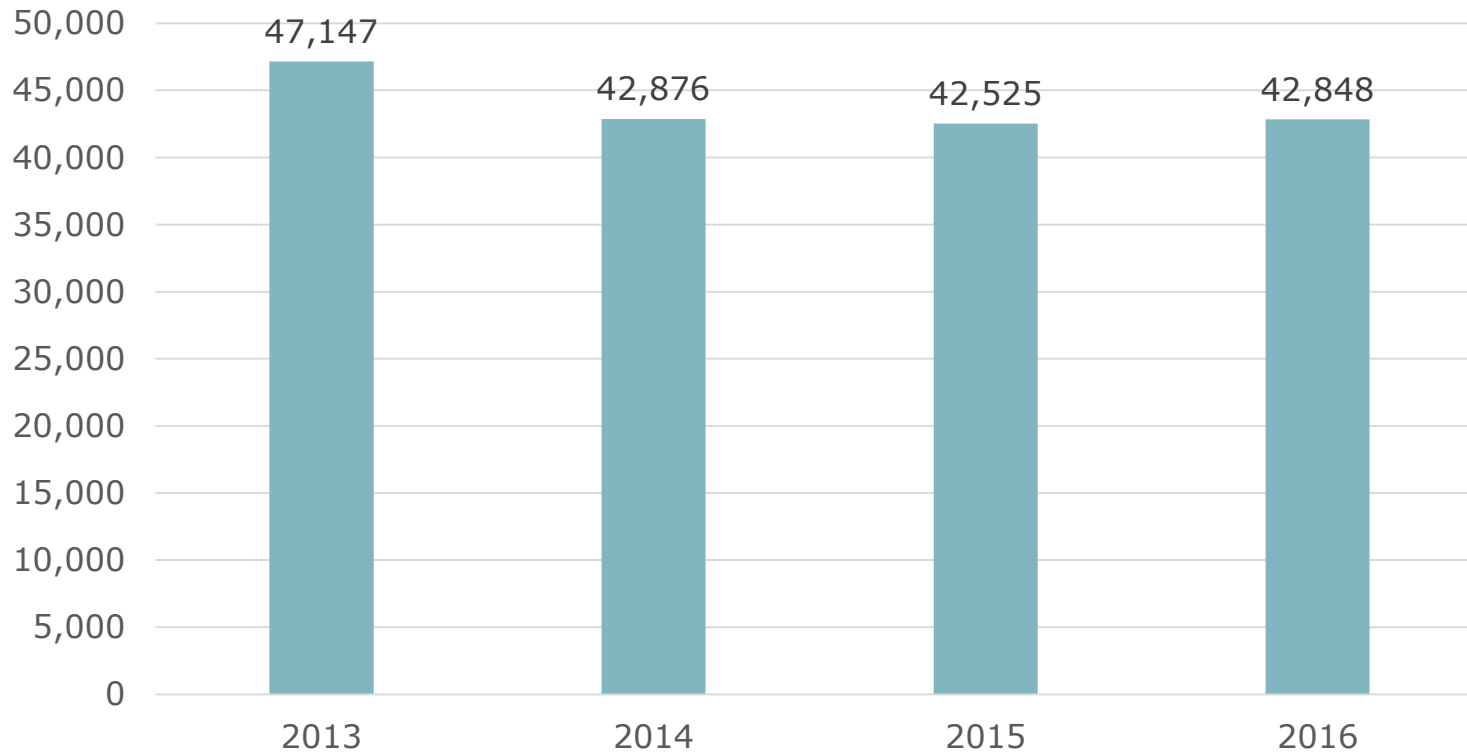
Co-sponsors

- Rep. Bonnie Watson Coleman (D-NJ)
- Rep. Eric Swalwell (D-CA)
- Rep. Kathleen Rice (D-NY)
- Rep. Donald Payne (D-NJ)
- Rep. James Langevin (D-RI)
- Rep. Nanette Diaz Barragan (D-CA)
- Rep. William Keating (D-MA)
- Rep. Val Butler Demings (D-FL)
- Rep. Frank Pallone Jr. (D-NJ)
- Rep. Adam Smith (D-WA)
- Rep. Julia Brownley (D-CA)
- Rep. Ed Perlmutter (D-CO)
- Rep. Ruben Gallego (D-AZ)
- Rep. Brian Higgins (D-NY)
- Rep. John Lewis (D-GA)
- Rep. Joyce Beatty (D-OH)
- Rep. Alan Lowenthal (D-CA)
- Rep. Janice Schakowsky (D-IL)
- Rep. Gregorio Kilili Camacho Sablan (D-MP)
- Rep. Chellie Pingree (D-ME)
- Rep. Collin Peterson (D-MN)
- Rep. Zoe Lofgren (D-CA)
- Rep. Jacky Rosen (D-NV)
- Rep. Robert Scott (D-VA)
- Rep. Peter Visclosky (D-IN)
- Rep. Donald Beyer (D-VA)
- Rep. Peter DeFazio (D-OR)
- Rep. Doris Matsui (D-CA)
- Rep. Peter Welch (D-VT)

Similar to the version of the bill introduced in 2016, there are no co-sponsors from the Republican side

Number of transportation security officers

The TSA has an attrition rate of 7-8% among full-time TSOs and 20% among part-time screeners, while passenger volumes continue to rise, increasing by 15% from 2013 to 2015



Sources: Melanie Zanona, "Low morale at TSA contributing to high turnover rates, long lines," The Hill, May 26, 2016; "TSA's 2017 Budget – A commitment to security (Part 1), Transportation Security Administration, March 1, 2016.