Overview:
- Supervisors and/or managers should use this Guide to determine if an employee engaged in misconduct or demonstrated a performance deficiency.
- Making this determination can be challenging, and it is important to make an accurate determination because instances of misconduct and unacceptable performance are addressed by different standards.
- Consult with the servicing HC Employee Relations Specialist for your region or office as soon as you detect problems with an employee's performance or conduct in order to obtain advice and guidance on the best course of action.

Definitions:
- Performance Deficiency: the failure of an employee to perform at an acceptable level.
  - Performance issues occur when the employee acting in good faith and with reasonable care fails to perform at an acceptable level as designated by his/her management.
  - Employees usually do not consciously decide to perform unacceptably, and nearly all employees strive to perform well.
  - The performance deficiency **must** specifically relate to an individual performance goal, core competency, and/or associated performance standard(s) in the employee's performance plan.
- Misconduct: a violation of a workplace policy, rule or standard of conduct.
  - Misconduct occurs through an employee's behavior that is either done willfully or done with a disregard for the consequences of this behavior; and is generally a conscious act by an employee. For example, an employee elects to engage in misconduct and has the wherewithal to refrain from such behavior.

Use the table below to help decide whether the behavior in question is a result of poor performance or misconduct.

Performance ("Can't do")	Conduct ("Won't do")
Typically involves an inability to perform critical elements of the job at the minimally successful level.	Typically involves breaking a known workplace rule, regulation or standard of conduct.
Examples include: ☐ Quality of work being minimally successful or unsatisfactory ☐ Being late with assignments ☐ Work not being completed in a timely manner ☐ Poor customer service knowledge and skills ☐ Poor organizational skills ☐ Incomplete work ☐ Missing an important project deadline	Examples include: ☐ Misuse of government equipment, vehicle, charge card, etc. ☐ Time and leave abuse ☐ Tardiness, absenteeism ☐ Unauthorized delay in returning from lunch or break periods ☐ Travel Voucher fraud ☐ Misuse of a computer including pornography ☐ Damaging government property ☐ Sexual harassment ☐ Working under the influence of alcohol or drugs ☐ Improper or unauthorized release of sensitive information ☐ Boisterous or disruptive/disorderly conduct or use of insulting, intimidating or abusive language.

	☐ Deliberately making false statements about others. ☐ Failure to comply with safety standards ☐ Failure or delay in carrying out instructions ☐ Refusal to follow a direct order ☐ Falsification of government records or documents ☐ Gambling while on duty ☐ Theft ☐ Dress code violations NOTE: this is not an all-inclusive list. It is derived from the Guidelines for Conduct-Based Discipline for Common Offenses, dated October 11, 2018.Use in conjunction with TSA MD 1100.75-3, *Addressing Unacceptable Performance and Conduct* and its related *Handbook*, and all other applicable TSA policies.

Security Officer Workforce:

- The following are examples of remedial/coaching activities for performance related matters specific to the Security Officer Workforce (not an all-inclusive list):

  Error made while performing screening duties including, but not limited to:
    - ☐ X-Ray/On-Screen Alarm Resolution Protocol (OSARP)
    - ☐ Ticket Document Checking (TDC)
    - ☐ Walk Through Metal Detector (WTMD)
    - ☐ Advanced Imaging Technology (AIT)
    - ☐ Pat Down
    - ☐ Checkpoint Bag Search
    - ☐ Alarm Resolution
    - ☐ Exit Lane/Known Crew Member (KCM)

  Recommended Remediation Activities:
    - ☐ Read applicable sections of the Standard Operating Procedures (SOP)
    - ☐ STSO/LTSO or Subject Matter Expert (SME) discussion including best practices
    - ☐ Shadowed by STSO/LTSO or SME **for a minimum of 2 thirty-minute rotations**
    - ☐ For Pat Down add:
        - o One or more, as needed, successful practical demonstration(s) on another Officer evaluated by the STSO/LTSO or SME
        - o Shadowed by an STSO/LTSO or SME **for a minimum of 3 Pat Downs**
    - ☐ For Checked Baggage add:
        - o Shadowed by an STSO/LTSO or SME **for a minimum of 3 Bag Searches**

- Document these activities in the Officer's OLC record.