

TRANSPORTATION SECURITY ADMINISTRATION
GUIDELINES FOR CONDUCT-BASED DISCIPLINE FOR COMMON OFFENSES
(Table of Offenses and Penalties)

The Guidelines for Conduct-Based Discipline for Common Offenses -Table of Offenses and Penalties (TOP) are intended to provide guidance for determining appropriate corrective, disciplinary, or adverse actions for some common conduct-based offenses. These guidelines are intended to maximize management flexibility and are not a mandatory or rigid standard. This guidance does not serve as a substitute for supervisory/management judgment, nor control the advisement of the ER Specialist for determining appropriate penalties in individual cases. For assistance in distinguishing misconduct from poor performance, management officials should consult Section 6(I) of [TSA MD 1100.75-3, Addressing Unacceptable Performance and Conduct](#), and/or Employee Relations (ER)/ Human Capital (HC). If a determination is made that a matter is performance-based this document should not be consulted by management in determining appropriate action.



Stop here and instead **consult** appropriate guidance for performance matters. Guidance and requirements on addressing performance deficiencies, whether in progress reviews, performance evaluations, or Improvement Period Notices or Performance Improvement Plans, are provided in [TSA MD 1100.43-3, Employee Performance Management Program](#) (for non-bargaining unit employees), and [TSA MD 1100.43-4, Transportation Officer Performance System](#) (TOPS) and in Article 1 of the Collective Bargaining Agreement between TSA and the American Federation of Government Employees. Performance-based actions for TSES members will be taken in accordance with [TSA MD 1100.30-24, Transportation Security Executive Services Program](#), and the accompanying [Handbook](#). For additional guidance, contact the respective airport/office Human Resources Specialist (HRS) or the servicing HC Employee Relations Specialist.

These guidelines should be used in conjunction with [TSA MD 1100.75-3, Addressing Unacceptable Performance and Conduct](#), its related [Handbook](#), and all other applicable TSA policies. Additionally, Proposing and Deciding Officials should refer to the Penalty Factors (refer to the Handbook to TSA MD 1100.75-3, Section G) when considering adverse action against an employee. For all actions, officials should be prepared to demonstrate that the applicable mitigating and aggravating factors were considered. Not all Penalty Factors will be pertinent in every case. Contact the servicing HC Employee Relations Specialist or Professional Responsibility (PR) for additional assistance.

1. Management officials have the discretion to go outside the ranges listed in this guide if they determine that circumstances warrant. Although TSA policy favors progressive discipline, where appropriate, if the misconduct is egregious enough or is accompanied by sufficiently aggravating circumstances, progressive discipline may be inappropriate and Removal or other severe action would be warranted for a first offense. Consult your servicing HC Employee Relations Specialist or PR for additional assistance.
2. First Offense, Second Offense, etc. refers to the number of times an employee was previously disciplined for any misconduct and these columns should not be construed solely as the number of times an employee was previously disciplined for the same or similar misconduct. In keeping with the principles of progressive and constructive discipline, this TOP provides a higher range of penalties for subsequent incidents of misconduct. Of course, some misconduct is so egregious or is accompanied by such aggravating circumstances that progressive discipline is inappropriate and Removal or other severe action would be warranted for a first offense. Consult your servicing HC Employee Relations Specialist or PR for additional assistance.
3. Proposing and Deciding Officials always need to consider all applicable Penalty Factors in determining an appropriate and reasonable penalty. Such factors can determine whether a penalty

should be at the upper or lower end of the guideline range provided, or even outside the range when warranted. Selection of an appropriate penalty must involve a responsible balancing of the relevant factors in the individual case.

4. Examples of mitigating factors include: self-reporting; efforts to remedy wrongdoing; timely acknowledgment of wrongdoing; and long periods with no prior discipline. Examples of aggravating factors include: type of position (for example, supervisors and law enforcement officers are held to a higher standard); prior disciplinary record; prior warning/advisement not to commit misconduct; notoriety and impact on reputation of agency; public awareness; and failure to report. For additional guidance, including a complete list of all TSA Penalty Factors, See [TSA MD 1100.75-3, Addressing Unacceptable Performance and Conduct](#), and its related [Handbook](#).
5. Where indicated, certain offenses require Removal. Appendix A of [TSA Handbook 1100.75-3, Addressing Unacceptable Performance and Conduct](#), contains offenses for which TSOs must or may be removed on the first incident.
6. The language used in the “Nature of Offenses” column provides a general description of certain types of misconduct. The offenses listed below do not cover all possible offenses, but lists the most common types of misconduct. Offenses not covered in this guide can be separately identified and may become the basis of disciplinary action as long as there is a nexus between the misconduct and the efficiency of the service. The offenses listed should be considered as general categories of offenses and should not necessarily be used as the specific language for a charge. A non-exclusive list of possible charges for the offenses has been added to this document for guidance. Do not try to “force-fit” the misconduct into one of the listed offenses. The possible charges are only suggestions. The selection of a charge label should be made based on the specific facts of each matter. Consult your servicing HC Employee Relations Specialist for additional assistance.
7. For off-duty misconduct, there must be a nexus between the conduct and the TSA mission and/or effective operation of the agency. For certain offenses, nexus may be presumed (e.g., criminal activity or other egregious or especially notorious misconduct).
8. A demotion may always be considered as an option when the applicable penalty range includes Removal. Demotion may also be considered in appropriate circumstances when the applicable penalty range does not include Removal.
9. Senior officials and law enforcement officials are held to a higher standard of conduct.
10. Management officials may consider use of “Reprimand In Lieu of Suspension” in situations where a Suspension would not be practical, such as unexcused or excessive absences or based on operational need. See [TSA Handbook 1100.75-3, Addressing Unacceptable Performance and Conduct](#), Section A (27).

Except where mandated by policy, nothing precludes the Proposing and Deciding Officials from considering the adequacy and effectiveness of alternate discipline in lieu of traditional discipline identified in the table below; e.g., “in Lieu of Reprimands” and SMART, Abeyance and Last Chance Agreements. Consult the respective airport/office HRS or your servicing HC Employee Relations Specialist.

11. These guidelines do not apply to actions taken under [TSA MD 1100.31-1, Trial Periods](#), including terminating employees during their basic trial period.

12. These guidelines apply only to matters involving misconduct; they do not cover performance-based management actions or non-disciplinary Removal actions.
13. Some offenses may result in a denial or revocation of a security clearance. Such denial/revocation procedures are separate from corrective, disciplinary or adverse actions, and are not covered by these guidelines.
14. These guidelines apply to instances of misconduct occurring on or after October 11, 2018. For misconduct that occurred prior to this date, management officials should use the May 15, 2014 Table of Offenses and Penalties.

NOTE: A very minor, insignificant infraction may warrant oral counseling. It is recommended that such actions be memorialized/documentated by the supervisor.

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	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
A.	<u>Attendance and Leave</u>					
1	Unexcused Tardiness	Tardy; Unauthorized Absence from Duty	TSA MD 1100.63-1 <i>Absence and Leave</i> , Handbook Section B.2. and B.8. These are brief periods of unauthorized absence for which Absence Without Leave (AWOL) is not charged against pay, e.g., taking excessively long breaks, overdue return after absence from the worksite for official business. TSA MD 1100.73-5 , <i>Employee Responsibilities and Code of Conduct</i> , Handbook, Section BB.	Letter of Counseling (LOC) to Letter of Reprimand (LOR)	Letter of Reprimand (LOR) to 5-day Suspension	4-day Suspension to Removal
2	AWOL of one work day or less	AWOL: Unauthorized Absence from Duty	TSA MD 1100.63-1 Handbook Section L. Absences need not be consecutive. TSA MD 1100.73-5 Handbook Sect BB.	LOC to LOR	1 to 3-day Suspension	4-day Suspension to Removal
3	AWOL from more than one day to 5 workdays	AWOL; Unauthorized Absence from Duty	TSA MD 1100.63-1 Handbook Section L. TSA MD 1100.73-5 Handbook, Section BB.	LOR to 4-day Suspension	5-day to 14-day Suspension	14-day Suspension to Removal
4	AWOL for a period of more than 5 workdays	AWOL; Unauthorized Absence from Duty	TSA MD 1100.63-1 Handbook Section L. TSA MD 1100.73-5 Handbook, Section BB	7-day to 14-day Suspension	14-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
5	Failure to follow established leave procedures	Failure to Follow Leave Procedures	TSA MD 1100.63-1 Handbook Section B. When on leave restriction, more severe penalties may apply. TSA MD 1100.73-5 Handbook, Section BB.	LOC to 3-day Suspension	1-day to 10-day Suspension	11-day Suspension to Removal
6	Misuse of sick leave or other leave programs	Improper Use of Sick Leave; Abuse of Leave; Violation of Leave Policy; Failure to Follow Leave Procedures	TSA MD 1100.63-1 For example when management has a specific knowledge of leave abuse. TSA MD 1100.73-5, Handbook, Section BB.	LOR to 14 day Suspension	5-day Suspension to Removal	Removal
7	Excessive unscheduled absences	Excessive Absence; Failure to Maintain a Regular Work Schedule;	TSA MD 1100.63-1 May be the basis for discipline even if each of the individual absences is approved. TSA MD 1100.73-5 Handbook, Section BB.	LOR to 4-day Suspension	5-day Suspension to Removal	Removal
8	Failure to report for an overtime assignment	Failure to Report for Scheduled Overtime	TSA MD 1100.73-5, Section 5.D. (1) and (2) Includes both involuntary and voluntary overtime assignments.	LOC to 5-day Suspension	6-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
9	Failure to report for a shift trade	Failure to Report for Scheduled Shift Trade	TSA MD 1100.73-5 Section 5.D. (1) and (2) Reference CBA Article 5. C. as appropriate.	LOC to 5-day Suspension	6-day Suspension to Removal	
B.	<u>Inappropriate Comments or Conduct</u>					
1	Using offensive, demeaning, or degrading remarks, comments, statements, or taking actions based on another's race, color, religion, national origin, sex, age, disability, sexual orientation, parental status	Conduct Unbecoming; Unprofessional Conduct; Inappropriate Comments; Inappropriate Conduct; Discourteous Conduct; Off-duty Misconduct	TSA MD 1100.73-5 Handbook Sections I. and M. May occur either on or off-duty so long as there is a nexus with the employee's TSA employment; does not require a finding of unlawful discrimination.	LOR to 4-day Suspension	5-day Suspension to Removal	Removal
2	Acting or failing to act on an official matter in a manner which improperly takes into consideration an individual's membership in a protected group; taking retaliatory action against an individual for participating in the EEO complaint process, opposing discriminatory practices or behavior, engaging in whistleblower activity, or participating in any process	Unprofessional Conduct; Inappropriate Conduct; Discourteous Conduct; Disrespectful Conduct; Inappropriate Conduct Toward a Subordinate; Failure to Report Inappropriate Conduct	TSA MD 1100.73-5 Section 5.D.; TSA MD 1100.73-5 Handbook Section M. On or off-duty; e.g., in employment appraisal, advancement or treatment of employees (present and former) and applicants; does not require a finding of unlawful discrimination.	5-day Suspension to Removal	Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
	provided for in the Unitary Dispute Resolution System; failing to take appropriate action to prevent or curtail prohibited discrimination or harassment of a subordinate when the supervisory employee knew or should have known the conduct was discriminatory or attempting to dissuade employees from filing complaints					
3	Inappropriate and/or unwelcome verbal or physical conduct of a sexual nature	Misconduct of a Sexual Nature; Inappropriate Comments of a Sexual Nature; Conduct Unbecoming; Off-duty Misconduct	TSA MD 1100.73-3, <i>Anti-Harassment Program</i> TSA MD 1100.73-5 Handbook Section K.	LOR to 14-day Suspension *Reference	14-day Suspension to Removal	Removal
4	Taking, threatening to take, or implying that official action will be taken as a result of rejection or submission to a request for sexual favors	Abuse of Position; Misconduct of a Sexual Nature; Abuse of Supervisory Authority; Conduct Unbecoming	TSA MD 1100.73-3, <i>Anti-Harassment Program</i> TSA MD 1100.73-5 Handbook Section K.	14-day Suspension to Removal	Removal	Removal

*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
5	Using abusive, offensive, disrespectful, inflammatory or similarly inappropriate language, gestures, or conduct to or about other employees or members of the public	Inappropriate Comments; Discourteous Conduct; Conduct Unbecoming; Inappropriate Conduct; Failure to Exercise Courtesy in the Performance of Duties; Off-duty Misconduct	TSA MD 1100.73-5 Handbook, Section I. and M. TSA MD 1100.73-3 , <i>Anti-Harassment Program</i>	LOC to 5-day Suspension	5-day Suspension to Removal	Removal
6	Fighting, threatening, intimidating, attempting to inflict or inflicting bodily harm on another; harassing or provoking quarrel; engaging in horseplay; any violent, reckless or disorderly act, language, gestures, or conduct (*the use of Assault or Threat are Intent Charges)	Disorderly Conduct; Disruptive Conduct; Workplace Violence; Striking a Co-Worker; Striking a Passenger; Exercising Poor Judgment; Failure to Comply with Established Safety Procedures; Reckless Unprofessional Conduct	TSA MD 1100.73-5 Handbook, Section L. TSA MD 1100.73-3 , <i>Anti-Harassment Program</i> TSA MD 2800.12 , <i>Workplace Violence Prevention program</i>	5-day Suspension to Removal	Removal	Removal
C.	<u>Drugs and Alcohol</u>					
1	Unauthorized consumption of alcoholic beverages while on duty or on government-owned or leased property (including vehicles)	Misuse of Alcohol; Consuming Alcohol on Duty; Use of Alcohol in Violation of TSA Policy	TSA MD 1100.73-5 Handbook, Section O.	Removal (DOT Order 3910.1.D)	Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
2	Refusal/Interference with a TSA ordered drug or alcohol test, result or determination	Refusing to take drug test; Interfering with drug test; Failure to submit to drug test; Failure to successfully complete a drug or alcohol test with or without a valid medical explanation	TSA MD 1100.73-5 Handbook Section O. 2. (h)	Removal (DOT Order 3910.1.D)	Removal	Removal
3	Positive drug test, or admission of illegal drug use	Positive Drug Test; Use of Illegal Drugs; or Misuse of Drugs	TSA MD 1100.73-5 Handbook Section O. 2. Applies to on-duty and off-duty situations.	TSO Removal Required Non-TSOs: Removal with the opportunity for rehabilitation in accordance with DOT Order 3910.1.D and subject to a Last Chance Agreement (LCA).	Removal	Removal
4	Positive Alcohol test while on duty	Positive alcohol test	TSA MD 1100.73-5 Handbook Section O.2. For TSOs, a confirmed test is considered positive if the blood alcohol content is .02 or above, for non-TSOs, the blood alcohol content must be .04 or above. TSA MD 200.53, Motor Vehicle Fleet management TSA MD 1100.33-1, TSO	TSO Removal Required Non-TSOs: Removal with the opportunity for rehabilitation in accordance with DOT Order 3910.1.D and subject to a Last Chance Agreement (LCA).	Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
5	Violation of the duty to abstain from consuming or being under the influence of alcohol prior to performance of security-related functions	Violation of TSA Policy on Use of Alcohol Prior to Performance of Duties; Misuse of Alcohol	TSA MD 1100.73-5 Handbook Section O.2. (e). Law enforcement employees cannot consume alcohol for a minimum of ten (10) hours preceding duty. All other employees who occupy Testing Designated Positions (TDP) cannot consume alcohol for a minimum of eight (8) hours preceding performance of a security function TSA MD 1100.33-3 <i>Medical and/or Physical Requirements</i>	TSOs: Removal Non-TSOs: Removal with the opportunity for rehabilitation in accordance with DOT Order 3910.1.D and subject to a Last Chance Agreement (LCA).	Removal	Removal
6	Operating a Government owned or leased equipment or vehicle or rental, on or off-duty, or a privately owned vehicle, on duty, while under the influence of alcohol, drugs, or other intoxicants	Operating Government Vehicle While Under the Influence of Alcohol; Misuse of a Government Vehicle; Misuse of Alcohol; Operating a Vehicle On Duty While Under the Influence of Alcohol	TSA MD 1100.73-5 Handbook Section O.2. (g). Does not cover use of government blackberries, or cell-phones, or the like. TSA MD 200.53 , <i>Motor Vehicle Fleet Management</i>	Removal	Removal	Removal
7	Unauthorized possession, use, sale, manufacture, growth, transportation, or distribution of illegal drugs or controlled substances	Misuse of Drugs; Possessing, selling, distributing, manufacturing, growing or transporting illegal drugs or controlled substances	TSA MD 1100.73-5 Handbook Section O.2.	Removal DOT Order 3910.1.D For use, see C.3 above.	Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
8	Driving a privately owned vehicle, off duty, while intoxicated or under the influence of alcohol or legally prescribed drugs that impair the ability to drive, or other intoxicants	Driving Under the Influence; Driving While Intoxicated	TSA MD 1100.75-4 <i>Addressing DUI and DWI Offenses</i> Note: Second arrest for alcohol-related offense will result in Removal.	LEOs: 30-day Suspension to Removal TSOs: 7-day Suspension to Removal Other Employees: Consult with HC Employee Relations and the Chief Counsel for appropriate disciplinary action.	(Note) For LEOs and TSOs: If a positive drug or alcohol test result was previously reported, and the DUI/DWI is a second violation it will result in removal.	Removal
D.	<u>Failure/Refusal to Follow Instructions</u>					
1	Disrespectful conduct towards a supervisor or other management official	Unprofessional Conduct; Conduct Unbecoming; Inappropriate Conduct; Disrespectful Conduct; Failure to Exercise Courtesy toward a Supervisor	TSA MD 1100.73-5 Section 5.D. (3) Written, oral, or gesture; includes such behavior towards Team Leaders and acting supervisors/officials.	LOC to 3-day Suspension	LOR to 10-day Suspension	11-day Suspension to Removal
2	Failure to promptly and fully comply with directions, instructions, or assignments of a supervisor or other management official	Failure to Follow Instructions; Failure to Follow Orders	TSA MD 1100.73-5 , Section 5.D. (2) & (7)	LOC to 14-day Suspension	14-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
3	Insubordination (*Intent Charge)	Insubordination (Note: elements for this charge are (1) employee given lawful order; (2) he/she disobeys the order; (3) his/her action was willful and intentional)	TSA MD 1100.73-5 , Section 5.D. (2) & (7)	5-day Suspension to Removal *Reference	14-day Suspension to Removal	Removal
4	Failure to follow policies, procedures, practices, protocols, regulations or rules	Failure to Follow Procedures; Failure to Follow Instructions; Failure to Follow TSA Policy; Failure to Follow Regulation	TSA MD 1100.73-5 , Section 5.D. (2) & (7)	LOC to 14-day Suspension	14-day Suspension to Removal	Removal
*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.						
E.	<u>Falsification/Dishonesty/ Misstatement</u>					
1	Making misstatement or misrepresentation with the intent to mislead. Includes forgery, falsification and fraud; and Time and attendance Fraud (*Intent Charge)	Making a False Statement; Misrepresentation; Failure to Cooperate in an Investigation; Time and Attendance Fraud; Submitting Inaccurate Time & Attendance Records; Falsification of T&A	TSA MD 1100.73-5 Handbook to, Section F. and I. Includes providing false testimony, and knowingly making a false statement or accusation; for employees in positions with potential to testify in court, this violation often jeopardizes their ability to serve as federal witnesses (<i>Giglio</i> concerns); making an allegation or complaint that proves unfounded does not necessarily constitute a “knowing” false statement. Note: a misrepresentation charge must include a showing	30-day Suspension to Removal	Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1 st OFFENSE	2 nd OFFENSE	3 rd /SUBSEQUENT OFFENSES
			that the employee intended to personally gain from the misrepresentation. TSA MD 1100.73-5 Section 5.D. (7).			
2	Providing inaccurate information; Withholding relevant information; providing incomplete information; omitting relevant facts; Failure to be fully forthcoming	Providing inaccurate information; Withholding relevant information; Providing incomplete information; Omitting relevant facts; Failure to be fully forthcoming; Submitting Inaccurate Time & Attendance Records; Supplying Incorrect Information on Time and Attendance Records;	TSA MD 1100.73-5 Handbook Section F. Making a material statement that is less than candid, accurate, or complete; a misrepresentation or omission; this charge does not require proving intent to mislead; mitigation may not be available for LEOs due to <i>Giglio</i> concerns.	14-day Suspension to Removal	Removal	Removal
3	Unauthorized recording or monitoring of phone calls, conversations, meetings, electronic communications, etc.	Unauthorized recording; Unauthorized monitoring	TSA MD 1100.73-5 Handbook, Section H.	LOR to 14-day Suspension	14-day Suspension to Removal	Removal
F.	Inquiries and Investigations					

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
1	Failing or refusing to cooperate in connection with any official inquiry, investigation, or proceeding	Refusal to Cooperate in Agency Investigation; Failure to Cooperate in Agency Investigation	TSA MD 1100.73-5 Handbook Sections F.1., F.4., F.5. and F.6. for these include warnings that should be provided to employees.	LOR to Removal	14-day Suspension to Removal	Removal
2	Interfering with an official inquiry, investigation, or administrative or adjudicatory proceeding.	Interfering with an Agency Investigation; Failure to Follow Instruction	TSA MD 1100.73-5 . Section 5. D. 2. And Handbook Section F. Includes attempting to influence others involved in an investigation/inquiry, or releasing information regarding an official inquiry or proceeding when one knows or should know not to do so.	LOR to Removal	14-day Suspension to Removal	Removal
G.	<u>Integrity and Ethics</u>					
1	Accepting or soliciting a bribe; agreeing to accept or solicit a bribe	Accepting a bribe; Soliciting a bribe; Misuse of position	18 USC 201; 5 CFR 2635.202(c); TSA MD 1100.73-5, Section 5. D. 11	Removal	Removal	Removal
2	Failing to promptly report an offer of a bribe or attempted bribe	Failure to Report a Bribe; Failure to Report an Attempted Bribe; Inappropriate Conduct; Conduct Unbecoming	TSA MD 1100.73-5, Section 5.D.(9) Applies regardless of whether the employee was a party to the bribery.	14-day Suspension to Removal	Removal	Removal
3	Use of position or authority for other than official purposes	Misuse of Position; Abuse of Position; Inappropriate Conduct; Conduct Unbecoming	5 CFR 2635 Subpart G; TSA MD 1100.73-5 Handbook, Section 6. E and G. on or off-duty; includes;	5-day Suspension to Removal	Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
			TSA MD 1100.73-5, Section 5 D. (11)			
*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.						
6	Using government property, property under government custody, or the property of others, other than as authorized or for other than official purposes	Unauthorized use of Government Property; Unauthorized Use of Another's Property; Misuse of Government Property; Misuse of Government Computer	5 CFR 2635.704; TSA MD 1100.73-5 Handbook, Section B and D. Includes querying confidential or sensitive databases for other than official purposes or other than as authorized.	LOR to 14-day Suspension *Reference	14-day Suspension to Removal	Removal
7	Fraudulent or other intentional misuse of a Government charge card or travel card	Fraudulent Use of Government- Sponsored Credit Card; Misuse of Government Credit Card	5 CFR 2635.704, see also, 5 CFR 2635.701(a), 2635.702, and 5 CFR 2635.101(b)(7); TSA MD 1000.5, Section 6.B. Using a government-sponsored travel card other than for official travel, misuse of purchase card for private gain.	5 to 14-day Suspension *Reference	14-day Suspension to Removal	Removal
8	Improper or negligent use of a Government charge card or travel card	Improper Use of Government- Sponsored Credit Card	5 CFR 2635.704, see also, 5 CFR 2635.701(a), 2635.702, and 5 CFR 2635.101(b)(7); TSA MD 1000.5, Section 6.B. Using a government-sponsored travel card other than for official travel, misuse of purchase card for private	LOR to 5-day Suspension	3-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
			gain.			
9	Directly or indirectly soliciting a gift or accepting a gift, from a prohibited source	Accepting a Gift from a Prohibited Source; Soliciting a Gift from a Prohibited Source	5 CFR 2635 (Subpart B). TSA MD 1100.73-5 Handbook, Section Y. OLE 1112 , Section I.	LOR to 14-day Suspension *Reference	5 -day Suspension to Removal	Removal
	*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document					
10	Knowingly and inappropriately associating with individuals or groups known to be connected with criminal activities	Associating with a known criminal; associating with an illegal alien; inappropriate conduct	TSA MD 1100.73-5 Handbook, Section P.3. On or off-duty; includes social, romantic, sexual, financial (including acceptance of gifts), or business relationship.	14-day Suspension to Removal	Removal	Removal
11	Financial conflict of interest	Conflict of Interest; Misuse of Position; Conduct Unbecoming; Failure to Report Relationship	18 USC 208 ; 5 CFR 2635 (Subparts D and E).	LOR to 14-day Suspension *Reference	14-day Suspension to Removal	Removal
12	Creating the appearance of a financial conflict of interest or of violating the law or the ethical standards of conduct	Appearance of Conflict of Interest	5 CFR 2635.101(b)(14) , <i>see also</i> 5 CFR 2635 (Subparts D and E); 5 CFR 3101.	LOR to 14-day Suspension	14-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
13	Borrowing any money from a subordinate employee, securing a subordinate's endorsement on a loan, or otherwise having a subordinate assume the financial responsibility of a superior.	Borrowing Money from Subordinate; Misuse of Position; Securing a loan on a subordinate's endorsement	TSA MD 1100.73-5 Handbook, Section V.	LOC to Removal	5-day Suspension to Removal	Removal
*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.						
14	Direct or indirect solicitation, or acceptance, of a gift from a subordinate. (or from another employee who receives less U.S. Government pay, unless the employee is not the employee's subordinate and a personal relationship justifies the gift)	Inappropriate Conduct; Appearance of Impropriety; Misuse of Position; Failure to Follow TSA Policy; Failure to Follow Ethics Requirements	5 USC 7351, 5 CFR 2635.302	LOR to 14-Day Suspension *Reference	14-day Suspension to Removal	Removal
15	Soliciting for, or giving a gift or donation, to an official superior	Appearance of Impropriety; Misuse of Position: Failure to follow ethics requirements	5 CFR 2635.302	LOR to 7-day Suspension	8 to 14 day Suspension	14-day Suspension to Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
16	Knowingly working on a matter that will affect a person or organization with whom the employee has a covered relationship	Failure to Follow Ethics Requirements; Failure to Disclose; Misuse of Position	5 CFR 2635.502	14-day Suspension to Removal	Removal	Removal
17	Performing official duties that affect an entity with whom the employee is seeking employment	Failure to Follow Ethics Requirements; Failure to Disclose; Misuse of Position	5 CFR 2635 (Subpart F)	LOR to 14-day Suspension	14-day Suspension to Removal	Removal
*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.						
18	Engaging in prohibited outside employment	Conflict of Interest; Apparent Conflict of Interest; Failure to Follow Policy	8 USC 209; 5 CFR 2635 (Subpart H); TSA MD 1100.73-3 Handbook, Section Z. OLE 1112 , Section K	LOR to 14-day Suspension	Removal	Removal
19	Entering into an unauthorized procurement commitment or personal services contract	Inappropriate Conduct; Exercising Poor Judgment	5 CFR 2635.101(b)(6); TSA MD 1100.73-5 Handbook, Section C.	LOR to 14-day Suspension *Reference	14-day Suspension to Removal	Removal
20	Grassroots lobbying or unauthorized canvassing, soliciting, or peddling at TSA or DHS worksite or while on duty	Inappropriate Conduct; Failure to Follow Policy	TSA MD 1100.73-5 Handbook, Section T.	LOR to 1-day Suspension	2 to 14-day Suspension	14-day Suspension to Removal
21	Disclosure of proprietary or source selection information regarding a	Inappropriate conduct; Unauthorized Disclosure of Information	48 CFR parts 3, 14 and 15. TSA MD 1100.73-5 Handbook, Section B. (3).	LOR to 14-day Suspension	14-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
	procurement action					
*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.						
22	Failure to honor just debts or legal obligations in a timely manner Failure to pay travel card debts in a timely manner	Failure to Honor Financial Obligations; Failure to Timely Honor Debts	5 CFR 2635.809; TSA MD 1100.73-5 Handbook, Section D. (7) and W. TSA MD 1000.5 6. B. 2. (a) and Section 5.F.(4)and(10) (Includes untimely payment of government-sponsored travel card bills; this does not include conduct that results in a loss of travel card for employees for whom maintaining a card is a condition of employment; this is separate from any action that may be taken by Personnel Security.)	LOC to 14-day Suspension	LOR to 14-day Suspension	14-day Suspension to Removal
23	Conducting or participating in gambling activity while on duty or in uniform	Gambling on Duty; Gambling While in Uniform	41 CFR 102-74.395 TSA MD 1100.73-5 Handbook, Section U. Includes gambling on the Internet.	LOR to 5-day Suspension	3 to 14-day Suspension	14-day Suspension to Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
24	Criminal, infamous, immoral or notoriously disgraceful conduct. Conduct that results in a felony or misdemeanor conviction (or finding of not guilty by reason of insanity), guilty or no contest plea, or equivalent or similar legal result or action. The misconduct shall not be deemed “mitigated” by a plea arrangement, suspended sentence, parole in lieu of confinement, sentence limited to time served, probation or other modification of penalty attached to the conviction or associated with the crime.	Off-Duty Misconduct; Engaging in Criminal Misconduct; Conduct Unbecoming; Inappropriate Conduct	May be on or off-duty; includes misconduct that may be related to the mission of DHS, may include misconduct that receives adverse news media attention or concern by other governmental entities. Criminal misconduct under this provision may include behaviors addressed elsewhere in this Table, but if the conduct is addressed through criminal processes, use this offense TSA MD 1100.75-3 Handbook Appendix A.; see also TSA MD 1100.88-1 which notes the statutory requirement for Removal of a federal law enforcement officer convicted of a felony.	14-day Suspension to Removal	30-day Suspension to Removal	Removal
25	Inappropriate Relationships in the Workplace / Nepotism	Failure to Report a Relationship; Failure to Follow Policy	TSA MD 1100.73-5 Handbook, Section J. and CC.	LOR to 14-day Suspension	14 to 30-day Suspension	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
H.	<u>Neglect of, or Inattention to Duty</u>					
1	Improperly equipped and/or incognizant of information required for the proper performance of duty	Negligent Performance of Duties; Failure to Exercise Due Diligence in Performance of Duties; Failure to Follow Procedures	OLE 1112 , Section 9. E.3. TSA MD 1100.73-5 Section 5. D. (1)	LOC to 2-day Suspension	3 to 14-day Suspension	14-day Suspension to Removal
2	Interference with other employees in the performance of official duties	Inappropriate Conduct; Unprofessional Conduct; Misuse of Position	TSA MD 1100.73-5 Section 6. Includes deliberate as well as reckless or negligent conduct.	LOR to 10-day Suspension	7-day Suspension to Removal	11-day Suspension to Removal
3	Engaging in or encouraging a strike, work stoppage/slowdown, or sick out	Inappropriate Conduct; Engaging in a [strike, work stoppage, work slowdown, sick out]; Encouraging a	TSA MD 1100.73-5 Handbook, Section S.	Removal	Removal	Removal
4	Inattention to duty where there is no potential danger to life or property or potential loss of revenue	Inattention to Duty; Negligent Performance of Duties	TSA MD 1100.73-5 Section 6. OLE 1112 , Section 9. E. 1, 2, and 5	LOC to 5-day Suspension	LOR to 14-day Suspension	14-day Suspension to Removal
5	Inattention to duty, where there is a potential danger to human life, property, or revenue, or damage/injury/loss actually occurs	Inattention to Duty; Negligent Performance of Duty	TSA MD 1100.73-5 Section 6.B. OLE 1112 , Section 9. E. 1, 2, and 5	LOR to 13-day Suspension *Reference	14-day Suspension to Removal	Removal
*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.						

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
J.	<u>Property Misuse/Damage</u>					
1	Improper or negligent operation of government owned or leased property	Misuse of Government Property; Negligent Operation of Government Property; Unauthorized Use of Government Property; Failure to Follow Proper Procedures for Handling Government Property	TSA MD 1100.73-5 Handbook, Section D. Does not require willfulness or intent; includes automobiles, and other equipment.	LOR to 14-day Suspension	14-day Suspension to Removal	Removal
2	Damaging government property, equipment, records, etc.	Damaging Government Property; Losing Government Property; Misuse of Government Property; Failure to Follow Established Procedures	TSA MD 1100.73-5 Handbook, Section D. Penalty depends on value of property, extent of damage, and degree of fault.	LOR to 14-day Suspension *Reference	14-day Suspension to Removal	Removal
3	Unauthorized use or misuse of law enforcement equipment, resources	Misuse of Law Enforcement Equipment; Failure to Follow Procedures	TSA MD 1100.73-5 Handbook, Section D. Includes unauthorized use of government database(s) and electronic sensing devices; this charge carries a higher penalty than misuse of other government property as it could potentially jeopardize a law enforcement operation.	5-day Suspension to Removal	Removal	Removal

*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
4	Willful misuse of (or authorizing the misuse of) any government-owned or -leased passenger vehicle (including aircraft and seagoing vessel); authorizing the use of government vehicle for other than official purposes	Misuse of Government Vehicle; Use of a Government Vehicle for an Unauthorized Purpose; Authorizing Use of Government Vehicle for Unauthorized Purpose	31 USC 1349(b); TSA MD 1100.73-5 Handbook, Section D. (8); TSA MD200.53; TSA MD 200.59	30-day Suspension to Removal	Removal	Removal
5	Unauthorized personal use of government equipment (e.g., computers, software systems, fax machines, telephones, copiers)	Unauthorized Use of Government Property; Misuse of Government Property	TSA MD 1100.73-5 Handbook, Section D. Includes use that interferes with one's work or the work of others, excessive personal use of such equipment or systems, accessing or transmitting sexually explicit material.	LOR to 14-day Suspension	14-day Suspension to Removal	Removal
K.	<u>Reporting Responsibilities</u>					
1	Failure to promptly report one's own arrest, or other reportable contacts as defined in policy, to superiors and/or appropriate investigative office	Failure to Report Arrest; Failure to Timely Report Arrest Failure to report reportable contacts (for LEOs)	TSA MD 1100.73-5 Section 5.D. (8) Employees must report personal arrests to their immediate supervisor or to any manager in the chain of supervision within 24 hours of the arrest, or as soon as possible thereafter.	1 to 5-day Suspension	6-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
2	Concealing or failing to report missing, lost, or damaged government property or funds in the government's custody or care	Failure to Comply with Reporting Obligation; Failure to Report Lost Property	TSA MD 1100.73-5 , Handbook Section D. and E.	1 to 5-day Suspension	6 to 14-day Suspension	14-day Suspension to Removal
3	Failing to report an accident or injury to a person, including oneself, or damage to property, occurring on duty or arising from acts committed or occurring within the scope of employment	Failure to Report accident; injury; damage to property	TSA MD 1100.73-5 , Section 5. D. 9; and Handbook Section 11.E. (1)	LOC to 5-day Suspension	6 to 14-day Suspension	14-day Suspension to Removal
4	Failing to promptly report violations of TSA policies or procedures	Failure to Report	TSA MD 1100.73-5 Section 5.D. (9)	LOC to 5-day Suspension	LOR to 14-day Suspension	14-day Suspension to Removal
5	Failing to timely complete or submit required financial disclosure forms	Failing to Timely File Financial Disclosure or Other Related Forms	TSA MD 1100.73-5 Section 5.D. (12)	LOC to 14-day Suspension	5 to 14-day Suspension	14-day Suspension to Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
L.	<u>Safety/Security/Health</u>					
1	Failure to observe and/or enforce safety and health regulations, rules, signs, and instructions, or to perform duties in a safe manner; failure to wear protective clothing and equipment, including vehicle safety restraints	Failure to Practice or Enforce Safety Procedures; ; Failure to Perform Duties in a Safe Manner; Failure to Wear or Use Protective Equipment; Unsafe Use of Government Equipment	TSA MD 1100.73-5 Handbook, Section E.	LOC to 5-day Suspension	LOR to 14-day Suspension	14-day Suspension to Removal
2	Endangering the safety of, or causing injury to, any person through negligence or failure to follow instructions	Endangering the Safety of Another by Failure to Follow Instructions ; Engaging in Unsafe Practices; Unsafe Use of Government Equipment	TSA MD 1100.73-5 Handbook, Section E. Evidence of willfulness or recklessness are strong aggravating factors.	LOR to 5-day Suspension *Reference	14-day Suspension to Removal	14-day Suspension to Removal
3	Violation of local traffic laws of any state or political subdivision while operating a government-owned or leased vehicle	Violation of Traffic Laws While Operating a Government Vehicle	TSA MD 1100.73-5 , Section 5. D. 7 TSA MD 200.53 , Section 5.E. 1-4 Does not apply to authorized surveillance or other law enforcement	LOC to 14-day Suspension	LOR to 14-day Suspension	14-day Suspension to Removal
4	Violations of traffic regulations, or improper operation of a private vehicle on duty or on government controlled premises	Violation of Traffic Laws While Operating a Government Vehicle	TSA MD 1100.73-5 , Section 5. D. 7 Disciplinary action may be taken in addition to any applicable traffic fine or penalty.	LOC to 14-day Suspension	LOR to 14-day Suspension	14-day Suspension to Removal

*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
M.	<u>Screening and Security</u>					
1	Failure to follow Standard Operating Procedures	Failure to Follow Standard Operating Procedures; Failure to Follow Instructions	TSA MD 1100.73-5 , Section 5 and 6, TSA MD 1100.75-3 Handbook, Appendix A.	LOR to 4-day Suspension	5-day Suspension to Removal	14-day Suspension to Removal
2	Intentionally allowing persons or property to bypass required screening	Intentionally Allowing a Person to Bypass Required Screening; Intentionally Allowing Property to Bypass Required Screening; Failure to Follow Standard Operating Procedure; Intentional Failure to Follow Standard Operating Procedure	TSA MD 1100.73-5 , Section 5 and 6. TSA MD 1100.75-3 Handbook, Appendix A.	Removal	Removal	Removal
3	Knowingly operating equipment that is not working or not turned on	Failure to Follow Standard Operating Procedure; Knowingly Operating Equipment that is Not Working; Knowingly Operating Equipment that is Not Turned On	TSA MD 1100.73-5 , Section 5 and 6 TSA MD 1100.75-3 Handbook, Appendix A.	Removal	Removal	Removal
4	Failure to conduct an operational check at the start of a shift	Failure to Follow Standard Operating Procedure; Failure to conduct a required operational check; Failure to Exercise Due Diligence in the Performance of Duties; Negligent Performance of Duties	TSA MD 1100.73-5 , Section 5 and 6 TSA MD 1100.75-3 Handbook, Appendix A.	LOR to Removal TSO Removal Permitted	14-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
5	Sleeping while engaged in security duties	Sleeping on Duty; Inattention to Duty	TSA MD 1100.75-3 Handbook, Appendix A. Includes sleeping while on duty at a passenger security checkpoint, an exit lane or the baggage screening area; and FAMs traveling in mission status.	Non-TSO: 14-day Suspension to Removal TSO Removal Required	Removal	Removal
6	Engaging in conduct that undermines security or that could pose a threat or danger to the traveling public	Inappropriate Conduct; Failure to Follow Procedures; Engaging in Unsafe Work Practices; Negligent Performance of Duties	TSA MD 1100.73-5 Sections 5 and 6. TSA MD 1100.75-3 Handbook, Appendix A.	LOR to Removal	14-day Suspension to Removal	Removal
N.	<u>Unauthorized Taking/Possession</u>					
1	Unauthorized use, Removal, or possession of a thing of value belonging to another employee or private citizen, or conspiring with others to commit such acts	Unauthorized Possession; Unauthorized Use; Unauthorized Removal	TSA MD 1100.73-5 , Section 5.D.(11) and Section 6	LOR to Removal	14-day Suspension to Removal	Removal
2	Actual or attempted theft, or other unauthorized taking of funds or property owned or controlled by the Government; colluding with others to commit such acts	Unauthorized Possession; Unauthorized Taking; Attempted Unauthorized Possession	TSA MD 1100.73-5 , Section 5.D.(11) and Section 6. Conversion of seized property to personal use or sale may result in Removal for a first offense.	LOR to Removal	14-day Suspension to Removal	Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
3	Theft (*Intent Charge)	Theft	TSA MD 1100.75-3 , Section 5.D.(11) and Section 6 TSA MD 1100.75-3 Handbook, Appendix A.1.(e)	Removal TSO Removal Required	Removal	Removal
O.	<u>Weapons-Related</u>					
1	As required by applicable policy, Failure to report the discharge of a firearm or use of a weapon	Failure to Follow Policy; Failure to Report	OLE 3502 For all items in this Section, "weapon" refers to, but is not limited to, authorized firearms, batons, and chemical spray. TSA MD 3500.2 , <i>Use of Force and Firearms</i> , Section 6. F. 8	LOR to 7-day Suspension	8-day Suspension to Removal	14-day Suspension to Removal
2	When carrying a TSA-issued or authorized firearm, on or off duty- consuming alcohol or medication, prescribed and over the counter; which impairs judgment/ability to safely use and control a firearm	Misuse of Alcohol; Misuse of Drugs; Failure to comply with TSA Policy	TSA MD 1100.75-3 TSA MD 3500.2 , 6.G. OLE 3502 Use of Force and Weapons Manual	LOR to 14-day Suspension	14-day Suspension to Removal	Removal
3	Inappropriate storage, care, loss, or misplacement of a weapon or ammunition	Improper Handling of a Weapon; Failure to Follow Proper Safety Practices; Loss of TSA-Issued Firearm	OLE 3502 TSA MD 3500.2 , Section 6. G. Damage caused by carelessness may be an aggravating factor.	LOR to 14-day Suspension	14-day Suspension to Removal	30-day Suspension to Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
4	Inappropriate display of a weapon or ammunition	Failure to Follow Proper Safety Practices; Inappropriate Storage of a Weapon	OLE 3502 Includes inappropriate brandishing.	LOR to 14-day Suspension	14-day Suspension to Removal	30-day Suspension to Removal
5	Unauthorized or illegal possession of a weapon or ammunition	Unauthorized Possession of a Weapon; Unauthorized Possession of Ammunition	OLE 3502 TSA MD 3500.2 TSA MD 1100.73-5 Handbook, Section N.	LOR to Removal	14-day Suspension to Removal	30-day Suspension to Removal
6	Unnecessary discharge of a weapon	Misuse of Firearm; Failure to Follow Proper Safety Practices; Failure to Follow Proper Gun Handling Practices; Exercising Poor Judgment	OLE 3502	See (a) and (b) below:	See (a) and (b) below:	See (a) and (b) below:
(a)	Where there is apparent danger to human life:					
	(1) Intentional			Removal	Removal	Removal
	(2) Unintentional			7-day Suspension to Removal	14-day Suspension to Removal	Removal
(b)	Where there is no apparent danger to human life:					
	(1) Intentional			7-day Suspension to Removal	14-day Suspension to Removal	Removal
	(2) Unintentional			3 to 6-day Suspension	7 to 14-day Suspension	15-day Suspension to Removal

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
P.	<u>Safeguarding Personally Identifiable Information and Sensitive Security Information</u>		5 U.S.C. § 552a; Office of Management and Budget Memorandum M-17-12, Safeguarding Against and Responding to the Breach of Personally Identifiable Information			
1	Careless and/or negligent handling of Personally Identifiable Information (PII), or other materials covered by the Privacy Act	Improper Handling of Government Documents [Information]; Failure to Secure Government Information; Failure to Safeguard Government Information	TSA MD 3700.4 <i>Handling Sensitive Personally Identifiable Information</i> TSA MD 1100.73-5 Section 5. D. (5), and Handbook Section B.	LOC to 7-day Suspension *Reference	LOR to 14-day Suspension	14-day Suspension to Removal
2	Unauthorized disclosure of PII or other materials covered by the Privacy Act	Unauthorized Disclosure of Information	TSA MD 3700.4 TSA MD 1100.73-5 Section 5. D. (5), and Handbook Section B.	LOC to 7-day Suspension *Reference	LOR to 14-day Suspension	14-day Suspension to Removal

*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.

	NATURE OF OFFENSES	POSSIBLE CHARGES	REFERENCES/ EXPLANATORY NOTES	1st OFFENSE	2nd OFFENSE	3rd/SUBSEQUENT OFFENSES
3	Unauthorized access or providing unauthorized access to Sensitive Security Information (SSI), PII or other materials, websites, or databases covered by the Privacy Act or containing sensitive information	Accessing unauthorized information: providing access to unauthorized information	TSA MD 2810.1 , SSI Program. TSA MD 3700.4 DHS MD 11056.1 , Sensitive Security Information; TSA MD 1100.73-5 , Section 5. D. (5), and Handbook Section B.	LOC to 7-day Suspension TSO Removal Permitted *Reference	LOR to 14-day Suspension	14-day Suspension to Removal
4	Careless or negligent handling of information, documents, records, or other material that is SSI.	Improper Handling of Sensitive Information; Failure to Safeguard Government Information	DHS MD 11056.1 , Sensitive Security Information; TSA MD 2810.1 , SSI Program. TSA MD 1100.73-5 Section 5. D. (5), and Handbook Section B.	LOC to 7-day Suspension TSO Removal Permitted *Reference	LOR to 14-day Suspension	14-day Suspension to Removal
5	Unauthorized disclosure of information, documents, records, or other material that is SSI	Unauthorized Disclosure; Improper Handling of Government Information; Failure to Safeguard Government Information	DHS MD 11056.1 TSA MD 2810.1 ; TSA MD 1100.73-5 , Section 5. D. (5), and Handbook Section B.	LOC to 7-day Suspension TSO Removal Permitted *Reference	LOR to 14-day Suspension	14 day Suspension to Removal

*Reference - for additional information on using the first offense range, please see numbered paragraphs 1 and 2 at the beginning of this document.

R. **APPROVAL AND EFFECTIVE DATE:** This document is approved and effective the date of signature, unless otherwise specified.

APPROVAL

Signed

October 1, 2018

Karen Shelton Waters
Assistant Administrator for
Human Capital

Date

EFFECTIVE

October 11, 2018

Date

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