



*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 the Hiring of Private Screeners for Federal Transportation Security Office (TSO) (Screener) positions issued under the FAA personnel management system.*

1. **PURPOSE:** This directive provides TSA policy and procedures on assessing, certifying and hiring current or former private Transportation Security Officers/Screeners for TSA Federal Transportation Security Officer (Screener) positions. This directive supersedes HRM Letter 300-11, dated July 15, 2004.
2. **SCOPE:** This directive applies to filling Federal Transportation Security Officer (Screener) (hereafter referred to as TSO) vacancies with candidates outside the current TSA Federal workforce who are current or former private screeners/TSOs (those who currently hold a private, contract screener/TSO position in an airport, or held such a position at any time since November 19, 2002) and who are interested in applying, or have applied, for TSA Federal TSO positions.
3. **AUTHORITIES:** 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)
4. **DEFINITIONS:**
  - A. Current Private Screener/TSO: An individual who currently holds a private, contract screener/TSO position in an airport, and successfully met TSA-established requirements for TSO assessment, certification testing and hiring, regardless of where/how/by whom administered.
  - B. Former Private Screener/TSO: An individual who is not currently a private screener/TSO, but who formerly held a private, contract screener/TSO position in a private airport at any time since November 19, 2002, and, therefore, successfully met TSA-established requirements for TSO assessment, certification testing and hiring, regardless of where/how/by whom administered.
  - C. Gaining FSD: The Federal Security Director (FSD) with authority over the vacant TSA Federal TSO position into which a private screener/TSO is seeking to be hired.
  - D. Private Airports: Any commercial airport where private, contract screeners/TSOs have worked or are working under TSA oversight since November 19, 2002, either through a pilot program (PP5) required by ATSA or as privatized in whole or in part through the TSA Screening Partnership Program.
  - E. TSA Federal Assessment: The established process by which applicants are assessed, evaluated, ranked, and referred for selection into TSA Federal TSO positions.

- F. TSA Federal TSO Position: A TSA Federal TSO/Screeners, Lead TSO (LTSO), or Supervisory TSO (STSO) position.
- G. Veterans' Preference Eligible: 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. Office of Human Capital (OHC) is responsible for implementing agency-established assessment and hiring requirements for Federal TSO positions based on statute, TSA policy and/or procedures. In some cases, airport staff will implement portions of the TSA Federal assessment process based on delegated authority and guidance provided.
- B. Current or former private screeners/TSOs interested in Federal TSO positions are responsible for applying for those positions, identifying themselves as meeting the requirements of this directive, and completing any required portions of the Federal TSO application/assessment process, which they may not have satisfied in the course of their employment as private screeners/TSOs.

**6. POLICY:** It is TSA policy to follow merit principles, where applicable, and meet relevant statutory requirements in its Federal TSO hiring (i.e., application and referral) procedures when hiring current or former private screeners/TSOs into TSA Federal TSO positions.

**7. PROCEDURES:**

- A. Competitive Hiring of Current Private Screeners/TSOs
  - (1) **Qualification Requirements:** TSA will consider any currently employed private screener/TSO with current satisfactory status on initial certification testing and/or annual proficiency review (recertification) testing (as appropriate) to be fully qualified for a Federal TSO position. Current private screeners/TSOs are only required to complete the portions of the TSA Federal application and assessment processes necessary for ranking, certification and selection for a TSA Federal TSO position.
  - (2) **Application Procedures:** A current private screener/TSO who is interested in becoming a TSA Federal TSO should:
    - (a) apply for any advertised TSA Federal TSO position in which he or she is interested, or submit an application directly to the hiring contact for the airport at which he or she is interested in working; and
    - (b) clearly identify himself or herself as a current private screener/TSO in the application materials submitted.

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- (3) Application Handling: TSA OHC or the airport hiring contact will review the application of any individual who identifies himself or herself as a current private screener/TSO and will:
  - (a) Verify (through TSA certification/recertification testing records) that the individual is a currently certified/recertified private screener/TSO and, as such, is fully qualified for a TSA Federal TSO position;
  - (b) Verify that the individual meets any other minimum eligibility requirements (e.g., that the selective service registration requirement has been met, if applicable);
  - (c) Coordinate with the TSA Personnel Security Division, Office of Security, to verify that the individual meets all required security/credentialing requirements; and
  - (d) Contact the applicant to schedule and administer the appropriate assessment tool(s) and/or process(es), if any, necessary for ranking/referral.
- (4) Candidate Referral:
  - (a) TSA may refer for potential selection those current private screeners/TSOs who:
    - (i) applied for a TSA Federal TSO position;
    - (ii) meet all minimum eligibility and security/credentialing requirements; and
    - (iii) ranked highly enough to be referred for potential selection.
  - (b) TSA will follow its standard business rules (including application of veterans' preference) governing the determination and referral of best qualified candidates for Federal TSO positions. Current private screeners/TSOs will not receive greater preference in ranking, referral or selection than other equally qualified candidates based solely on their status as current private screeners/TSOs.

**B. Competitive Hiring of Former Private Screeners/TSOs:**

- (1) Application Procedures: A former private screener/TSO who is interested in becoming a TSA Federal TSO should:
  - (a) apply for any advertised TSA Federal TSO position in which he or she is interested, or submit an application directly to the hiring contact for the airport at which he or she is interested in working; and
  - (b) clearly identify himself or herself as a former private screener/TSO in the application materials submitted.

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- (2) Application Handling. TSA OHC or the airport hiring contact will review the application of an individual who identifies himself or herself as being a former private screener/TSO at some time since November 19, 2002, and:
    - (a) Verify that the individual meets all minimum eligibility and qualification requirements for a Federal TSO position;
    - (b) Determine what portions of the assessment the individual needs to complete again, if any (this determination will be based on current TSA policies, procedures, guidance, business rules etc. for assessment, referral and/or hiring and how long it has been since the individual was previously assessed); and
    - (c) As necessary, request that the individual complete/update any required assessment procedures (or portions thereof), any forms required for security/credentialing, and/or the certification of physical/medical ability.
  - (3) Candidate Referral:
    - (a) TSA may refer for potential selection those former private screeners/TSOs who:
      - (i) applied for a TSA Federal TSO position;
      - (ii) meet minimum eligibility requirements;
      - (iii) passed those portions of the TSA assessment and clearance processes they were required to complete, if any; and
      - (iv) ranked highly enough to be certified for selection.
    - (b) TSA will follow its standard business rules (including application of veterans' preference) governing the determination and referral of best qualified candidates for Federal TSO positions. Former private screeners/TSOs will not receive greater preference in ranking, referral or selection than any other equally qualified candidates based solely on their status as former private screeners/TSOs.
- C. Defining "Opt In" or Other Federalization/Re-Federalization Actions: The following two types of actions will constitute a private enterprise takeover generally analogous to Title 5 Code of Federal Regulations (CFR) § 316.701:
- (1) an airport operator submits a request to re-Federalize screening operations that have been performed by private contract under TSA oversight, and the request to re-Federalize or "opt in" is approved by TSA; or
  - (2) TSA determines that it is necessary and/or appropriate to Federalize or re-Federalize private screening operations that have been performed by private contract under TSA oversight.

**D. Effect of Federalization/Re-Federalization Actions on Current Private Screeners/TSOs.**

TSA, according to its needs, may choose from among a number of options:

- (1) When one of the conditions described in Section 7C occurs, all continuing positions performing screening functions under TSA Federal oversight, and the current occupants of those positions, may be brought into Federal service.
- (2) TSA may elect to use normal external competitive hiring procedures (including the provisions of Sections 7A and 7B above with regard to current or private screeners/TSOs) to fill all of the newly created Federal screening positions in lieu of applying any of the other procedures outlined in this section.
- (3) TSA may elect to use a streamlined hiring procedure to provide priority to the current employees of the federalized/re-federalized organization. Under this streamlined procedure, TSA may designate as a “priority hire” any individual who:
  - (a) was on the contractor’s rolls performing screening functions (passenger and/or baggage) as of the date the federalization/re-Federalization was approved by TSA;
  - (b) currently meets all eligibility, qualifications, certification and suitability requirements for a Federal TSO position; and
  - (c) has expressed interest in Federal employment (submitted an employment application, interest form, resume, etc. as required by TSA).

**E. Use of Priority Hiring Methods:**

- (1) Where TSA chooses to offer Federal positions to priority hires, as described above, the appointments offered will be at the job level (title, pay band) and work schedule type (Part Time (PT), Full Time (FT)) equivalent to their current employment with the contractor (i.e. those currently serving as Leads will be offered Federal LTSO positions, those currently serving as Supervisors will be offered Federal STSO positions; those currently working as screeners/TSOs on PT schedules will be offered PT Federal TSO employment, etc.).
- (2) Where TSA chooses to offer Federal positions to priority hires, appointments offered will whenever possible be permanent positions and made effective the day after the contractor terminates private employment.
- (3) If there are any additional Federal positions available after all priority hires receive offers, then TSA may use other competitive or noncompetitive hiring procedures (including the provisions of Sections 7A and 7B above with regard to current or private screeners/TSOs) to certify and select candidates.

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- (4) When some (but not all) priority hires will receive Federal job offers, a modified noncompetitive appointment procedure will be used.
- (a) Any priority hires who have prior service with TSA or other Federal agency will be referred and selected/appointed (from noncompetitive selection certificate(s)) using reinstatement procedures/authority (Hiring Group I).
  - (b) All other priority hires who are not in Hiring Group I will be certified for selection in one of two groups:
    - (i) veterans' preference eligibles for permanent appointment (Hiring Group II); or
    - (ii) nonpreference eligibles for permanent appointment (Hiring Group III).
  - (c) All Hiring Group I candidates certified for a specific position type (TSO, LTSO, STSO, PT, FT, etc.) will be offered appointment before any Hiring Group II candidates for the same position type; all Hiring Group II candidates certified for a position type will be offered appointment before any candidates in Hiring Group III; and all Hiring Group III candidates certified for a position type will be offered appointment before any other candidates are considered.
  - (d) Once a Hiring Group is reached where there are more priority hires than available vacancies, TSA will select candidates from among all of those in that hiring group to fill the available vacancies. *Example:* For FT TSO positions there are 10 Hiring Group I candidates, 20 Hiring Group II candidates, and 65 Hiring Group III candidates for a total of 95 available priority hires. TSA will fill only 80 Federal FT TSO vacancies when the airport is re-Federalized. TSA will fill the first 30 positions by making job offers to all of the individuals in Hiring Groups I and II. Assuming all 30 candidates accept these offers, 50 Federal vacancies will remain to be filled from among the 65 available candidates in Hiring Group III. TSA will randomly select names from among all 65 candidates in Hiring Group III, based on an automated process using the final four digits in their social security number to fill the remaining 50 vacancies.

**F. Appointment Conditions**

- (1) Appointments to TSA Federal positions, either through competitive or noncompetitive methods, will be made subject to the provisions of other TSA HC policy as appropriate, including TSA policies on salary determinations for Transportation Security Officers, [TSA MD 1100.31-1, \*Trial Periods\*](#), and [TSA MD 1100.30-11, \*Post Appointment Movement Restrictions\*](#).
- (2) Certification, recertification and training requirements for current or former private screeners/TSOs who are selected for TSA Federal TSO positions will be established by the appropriate office(s).

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

**APPROVAL**



July 12, 2006

\_\_\_\_\_  
Richard A. Whitford  
Assistant Administrator for Human Capital

\_\_\_\_\_  
Date

Filing Instructions: File 200.1.1  
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