



Note: Pursuant to Section 101 of the Aviation and Transportation Security Act (49 U.S.C. 114(n)), this directive establishes Transportation Security Administration (TSA) policy and supersedes Federal Aviation Administration (FAA) orders, policies, guidance, and bulletins regarding Priority Employment or Reemployment Programs that would apply to Transportation Security Officer (TSO) (Screener) workforce positions issued under the FAA Personnel Management System.

REVISION: This revised directive revises TSA MD 1100.30-6, TSA Screener Priority Program, dated March 25, 2005.

SUMMARY OF CHANGES: Section 4, Definitions, adds a definition; Section 6, Policy, clarifies that only those individuals who have been involuntarily separated under specified conditions (e.g., workforce reductions) with current performance appraisal ratings of “Achieves Standards” or better will be eligible for rehiring priority under the Priority Employment Program (PEP); Section 7, Procedures, changes the referral order for rehiring priority and clarifies the individual registration and referral procedures.

1. PURPOSE: This directive provides TSA policy and procedures for providing priority in reemployment to Transportation Security Officers (TSOs) affected by workforce reductions and those whose employment offers to become Federal TSOs were rescinded or delayed as a result of such reductions.

Note: For the purpose of this program, the term “TSO” refers to TSOs, Lead TSOs (LTSOs), Supervisory TSOs (STSOs) and/or any other position(s) that contain “TSO” in the position title and are considered to be part of the TSO career progression.

2. SCOPE: This directive applies to:

- A. Filling TSA Federal TSO vacancies with candidates outside the current TSA workforce.
- B. Individuals who have held TSA Federal TSO positions or who have applied for TSA Federal TSO positions and meet all eligibility and qualifications requirements.
- C. Applicable TSA and U.S. Department of Homeland Security delegations of authority

3. AUTHORITIES:

- A. Sections 101 and 111(d) of the Aviation and Transportation Security Act, Pub. L. 107-71 (ATSA), November 19, 2001 (49 U.S.C. §§ 114(n), 40122, 44935, and 44935 note)
- B. Sections 403(2) and 423 of the Homeland Security Act of 2002

4. DEFINITIONS:

- A. Bona-Fide Occupational Qualification (BFOQ) Requirement: The requirement that TSA maintain sufficient numbers of male and female passenger TSOs for the purposes of conducting gender-based pat-downs and private screenings.

- B. Local Commuting Area: The agency-determined geographic area surrounding a work site/duty station that encompasses the localities where people live and/or from which they can reasonably be expected to travel back and forth to work.
- C. TSO Position: A Federal TSO, LTSO or STSO position and/or any other position(s) that contain “TSO” in the position title and are considered to be part of the TSO career progression.
- D. TSO Vacancy: A Federal TSO position that is not currently occupied/encumbered.
- E. Veterans’ Preference Eligibility: For the purposes of this directive, a veterans’ preference eligible is defined as an individual who meets the criteria set forth in either 5 U.S.C. §2108 (except to the extent limited by the applicable provisions of ATSA) or 49 U.S.C. § 44935(f)(2).

5. RESPONSIBILITIES:

- A. Federal Security Directors (FSDs) or their administrative staffs are responsible for providing information on the PEP to employees being involuntarily separated from a TSO position due to workforce reductions. This will include information on completing [TSA Form 1111, TSO Priority Employment Program Application](#) and providing any necessary proof of veterans’ preference eligibility.
- B. Former TSOs or other individuals eligible for, and interested in, priority for (re)employment with TSA are responsible for completing and returning TSA Form 1111, along with proof of veterans’ preference eligibility if applicable, as specified in their separation or offer rescission letter. Registrants must also resubmit the form with any changes to their contact information as it occurs; otherwise, TSA will be unable to extend reemployment offers to them.
- C. FSDs are responsible for forwarding funded hiring requisitions to TSA’s Office of Human Capital (OHC) via normal approval channels and in accordance with current TSA hiring procedures when they are seeking to fill TSO vacancies with candidates outside TSA’s current workforce.

6. POLICY:

- A. It is TSA policy to provide priority in reemployment to most individuals who have been separated involuntarily due to workforce reductions, and to TSO applicants who have had their enter-on-duty (EOD) dates delayed or offers rescinded due to such reductions or anticipated reductions.
- B. Eligibility for reemployment priority will last for a maximum of one year (see Section 7B). Eligibility will not be extended regardless of when employees submit their program registration form.

7. PROCEDURES:

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

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- (1) Former TSA employees involuntarily separated from a TSO position due to workforce reductions whose most recent TSA performance appraisal was at least at the level of “Achieves Standards”;
- (2) Individuals who had employment offers rescinded for TSO positions due to a workforce reduction or anticipated reduction; and
- (3) Individuals whose entrance on duty date was delayed for a TSO position due to a workforce reduction or anticipated reduction;
- (4) For all of those in (1), (2), or (3) of this section, eligibility is contingent upon an individual’s:
 - (a) submission of the required PEP Application Form (TSA Form 1111) and any other required pre-hire forms; and
 - (b) pre-hire adjudication and continuing ability to meet all TSO qualification (including medical) standards, security and suitability requirements, and/or any other conditions of employment/reemployment.

B. Eligibility Effective Date: Once an individual submits a completed TSA Form 1111, an eligibility effective date for the PEP will be established by OHC.

- (1) For those individuals who were involuntarily separated from a TSO position, the PEP eligibility effective date will begin the day after the date TSA separated the employee from its employment rolls.
- (2) For those individuals whose employment offer for a TSO position was rescinded, or whose EOD to a TSO position was delayed, the PEP eligibility effective date will be the day after the date TSA officially notified the individual of the rescission or delay.
- (3) If the individual does not register for the PEP (by completing and submitting TSA Form 1111) until sometime after the date of the action that created their eligibility, the individual can still be added to the PEP but their eligibility period will be limited to a maximum of one year from their eligibility effective date (as specified in (1) and (2) above), regardless of when the registration form was returned. Also, the individual will not be entitled to retroactive PEP eligibility for the period between their PEP eligibility effective date and the date their registration form was received by TSA.

Example: An employee was separated by workforce reduction on February 4, 2006, and TSA received the TSA Form 1111 on March 3, 2006. The former employee will receive priority for vacant positions under the PEP from March 4, 2006 until February 4, 2007; he/she would not be entitled to priority for vacant TSO positions filled between February 4, 2006 and March 3, 2006.

- (4) PEP eligibility lasts for a maximum of one year from the eligibility effective date or until one of the conditions under Section 7D (Loss of Eligibility) is met (whichever occurs first).

C. Priority for Reemployment: The PEP is a mandatory selection placement program. Once an eligible individual applies and is placed on the PEP list, referral is automatic and PEP eligibles may be offered a vacant position in accordance with the following criteria:

- (1) PEP eligibles will only be considered eligible for TSO positions for which they qualify that are either:
 - (a) within the same hub/spoke configuration; or
 - (b) at an airport within the local commuting area (as determined by TSA) of the position/vacancy on which their eligibility for the PEP is based (this will be either the separated employee's former duty station, or the location of the rescinded position originally offered).
- (2) PEP eligibles may be offered appointment to a TSO position for which they qualify which is at the same or lower pay band as the position or vacancy on which the individual's eligibility for the PEP is based;¹
- (3) PEP eligibles may be offered a part-time or full-time work schedule, whichever is currently available; and
- (4) PEP eligibles may be offered a permanent appointment or a temporary appointment, whichever is currently available.

D. Loss of Eligibility: Individuals lose eligibility for the PEP one year from the eligibility effective date, or immediately, if any one of the following occurs before the one year expiration:

- (1) They accept any TSA offer of employment; or
- (2) They decline an 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 as that of the position or vacancy on which their PEP eligibility is based; or
- (3) They decline two offers made by TSA regardless of pay band, appointment type, work schedule, and/or location.

E. Other Reemployment/Rehiring Options: As noted in Section 5C, PEP referral and selection is only one avenue for (re)employment with TSA. Individuals are encouraged to apply for TSA vacancies for which they are interested, rather than depending solely on the referral processes afforded them under the PEP.

¹ 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 immediately prior to temporary promotion.

- F. Relocation: Relocation (permanent change of station) expenses will not be paid under the PEP regardless of whether the position offered is to an airport that is outside the local commuting area of the airport where the individual was previously employed (or offered employment).
- G. Pay: Former TSOs rehired under the PEP will have their pay set in accordance with established TSA pay setting policies in effect at the time of rehire. Although prior TSA salary may be considered under pay setting policies, former employees should be aware that management is not required to match their previous TSA salary.
- H. Repromotion: Former TSOs rehired under the PEP at a band lower than their previous position may be eligible for repromotion at a later date to a position at their former pay band level in accordance with TSA established policies. However, the PEP does not establish any requirement for the agency to repromote the employee and such individuals receive no priority or preference for, nor any assurance or guarantee of, repromotion.

I. Hiring Requirements:

- (1) Vacant TSO positions may not be filled with individuals from outside TSA's current workforce until the list of all eligible, qualified, and available PEP registrants has been exhausted for the specific vacancy.² Likewise, managers may not rehire former TSA employees without PEP priority for the specific TSO vacancy being filled until the PEP list has been exhausted for that vacancy.
- (2) In some cases, PEP registrants may not be qualified/eligible for the specific TSO vacancy being filled in their area of eligibility. If there are no qualified and eligible PEP candidates meeting BFOQ or other job-related requirements, non PEP hiring actions may be authorized.

Example: The position to be filled requires a female TSO but the only PEP registrants available and eligible for this position are male. In this situation, management may pursue other avenues to fill the position requiring a female TSO.

- (3) If the number of available TSO vacancies to be filled exceeds the number of PEP eligibles for those vacancies, then non PEP/other outside recruitment and hiring activity may begin as long as a sufficient number of vacancies are reserved for PEP eligibles pending their acceptance or declination.

J. Procedures for Clearing PEP:

- (1) Under TSA's current hiring processes, some airports have a greater role in the TSO recruitment, assessment and hiring process, while others rely mainly on TSA OHC/contractors to execute these processes. For those airports relying on OHC/contractor support, OHC, in concert with its Service providers, will:
 - (a) identify PEP candidates for each airport location;

² A PEP list has been exhausted when TSA has made, or attempted to make, an offer of a position to each eligible PEP candidate in accordance with this management directive and TSA business rules on extending job offers.

- (b) receive PEP registration forms and related documentation from PEP candidates;
- (c) act on hiring requisitions received from airports;
- (d) certify PEP candidates for TSO job offers in accordance with this directive;
- (e) extend conditional TSO job offers;
- (f) record acceptances and declinations;
- (g) ensure that all eligibility and suitability requirements are met before a PEP candidate is (re)appointed to a TSO position; and
- (h) process appointments of PEP candidates who meet all eligibility requirements and accept an offer of employment.

- (2) For airports that administer their own processes, OHC, in concert with its Service providers, will continue to carry out the actions listed in Section 7J(1)(a-d, g & h) above. At such airports, the FSD and staff ³ will carry out actions listed in Section 7J(1)(e-f) above.

K. PEP Referral Order: TSA will develop a list of eligible PEP candidates for each TSO vacancy based on eligibility and qualifications for the specific vacancy. For each vacancy, PEP eligibles will be referred for selection in the following order:

- (1) Category 1: Those involuntarily separated by workforce reduction procedures – further ranked in order based on the following factors:
 - (a) Separation date (oldest dates first); with ties broken by:
 - (b) Veterans’ preference eligibility (those whose employee records reflect preference under either ATSA or Title 5 will be listed, and receive offers, ahead of those without).
- (2) Category 2: Those whose request for involuntary separation by workforce reduction was accepted and who separated as “volunteers for involuntary reduction” under appropriate workforce reduction provisions.
- (3) Category 3: Individuals who received employment offers from TSA that were subsequently rescinded because of new or anticipated workforce reductions, in order of the date (from earliest to most recent) that the employment offers were rescinded.
- (4) Category 4: Individuals who received employment offers from TSA that were subsequently placed on hold because of new or anticipated workforce reductions, in order of the date (from earliest to most recent) that the employment offers were placed on hold.

³ FSDs who have elected the “airport executed” option under the “Next Generation Hiring” model.

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- (5) Within each PEP category, tied registrants will be listed in alphabetical order and the manager filling the vacancy is responsible for determining the best qualified candidate within the category.
- (6) All eligible individuals referred within a PEP category must be extended an offer before an individual in a lower category may be extended an offer.
- (7) Example: Referral order of all PEP eligibles qualified for the available TSO vacancy:

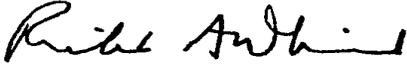
| Former Employee Name | Eligibility Effective Date | Veterans' Preference Status |
|-------------------------------|-----------------------------------|------------------------------------|
| Category 1 Referrals * | | |
| M.... | 10/15/05 | yes |
| S.... | 10/15/05 | yes |
| P..... | 10/15/05 | no |
| D..... | 11/23/05 | yes |
| A.... | 11/23/05 | no |
| J.... | 01/05/06 | yes |
| K..... | 01/05/06 | no |
| Category 2 Referrals | | |
| H..... | 11/01/04 | yes |
| Category 3 Referrals | | |
| B.... | 2/10/06 | no |
| Category 4 Referrals | | |
| F... | 1/25/06 | no |

** See Section 7K(1), (5) and (6) above for rules on tie breakers and referral order. In this example, M... and S... are tied so their names are listed in alphabetical order and either "M..." or "S..." may be selected. If there is only one vacancy, either M... or S... must receive an offer before P... or any other candidate is offered the position.*

- L. Pre-appointment requirements: Prior to employing/re-employing a PEP candidate, TSA will:
 - (1) Ensure that the candidate continues to meet all qualification (including medical) standards, eligibility and suitability requirements, and any other conditions of employment; and
 - (2) Determine any (re)training needs required by the candidate.

8. **EFFECTIVE DATE & IMPLEMENTATION:** This policy is effective immediately upon signature.

APPROVAL



8/18/06

Richard A. Whitford
Assistant Administrator for Human Capital

Date

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Point of Contact: Office of Human Capital