

NTEU

The National Treasury Employees Union

February 26, 2007

Dear Senator:

I am writing in strong support of S. 4, the 9/11 Commission recommendation bill and, in particular, the provision to provide collective bargaining rights to Transportation Security Administration (TSA) employees. When Congress created TSA it allowed the agency to deny collective bargaining rights to the new federal workforce responsible for screening domestic airline passengers. Despite the fact that nearly all of the other bureaus that make up the Department of Homeland Security (DHS) have collective bargaining rights, TSA denied those rights to airport screeners.

The National Treasury Employees Union (NTEU) believes that TSA's continued workforce problems stem directly from the decision to deny employee input through the collective bargaining process. TSA has been plagued by personnel problems never seen in any federal agency. Voluntary attrition rates have exceeded 50%. Maintaining a stable, qualified, trained workforce was the primary goal of federalizing the transportation screener position. Massive turnover wastes untold federal dollars in recruitment and training of these vital Transportation Security Officers (TSOs). NTEU believes that collective bargaining rights are the foundation for building a highly trained, committed, experienced career screener workforce.

The administration's concerns that collective bargaining rights would limit management flexibility at TSA have been totally discredited by the record of the organized workforces at other DHS bureaus. NTEU-represented Customs and Border Protection employees are the first line of defense at our nation's international borders, and they have had an exemplary record in performing layered enforcement activities to prevent the entry of terrorists and instruments of terror, harmful pests and diseases, illegal drugs and contraband, and illegal aliens as well as other importations and exportations contrary to law and trade agreements. It is important to note that where a pilot program has allowed private sector workers to perform the TSO job, the National Labor Relations Board has ruled that these private sector workers have collective bargaining rights.

Collective bargaining rights have not hindered the federal government's emergency response capability. Every union contract with federal government agencies recognizes management's right to assign work and detail workers as necessary. In addition, management flexibility in times of crisis is set in statute. Title V, Section 7106(a)(D), states clearly that nothing "shall affect the authority of any management official of any agency to take whatever actions may be necessary to carry out the agency mission during emergencies."

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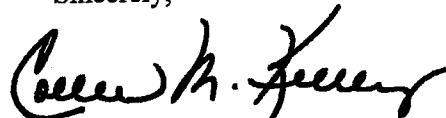
Rather than inhibit management, collective bargaining agreements set procedures for work assignments and duties that lead to stability in the workplace. Union rights result in trained, experienced, committed and efficient workers, and that is what it takes to make this nation safe.

Finally, unlike private sector workers, federal workers represented by a union have no right to strike, and any statement to the contrary is patently false. In fact, the statute creating TSA, P.L. 107-71 in Section 111, includes specific language: **(i) Limitation on Right to Strike.---an individual that screens passengers or property, or both, at an airport under this section may not participate in a strike, or assert the right to strike, against the person (including a governmental entity) employing such individual to perform such screening.**

Equity, security, and stability of the TSA workforce compel Congress to provide collective bargaining rights for the only major workforce at DHS denied these rights. Ending years of TSA employee turnover and turmoil will result from this important correction by Congress.

I urge you to enact S. 4 with full TSA employee collective bargaining rights. Please feel free to call Jean Hutter in the Legislation Department at 202-572-5524, with any questions you may have.

Sincerely,



Colleen M. Kelley
National President

cc: Jean Hutter