



1. **PURPOSE:** This directive establishes the Transportation Security Administration (TSA) policy for providing priority employment to individuals subjected to Transportation Security Screener reductions-in-force (RIFs), and to individuals who received screener employment offers that were rescinded or delayed as a result of such reductions. This policy will be known as the TSA Screener Priority Employment Program (PEP). This directive cancels and supercedes HRM Letter 300-6, dated July 11, 2003.
2. **SCOPE:** This directive applies to:
 - A. Filling TSA screener vacancies with candidates outside the current TSA workforce.
 - B. Individuals who have held TSA screening positions or who have applied for TSA screening positions and meet the eligibility requirements.
3. **AUTHORITIES:** The Aviation and Transportation Security Act (P.L. 107-71) provides that:
 - A. The Transportation Security Administration (TSA) is an excepted service agency, with the authority to establish a personnel management system that is independent of most of the personnel management rules and procedures established under Title 5 of the U.S. Code¹;
 - B. The personnel management system used by the Federal Aviation Administration (FAA) shall apply to TSA employees unless the Under Secretary (now known as the Assistant Secretary of Homeland Security for TSA) makes such modifications as he/she deems to be appropriate; and
 - C. Notwithstanding any other provision of law, the Under Secretary (i.e., Assistant Secretary) may employ, appoint, discipline, terminate, and fix the compensation, terms, and conditions of employment of Federal service for Screeners, Lead Screeners, and Supervisory Screeners².
4. **DEFINITIONS:**
 - A. Bona-Fide Occupational Qualification (BFOQ) Requirement: The requirement that TSA maintain sufficient numbers of male and female passenger screeners for the purposes of conducting gender-based pat-downs.
 - B. National Screening Force (NSF) employee: For the purposes of the PEP, an NSF employee is a screener who has been assigned to the NSF program within the last year prior to separation under RIF procedures, and whose most recent NSF assignment included deployment away from his/her airport of record for at least 90 days, consecutive or non-consecutive.
 - C. TSA screener position: A Transportation Security Screener (TSS), Lead Transportation Security Screener (LTSS), or Supervisory Transportation Security Screener (STSS) position.

¹ ATSA, Public Law 107-71, sec. 101(a), codified at 49 U.S.C. 114(n).

² ATSA, sec. 111(d), codified at 49 U.S.C. 44935 note.

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- D. TSA screener vacancy: A vacant Transportation Security Screener (TSS), Lead Transportation Security Screener (LTSS), or Supervisory Transportation Security Screener (STSS) position.
- E. Veterans' preference eligibility: For the purposes of the PEP, a veterans' preference eligible is defined as an individual who meets the criteria set forth in either 5 U.S.C. § 2108 or 49 U.S.C. § 44935(f)(2).

5. RESPONSIBILITIES:

- A. The airport Federal Security Director (FSD) or administrative staff shall provide employees undergoing a RIF separation from a TSA screening position information regarding the PEP, including information on completing [TSA Form 1111](#), "Priority Employment Program Contact Information Form" and information on providing proof of veterans' preference eligibility.
- B. Employees undergoing RIF separation from TSA screener positions shall complete the screener "Priority Employment Program Contact Information Form" and submit it, along with proof of veterans' preference eligibility if applicable, as directed in the RIF separation letter.
- C. Airport FSDs shall forward funded hiring requisitions to TSA Human Resources Headquarters (TSA HR), or the appropriate HR service provider as directed, with a copy to the Area FSD in whose zone of responsibility the airport falls, when it wishes to fill screener vacancies with candidates outside TSA's current workforce.
- D. Under TSA's "Next Generation Screener Hiring," some airports have elected to assume a greater role in screener hiring, while others are continuing to rely mainly on TSA contractors to execute the screener hiring process. For those airports relying on contractor support for the screener hiring process, TSA HR, in concert with its HR Service providers, shall:
 - (1) identify PEP candidates for each airport location;
 - (2) receive the "Priority Employment Program Contact Information Form" and veterans' preference information from PEP candidates;
 - (3) act on hiring requisitions received from airports;
 - (4) certify PEP candidates for job offers in accordance with this directive;
 - (5) extend job offers;
 - (6) record acceptances and declinations;
 - (7) ensure that all eligibility requirements are met before a PEP candidate is (re)appointed to a screener position; and
 - (8) process appointments of PEP candidates who meet all eligibility requirements and accept an offer of employment.

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E. Under TSA's "Next Generation Screener Hiring," some airports have elected to assume a greater role in screener hiring. For such airports, TSA-HR, in concert with its HR Service providers, shall:

- (1) identify PEP candidates for each airport location;
- (2) receive the "Priority Employment Program Contact Information Form" and veterans' preference information from PEP candidates;
- (3) act on hiring requisitions received from airports;
- (4) certify PEP candidates for job offers in accordance with this directive;
- (5) ensure that all eligibility requirements are met before a selected PEP candidate is (re)appointed to a screener position; and
- (6) process appointments of PEP candidates who meet all eligibility requirements and accept an offer of employment.

At such airports, the FSD and staff shall³:

- (1) receive selection certificates of eligibles, including eligible PEP candidates, for TSA screener vacancies;
- (2) extend job offers for TSA screener vacancies in accordance with this management directive and any applicable business rules on screener selection;
- (3) record acceptance and declinations for TSA screener vacancies, and report this information to TSA HR;
- (4) conduct new-hire orientations for those screeners, including eligible PEP candidates, who accept job offers; and
- (5) ensure that PEP candidates who are hired receive any required (re)training.

6. POLICY AND PROCEDURES:

A. Policy: It is TSA policy to provide priority employment to individuals who have been separated involuntarily due to screener RIF, and to screener applicants who have had their enter-on-duty (EOD) dates delayed or offers rescinded due to such reductions or anticipated reductions.

B. Eligibility: Regardless of appointment type or work schedule, individuals who meet one of the conditions below are eligible for priority employment under the PEP:

³ The responsibilities outlined here are those for FSDs who have elected the "airport executed" option under the "Next Generation Hiring" model.

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- (1) Former TSA employees separated through RIF from a screener position; or
- (2) Individuals who had employment offers rescinded for screener positions due to a TSA screener reduction or anticipated screener reduction; or
- (3) Individuals who had an EOD date delayed for a screener position due to a TSA screener reduction or anticipated screener reduction.

For all of the above categories, eligibility is contingent upon an individual's continuing ability to meet all screener qualification (including medical) standards, suitability requirements, (re)certification requirements, and any other conditions of employment.

C. Effective Date: Eligibility for the PEP begins on the date of the action that made the individual eligible for the Program.

- (1) For those individuals who have undergone a RIF separation from a screener position, the date of eligibility is the date TSA separated them from its employment rolls.
- (2) For those individuals whose employment offer for a screener position was rescinded, or whose EOD to a screener position was delayed, the date of eligibility is the date TSA officially notified them of the rescission or delay.

PEP eligibility lasts until one of the conditions under section F (Loss of Eligibility) is met.

D. Priority Employment: The PEP is a mandatory placement program. PEP eligibles will be offered a vacant position in accordance with the following criteria:

- (1) PEP eligibles will receive offers only in the hub/spoke airport of, or an airport within a 50-mile radius of the duty station of, the position or vacancy on which their eligibility for the PEP is based;
- (2) PEP eligibles will be offered appointment to a position in the SV-0019 job series, at the same or lower pay band as the position or vacancy on which the individual's eligibility for the PEP is based;⁴
- (3) PEP eligibles will be offered a part-time or full-time work schedule, whatever is currently available; and
- (4) PEP eligibles will be offered a noncompetitive permanent appointment or a noncompetitive, not-to-exceed five-year, temporary appointment, whatever is currently available.

⁴ If the individual was working under a temporary promotion at the time of the action that made the individual eligible for the PEP, the offer must be to a position at the same or lower pay band as the individual's position of record prior to temporary promotion.

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E. Order of Employment: As vacancies that meet the criteria for a PEP eligible's placement become available, TSA will offer them to individuals in the following order:

- (1) Individuals separated through screener RIF. Individuals separated through screener RIF will be offered reemployment in the following order:
 - (a) Those individuals involuntarily separated without use of competency-based testing or conduct checklists (e.g., because of a closure of screening operations at a particular airport, under which all screening positions at that airport were abolished).
 - (b) Those individuals involuntarily separated based on competency-based testing alone, in order of their rankings (highest to lowest).
 - (c) Those individuals separated based on their decision to accept, after competency-based testing, a reduction in force separation instead of involuntary conversion from a full-time to part-time work schedule, in order of their rankings (highest to lowest).
 - (d) Those individuals separated based on their election of a RIF separation from an airport experiencing a screener RIF and/or involuntary conversions to part-time, even though they personally were not at risk for an involuntary RIF separation or involuntary conversion to part-time.
 - (e) Those individuals involuntarily separated based on conduct checklist results, in order of their color ratings (i.e., orange first, then red), and rankings within color.

In the event that, for any one vacancy, there is a "tie" after applying rules E(1)(a) through E(1)(e), the following order of employment will apply:

- (i) Former NSF employees with veterans' preference (VP) eligibility.
 - (ii) All other former TSA screeners with VP eligibility.
 - (iii) Former NSF employees with no VP eligibility.
 - (iv) All other former TSA screeners with no VP eligibility.
- (2) Individuals who received employment offers from TSA that were subsequently rescinded because of screener downsizing requirements, by order of the time (from earliest to most recent) that the individuals were adversely impacted.
 - (3) Individuals who received employment offers from TSA that were subsequently placed on hold because of screener downsizing requirements, by order of the time (from earliest to most recent) that the individuals were adversely impacted.
 - (a) For any of these PEP categories [(1), (2), or (3)], a random number selection process will be used in the event any further ties exist.

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- (b) **No other individuals from outside TSA’s current workforce may be appointed to screener positions until all PEP categories have been exhausted for that particular airport where the vacancy(ies) exist.⁵ The only exception to this rule is that actions may be taken to ensure that TSA meets its BFOQ requirement (see definition of BFOQ in section 4A above).**
- (c) If the number of screener vacancies that must be filled exceeds the number of PEP eligibles that meet the requirements for PEP placement into those vacancies, then advertisements, certifications, and appointments from outside the current TSA workforce may take place as long as slots for PEP eligibles are reserved pending acceptance or declination.
- F. Loss of Eligibility: Individuals lose eligibility for the PEP when any one of the following occurs:
- (1) They accept any TSA offer of employment to a TSA screening position;
 - (2) They turn down a placement offer made by TSA to the same series, title, pay band, appointment type (permanent or temporary), work schedule (full-time or part-time), and local commuting area (within a 50-mile radius) as that of the position or vacancy on which their PEP eligibility is based;
 - (3) They turn down two placement offers made by TSA regardless of pay band, appointment type, work schedule, and whether the position offered is within a 50-mile radius of the position or vacancy on which their PEP eligibility is based; or
 - (4) One year after their eligibility commences.
- G. Hiring requirements: Prior to employing/re-employing a PEP candidate, TSA will:
- (1) Ensure that the candidate continues to meet all qualification (including medical) standards, suitability requirements, (re)certification requirements, and any other conditions of employment; and
 - (2) Determine any (re)training needs required by the candidate.
- H. Relocation: Relocation expenses will not be paid under the PEP regardless of whether the position offered is to an airport that is outside a 50-mile radius of the airport where the individual was previously employed (or offered employment).

⁵ A PEP category has been exhausted when each eligible PEP candidate in the category has been offered a position in accordance with this management directive and TSA business rules on extending job offers.

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7. EFFECTIVE DATE & IMPLEMENTATION:

This directive will be effective immediately upon signature.

APPROVAL



Richard A. Whitford
Assistant Administrator for Human Resources

3/25/05
Date

Filing Instructions:	File with HR Management Directives
Effective Date:	March 25, 2005
Review Date:	March 25, 2006
Distribution:	TSA affiliated HR Offices, Assistant Administrators, and Key Directors
Point of Contact:	TSA/HR, HR Program Guidance & Standards, 571-227-2469