



Transportation Security Administration

US DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION

HUMAN CAPITAL MANAGEMENT POLICY

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 document, and all related Handbooks, Attachments, and Appendices, establish Transportation Security Administration (TSA) policy and supersedes Federal Aviation Administration (FAA) orders, policies, guidance, and bulletins regarding light duty issued under the FAA Personnel Management System. This is TSA policy and must be applied accordingly.

HCM POLICY NO. 820-2

DATE: January 15, 2009

SUBJECT: Light Duty

1. **PURPOSE:** This HCM Policy establishes TSA policy and procedures for light duty assignments. Further, this HCM Policy cancels and supersedes OD-400-30-6, *Light Duty Assignments for Screeners*.
2. **SCOPE:** This HCM Policy covers all TSA employees in all organizational elements.
3. **AUTHORITIES:** The Aviation and Transportation Security Act, Pub. L. 107-71 (ATSA), November 19, 2001.
4. **DEFINITIONS:**
 - A. Light Duty: Temporary adjustment or modification to the essential job functions that may be offered to employees who have temporary injuries or medical conditions that did not occur on the job.
 - B. Limited Duty: Temporary adjustment or modification to the essential job functions that may be offered to employees to address temporary medical restrictions for injuries or illnesses that occur on the job and are therefore considered work-related when a CA-1, *Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation*, has been filed and not denied by the Office of Workers' Compensation Programs (OWCP) or a CA-2, *Notice of Occupational Disease and Claim for Compensation*, has been filed and approved by OWCP.
 - C. Management Officials: Any TSA employee who is a higher-level official in the employee's chain of supervision such as a supervisor or manager (e.g., Office Director, (OD), Assistant Administrator (AA), Federal Security Director (FSD), Special Agent In-Charge, etc).

- D. Long-term Restrictions: Medical restrictions for injuries or illnesses that prevent an employee from ever returning to full duty, or returning to full duty in the foreseeable future.

5. RESPONSIBILITIES:

- A. Office of Human Capital (OHC) is responsible for providing management officials with advice, guidance and support with regard to matters covered by this HCM Policy.
- B. Management Officials are responsible for:
- (1) Ensuring that employees under their supervision are aware of and adhere to the guidance set forth herein;
 - (2) Determining the light duty work assignments in their office based on operational needs, space limitations, and staffing requirements. The number and nature of light duty assignments may fluctuate in response to changes in these areas; and
 - (3) Provide light duty assignments when applicable.

NOTE: Management officials may change or cancel light duty assignments due to changing operational needs, space limitations, and staffing requirements or because of changes to the employee's physical or medical limitations, in accordance with the procedures described in this HCM Policy. Light duty assignments are based on the availability of work as outlined herein.

- C. Employees are responsible for:
- (1) Notifying management officials immediately of any and all injuries/illnesses that impact the his or her ability to perform all work-related duties and functions;
 - (2) Requesting a light duty assignment when necessary; and
 - (3) Submitting updated medical documentation after every medical appointment or when requested by management officials in connection with a light duty assignment or light duty request.

6. POLICY:

- A. TSA will offer light duty assignments to employees who have temporary injuries or medical conditions **that did not occur on the job** as long as work is available as outlined in this HCM Policy and the light duty assignments do not impact operational needs of TSA.
- B. Light duty assignments are temporary in nature.
- C. Light duty assignments may not exceed the amount of time supported by the medical documentation and may not exceed more than 45 days, regardless of the medical documentation, unless extended as described in Section 7, Procedures.

- D. Light duty assignments must be limited to duties that the employee is able to perform within his or her physical or medical limitations.
- E. An employee in a covered law-enforcement position will continue to receive Law Enforcement Availability Pay (LEAP) and special retirement coverage during periods of Light Duty. Depending on the duration of a light duty assignment and the covered employee's ability to be available and/or to perform unscheduled light duty assignments, adverse action procedures may be invoked to discontinue LEAP. In the event that an employee is no longer medically qualified to serve in a covered law-enforcement position, the employee shall be notified of a movement to a non-covered position, and consequently, he/she may lose LEAP and special law enforcement coverage.
- F. TSA will attempt to provide light duty assignments based on the employee's current employment status as full or part-time; however, assignments may be offered for less than an employee's current hours and include various shift assignments depending upon operational needs, space limitations, and staffing requirements, and the medical limitations of the employee.
- G. A new light duty assignment must not be extended once long-term restrictions are identified and supported by the medical documentation. Consult OHC for additional guidance.

NOTE: Requests for modification of job functions or workplace adjustments based on long-term impairment are not covered by this HCM Policy.
- H. An employee placed on a temporary light duty assignment may not return to full duty until he or she submits updated acceptable medical documentation clearing him/her to return to full duty.

7. PROCEDURES:

A. Requesting Light Duty Assignments:

- (1) The employee must complete [TSA Form 1160-4, Light Duty Assignment Request and Offer](#), and submit the completed form to his or her supervisor along with acceptable medical documentation from the employee's physician or health care provider, which includes detailed the physical/medical limitations that prevent the employee from carrying out essential job functions and an expected duration of the limitations.
- (2) The affected employee's supervisor shall submit [TSA Form 1160-4](#) to the next higher-level management officials for approval.

B. Medical Documentation:

- (1) Medical documentation must be submitted to the employee's supervisor after each medical appointment or as requested by management officials in connection with light duty assignment or related request.
- (2) Management officials will evaluate the medical documentation and may request additional information from the employee, if necessary.

- (3) Management officials shall ensure that all documentation given to them by the employee (including the request for light duty assignment, clearances to return to duty, or statements that an employee can no longer perform the essential job functions) is maintained in a locked file cabinet. Access to these files is on a need-to-know basis. Employees temporarily assigned to administrative work functions must not have access to these files.
- (4) Management officials shall consult and coordinate with the local Human Resources specialist regarding questions on medical documentation and/or physical limitations provided by the employee.
- (5) When the employee submits new medical documentation detailing the physical/medical limitations and expected duration of these limitations, management officials must follow the procedures in Section 7B until the employee returns to full duty, unless long-term restrictions are imposed by a medical doctor, or no additional extensions are available under Section 7D.

C. Approving Light Duty Assignments:

- (1) Management officials shall consider the following factors before offering a light duty assignment:
 - (a) Approved OWCP limited duty assignments take precedence over light duty assignments. This means that if there are employees with work-related limitations who can perform the functions of an assignment, that assignment must go to the limited duty eligible employee;
 - (b) The nature, extent, and expected duration of the employee's physical/medical limitations. A light duty assignment must comply with the employee's physical/medical limitations as detailed in the medical documentation;
 - (c) The extent to which the light duty assignment would impact operational needs; and
 - (d) The extent to which the employee possesses the skills and abilities to carry out the assignment.
- (2) Management officials will review the medical documentation to determine if work is available.
 - (a) Management officials may consult with OHC for clarification of medical restrictions, if necessary.
 - (b) If a light duty assignment cannot be offered to the employee, management officials should consult with their local Human Resources Specialists prior to making the determination. After receiving additional guidance, management officials will also notify the employee in writing of the determination noting the reasons for disapproval.

- (3) If a light duty assignment is available, management officials shall extend a light duty job offer to the employee verbally, followed up in writing within two business days. [TSA Form 1160-4, Light Duty Assignment Request and Offer](#), must be used for this purpose. The offer must include the following:

- (a) A brief description of the duties to be performed;
- (b) The location and duration of the assignment, including the date on which the assignment will begin and end;
- (c) The work schedule for the assignment;
- (d) A statement informing the employee that it is his or her responsibility to immediately notify management officials of any change in his or her medical condition, including the ability to return to regular duties; and

NOTE: Any modifications to light duty assignment can be made verbally but only if new supporting medical documentations exist. In addition, TSA Form 1160-4 shall be revised within two business days.

- (e) If an employee declines a light duty assignment, the employee must document the declination in writing to management officials by completing the appropriate portion of TSA Form 1160-4. The employee can provide additional information on a separate document. If the employee declines a light duty assignment, he/she must account for their absence with appropriate leave or leave without pay, if approved.

D. Light Duty Extensions:

- (1) An initial light duty assignment, or any extension to a light duty assignment, may not exceed 45 days. An employee may submit a written request for up to three 45 day separate extensions, for a total of 180 days.
- (2) If an employee is seeking an extension, he/she must, prior to the end of the first 45 days, submit a written request for an extension and include acceptable medical documentation, detailing the physical/medical limitations and expected duration of these limitations, to justify a request to extend a light duty assignment.
- (3) The first extension may be approved in writing by OD/SAC/FSD or his/her designee. Any subsequent requests for extensions must be documented by the OD/SAC/FSD and submitted in writing to the appropriate AA or Area Director for approval/disapproval.
- (4) Requests to extend light duty assignments beyond 180 days will not be approved absent unusual circumstances.
- (5) Light duty assignment cannot be extended without new medical documents to support the extension.

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

APPROVAL



1-15-2009

Richard A. Whitford
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Date

Distribution: Assistant Secretary, Deputy Assistant Secretary, Assistant Administrators, Area Directors, Senior Field Executive, Federal Security Directors, Special Agents in Charge, Administrative Officers, and TSA affiliated HR Offices.

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