



To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

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 the Federal Aviation Administration (FAA) orders, policies, guidance, and bulletins regarding Seasonal Employment issued under the FAA Personnel Management System. This directive is TSA policy and must be applied accordingly.

1. **PURPOSE:** This directive provides TSA policy and procedures for using seasonal employment during annually recurring peak workload demands. Use of seasonal employment allows TSA to develop a cadre of experienced employees to perform work which recurs during an identified period(s) of the year.
2. **SCOPE:** This directive applies to Transportation Security Representatives (TSRs), SV 1802, C band. These positions were created as part of the *TSA Seasonal Employment Pilot Program*. Initially, the TSR position will be assigned to one pilot airport - Ted Stevens Anchorage International Airport (ANC), Anchorage, Alaska. Additional airports may be added to the pilot program with the approval of the Office of Security Operations (OSO) and the Office of Human Capital (OHC).

NOTE: The TSR position was established to support TSA operations at airports or other transportation terminals. Even though the TSR position is not permitted to perform passenger and/or baggage screening for which certification is required and is not part of the Transportation Security Officer (TSO) workforce, the duties that TSRs perform generally require that their work schedules coincide with those of TSOs. Metrics gathered during the pilot will be used by TSA to determine whether to continue, expand, or discontinue the use of seasonal employment.

3. **AUTHORITIES:** Aviation and Transportation Security Act, Public Law 107-71 (ATSA), November 19, 2001.
4. **DEFINITIONS:**
 - A. **Administrative Workweek:** Any period of seven consecutive days designated by the Assistant Secretary, or an appropriate designee, in advance of the start of the workweek. Generally, the administrative workweek begins on Sunday and ends on Saturday.
 - B. **Basic Workweek for Full-Time Employees:** A 40-hour workweek that does not extend over more than six of any seven consecutive days.
 - C. **Basic Workweek for Part-Time (PT) Employees:** A work schedule between 16 and 32 hours per week that does not extend beyond six consecutive days. For PT Transportations Security Officers (TSOs), hired after April 2, 2007, work schedules consisting of between 16 and 25 hours per week.
 - D. **Entry On Duty (EOD):** The date an individual begins employment with TSA.

- E. Full-Time (FT) Employment: A work schedule of 80 hours per pay period.
- F. Part-Time (PT) Employment: A work schedule of between 16 and 32 hours per week. PT work schedules, for TSOs hired after April 2, 2007, have been established at 16-25 hours per week. PT work schedules for seasonal TSRs will also be established at 16-25 hours per week.
- G. Premium Pay: Compensation in the form of overtime, compensatory time off in lieu of overtime, holiday pay, night pay differential, split-shift differential, and Sunday pay.
- H. Regularly Scheduled Administrative Workweek: For FT employees, the established period within an administrative workweek, during which the employee is regularly scheduled to work. For PT employees, the officially prescribed days and hours within the administrative workweek during which the employee is regularly scheduled
- I. Seasonal Employment: A permanent appointment to a position with an annual duty/pay status of limited duration based on recurring periods of peak workload (less than 12 months and 2080 hours per year). Seasonal employees are placed in a nonduty/nonpay status when the peak workload is over and recalled to duty during established peak workloads in accordance with the pre-established conditions of employment and based on several factors, including operational need, performance, and seniority.
- J. Split Shift: Any two shifts, lasting at least two hours each, in one 24-hour period, with a break of at least two hours between shifts. One approved exception includes additional shifts needed to support morning, midday, and afternoon or evening operations.

5. RESPONSIBILITIES:

- A. OHC is responsible for:
 - (1) Reviewing requests for and approving positions as eligible for seasonal employment. Along with OSO, OHC will determine if additional airports should be added to the *Seasonal Employment Pilot Program*.
 - (2) Providing guidance pertaining to employment, hours of work, hiring and staffing of positions, compensation, and benefits.
 - (3) Approving and implementing any incentives that may be authorized for seasonal employees (see [TSA MD 1100.57-3, Recruitment, Relocation, and Retention Incentives](#)).
- B. The Office of Finance and Administration (OFA) is responsible for ensuring that financial resources are available to provide for compensation, benefits, and incentives offered to seasonal employees.
- C. OSO is responsible for:
 - (1) Providing oversight of their position allocations to ensure that airports are operating within authorized staffing levels. Along with OHC, OSO will determine if additional airports should be added to the *Seasonal Employment Pilot Program*.

- (2) Ensuring that the use of seasonal employment falls within the parameters of this directive and for developing a management plan to carry out the requirements of this directive.
- D. Area Directors and Federal Security Directors are responsible for compliance with this directive, including, but not limited to:
- (1) Managing the position allocations for the airports.
 - (2) Ensuring fair and open competition for seasonal employment positions.
 - (3) Managing the advanced scheduling of seasonal employees to ensure appropriate coverage for the airports (or other field locations).
 - (4) Controlling overtime and other premium pay expenditures during peak travel periods.
 - (5) Ensuring that security requirements are completed for all seasonal appointments.
- E. Local Human Resources (HR) Specialists, or other designated staff members, are responsible for:
- (1) Correctly inputting the hours and seasons to be worked by seasonal employees.
 - (2) Submitting appropriate Requests for Personnel Actions (SF-52s) to *TSA HR Services* prior to the planned effective dates of the changes when seasonal employees' work schedules change during the season or end for the season. SF-52s should also be promptly submitted when seasonal employees are removed from TSA rolls when they resign or for other reasons such as performance and conduct (including failure to report for duty at the beginning of subsequent seasons) that are processed in accordance with [TSA MD 1100.31-1, *Trial Periods*](#), or [TSA MD 1100.73-5, *Employee Responsibilities and Conduct*](#).

6. POLICY:

- A. Seasonal employment may be used to fulfill operational needs during periods of annually recurring peak workload demands and may be comprised of FT and/or PT employment.
- B. TSA will provide optimum flexibility for operational purposes and provide consideration for employees' work life situations such as child care, elder care, and education, to the extent possible, when hiring and scheduling seasonal employees. However, TSA's mission requirements are the primary determining factor in establishing employee work schedules.
- C. Employees in seasonal positions will be in a duty/pay status for less than 12 months and 2080 hours per year. TSA seasonal employment will generally last no longer than eight months per year. If recurring workload demands call for more than eight months in a duty/pay status, managers should explore more appropriate options to meet the workload demands, such as non-seasonal work or temporary appointments.

- D. Seasonal appointments must include at least one period of nonduty/nonpay status (generally four months or more) each calendar year.
- E. Seasonal employees are subject to release and recall based on their identified season. They may be recalled outside their identified season to fulfill training requirements, or to meet operational needs. Personal needs of employees should be considered by FSDs or designees when recalling employees outside their identified season. Seasonal employees are subject to release and recall prior to the end of their established minimum period specified in Section 2 of [TSA Form 1192, *Seasonal Employment Agreement*](#).
- F. Seasonal employees are required to serve trial periods in accordance with [TSA MD 1100.31-1, *Trial Periods*](#). Generally, seasonal employees will have to serve 2-year trial periods; preference eligible employees are required to serve 1-year trial periods. A maximum of 44 days (22 days if serving 1-year trial periods) in a nonpay status are creditable toward completion of the trial periods. Current federal employees who have already completed trial periods at other Federal agencies will not be required to complete trial periods at TSA.
- G. Seasonal employees earn service credit for retirement, retention, and leave accrual for time in a pay status and for up to a maximum of six months in a nonduty/nonpay status.
- H. TSA will not use seasonal appointments as a means to avoid staffing positions under other types of appointments.
- I. TSA will not use seasonal employment if it will impact an airport's ability to accommodate injured workers through limited duty and/or light duty assignments.
- J. Seasonal employees must successfully fulfill and maintain all required conditions for TSA employment, including background, security, and qualifications requirements; must possess a minimum of a high school diploma or equivalent; and, must successfully complete any required training (including refresher training) necessary for the work to be performed.
- K. Seasonal employees will not receive special entitlement for assignment to other temporary or permanent TSA positions; however, they may apply for any advertised TSA positions. Seasonal employees will not be detailed or temporarily assigned/promoted to other TSA positions.
- L. Seasonal employees are eligible for leave accrual and most other employment benefits based on the projected length of their pay/duty status period, work schedule (FT or PT) and hours worked (see Section 7F).
- M. While in a non-pay status, seasonal employees may accept other employment, Federal or non-Federal, in accordance with [TSA MD 1100.30-11, *Dual Employment*](#).

7. PROCEDURES:

A. Factors that May Indicate a Need for Seasonal Employment:

- (1) Peak workload demands which recur on a cyclical basis where minimum and maximum periods of employment can be determined;
- (2) Work has specific start and stop dates with periodic release and recall; and,
- (3) Conditions of employment and training are such that seasonal employment is best suited to the work and will not cause undue costs to TSA.

B. Establishing Seasonal Positions: Managers must submit written communications, through the chain of command, to the Assistant Administrator for Human Capital requesting approval of seasonal employment, and identifying:

- (1) The reasons underlying the need for seasonal employment and the number of positions to be filled seasonally;
- (2) The length of the proposed seasons (minimum and maximum period the employees can expect to work); and,
- (3) Benefits to be accrued if seasonal employment is approved.

C. Appointment Type: Seasonal positions are filled by permanent appointment using appropriate TSA hiring procedures and authority codes.

D. Work Schedules: Seasonal employees may work FT or PT work schedules, including split shifts. Their work schedules may be changed at any time through a modification of [TSA Form 1192, Seasonal Employment Agreement](#) and documented on a Notification of Personnel Action, SF-50. For further information concerning work schedules at TSA, see [TSA MD 1100.30-7, Part-Time Employment Including TSO Work Schedule Optimization](#), or [TSA MD 1100.61-3, Shift Work at the Transportation Security Administration](#).

NOTE: The length of seasons for employees will be determined based on the availability of work assigned, satisfactory performance, seniority (number of seasons worked), operational needs, and employee needs and preferences when possible.

- (1) [TSA Form 1192, Seasonal Employment Agreement](#), must be executed outlining the conditions for seasonal employment before an employee enters on duty. The Agreement must inform the employee that they will be subject to periodic release and recall, the basis on which release and recall procedures will be effected, the minimum and maximum period the employee can expect to work, and the benefits the employee will be entitled to while in a nonduty/nonpay status
- (2) Release from Pay/Duty Status and Recall from Nonpay/Nonduty Status: Procedures must be uniformly applied.

NOTE: Employees may not grieve seasonal release and recall.

(a) Releasing Seasonal Employees from Pay/Duty Status

- (i) When releasing employee(s) on the date shown on employment agreement: No special procedures required.
- (ii) When the release is prior to the date shown on the employment agreement: Volunteers will be selected first.
- (iii) Where there are insufficient volunteers for releasing employees prior to the date on the employment agreement: EOD dates will be used as a basis for release. This means that the last seasonal employee hired with TSA will be the first seasonal employee released to a nonpay/nonduty status.
- (iv) When the release is after date shown on employment agreement: EOD dates will be used as a basis for retention. This means that the first seasonal employee hired with TSA will be given the first priority for retention.
- (v) To break a tie in EOD dates: Use last 4 digits of employees' Social Security Numbers (highest and sequentially to lowest number out in descending order) or similar procedure that can be defended by the FSD, as required.
- (vi) Maintain the Release and Recall List following the above procedures and list release dates from first to last.

(b) Recalling Seasonal Employees from Nonpay/Nonduty Status:

- (i) Use the Release and Recall List developed under Section 7D(2)(a).
- (ii) Recall sequentially (last released, first recalled).

(c) Nature of Action and Authority Codes:

- (i) Release to nonpay/nonduty status: Employees are placed in a nonduty/nonpay status by processing Nature of Action Code (NOAC) 430. Nature of Action (NOA) is "Placement in a Nonpay Status." Use standard authority code.
- (ii) Recall: Employees are recalled to duty from nonduty/nonpay status, process NOAC 280 and NOA "Placement in Pay Status." Use standard authority code.

E. Compensation:

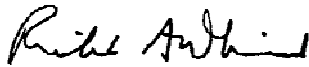
- (1) Generally seasonal employees will be paid at the minimum of the pay band appropriate to the work they are hired to perform. Pay may be set above the minimum of the band with written justification from the hiring office and OHC (Management Services and Consultation) approval.

- (2) Seasonal employees may be entitled to premium pay depending on their regularly scheduled administrative workweek. For further information concerning premium pay, see [TSA MD 1100.55-5, *Premium Pay for Exempt Employees*](#) or [TSA MD 1100.55-7, *Premium Pay for Nonexempt Employees*](#).
 - (3) In-position increases (see [HCM 531-2, *Policy on Pay Setting for Promotions and In-Position Increases*](#)) may be considered by FSDs at the start of seasonal employees' subsequent seasons, subject to requirements of the referenced HCM.
- F. Benefits:
- (1) Retirement: Generally eligible for coverage.
 - (2) Federal Employees' Health Benefits and Life Insurance: Eligible for coverage if regularly scheduled and work period is expected to last at least six months per year.
 - (3) Leave: Eligible to accrue annual leave and sick leave while in a pay status.
- G. Effect of Nonpay Status: See [TSA MD 1100.63-1, *Absence and Leave Handbook, Appendix B*](#) for information on the effect on nonpay status on service credit and other benefits.
- H. Performance and Conduct: Seasonal employees will be issued a performance agreement and must maintain a satisfactory level of performance to be eligible for retention and recall. (see [TSA MD 1100.43-2, *Performance Management System*](#)) Seasonal employees must adhere to the same standards of conduct as all other TSA employees ([TSA MD 1100.73-5, *Employee Responsibilities and Conduct*](#)).
- I. Awards and Recognition: Seasonal employees may be recognized for their performance and contributions to TSA. (see [TSA MD 1100.45-1, *Awards and Recognition*](#))
- J. Involuntary Workforce Reduction: Seasonal employees are placed in a separate occupational group from employees on other types of appointments and work schedules and have potential retention rights only over other seasonal employees/positions. The normal release/recall procedures associated with seasonal employment are not considered an involuntary workforce reduction.
- K. Unemployment Compensation: Depending on individual State laws, a seasonal employee may be eligible for unemployment compensation while in a nonpay status.
- L. Uniforms and Appearance: Seasonal employees may be issued uniforms and are expected to follow appearance policies established for them by TSA. See [TSA MD 1100.73-5, *Employee Responsibilities and Conduct*](#), and, if applicable, supplemental TSA guidance that may be issued to seasonal employees. Any uniforms and accessories issued to seasonal employees will be returned to TSA hiring officials or designees at the close of employees' last shifts at the end of each season and will be reissued if seasonal employees return the following season.
- M. Record Keeping: The original of the fully executed [TSA Form 1192, *Seasonal Employment Agreement*](#), should be maintained locally in a secure location that may only be accessed by

individuals with a need to know. A copy of the fully executed agreement should be furnished to the employee for his/her records. Release/recall lists will also be maintained locally in a secure location. All documents may be requested at any time by TSA officials with a documented need to know.

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

APPROVAL



3-19-08

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Date

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Distribution: Assistant Secretary, Deputy Assistant Secretary, Assistant Administrators, Area Directors, Senior Field Executives, Federal Security Directors, Administrative Officers, and TSA affiliated HR Offices

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