



NTEU DHS Workforce Priority Recommendations

Administrative Recommendations:

- **Transportation Security Administration:** Rescind January 8, 2003 TSA directive implementing a determination that TSA Security Screeners (now called Transportation Security Officers--TSOs) may not engage in collective bargaining and replace with new directive placing TSOs under Title 5 of the U.S. Code.
- **Labor-Management Partnership Executive Order:** Issue a new Executive Order to require labor management partnerships in federal agencies as are called for in S. 2197, by Sen. Akaka. Partnerships existed during the Clinton Administration under Executive Order 12871 but repealed by the Bush Administration.
- **Federal Career Intern Program:** Rescind Executive Order and OPM regulations establishing the FCIP hiring authority and convert those employees hired under the program to competitive status.
- **Alternative Personnel Systems:** Through agency head memo review alternative personnel and pay systems, particularly pay-for-performance systems and eliminate those not achieving goals.
- **Contracting out:** Through EO or agency head memo order a review of service contracts. Cancel where necessary and bring any inefficient, wasteful or inherently governmental ones in-house within two years. Order OMB to require transparency in awarding and oversight of all government contracts. (See below for A-76)
- **Ratio of managers to frontline employees:** Direct agencies through agency head memo to shrink manager-to-employee ratio to maximize resources to front line functions.

Department of Homeland Security:

- **Transportation Security Administration:** Amend ATSA to establish a new personnel system for TSA under Title 5.
- **DHS Human Resources Management System:** Repeal statutory provision giving DHS discretion to depart from Title 5 and vacate the regulations establishing a new personnel system.

H.R. 1684, the FY 2008 DHS Authorization bill includes language to repeal Title V, Chapter 97. The Senate bill, S. 3623, does not include the Chapter 97 repeal. The FY 2009 DHS Appropriations Act that was included in Continuing Resolution legislation includes a prohibition (P.L. 110-329, Division D, Title V, Section 522) on the use of funds to implement any personnel system created pursuant to the authority granted by Title V, Chapter 97. On October 1, 2008, because of this appropriations prohibition, DHS rescinded application of its personnel system regulations (5 C.F.R. 9701) as to all employees. The repeal of Chapter 97 will not, therefore, end any ongoing efforts at DHS to implement a new personnel system.



Customs and Border Protection:

- **Enhanced Retirement:** Expand availability of Law Enforcement retirement benefits.

Enhanced LEO retirement benefits for all GS-1895 Customs and Border Protection Officers (CBPOs) that includes putting new hire CBPOs under existing Law Enforcement Officer (LEO) retirement rules was approved by Congress and signed into law on December 26, 2007, as part of the FY 2008 Consolidated Omnibus legislation (P.L. 110-161). Section 815 of S. 3623 extends these same benefits to CBP Seized Property Specialists and CBP Agriculture Specialists. This is a much needed recruitment and retention tool at CBP.

- **CBP Staffing:** Increase CBP Personnel at the Ports of Entry.

The FY 2009 DHS Appropriations bill (P.L. 110-329, Division D, Title V) included funding for 1,373 CBP Officers and Agriculture Specialists--834 more than requested by the Administration. S. 3623 authorizes 1000 new CBPO positions for the next three years and authorizes 195 new CBP Agriculture Specialists positions over the next five years.

Agency-wide Legislative Recommendations:

- **Whistleblower Protection:** Enact legislation similar to this year's HR 985.
- **Bargaining Units:** Amend Title 5 to narrow standards for removal of units and individuals from collective bargaining, particularly with regard to national security.
- **Telework:** Enact legislation expanding telework in federal agencies. (HR 4106/S. 1000 in 110th)
- **A-76 Moratorium:** Enact language imposing a one-year government-wide moratorium on all A-76 studies for one year as was reported in the FSGG Appropriations bill for FY 2009 (S. 3260). This will allow the administration time to review and develop federal workforce studies.