



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 and all related Handbooks, Attachments, and Appendices establish Transportation Security Administration (TSA) policy and must be applied accordingly.

REVISION: This revised directive cancels and supersedes TSA MD 1100.33-1, *TSO Daily Fitness for Duty*, dated October 28, 2010.

SUMMARY OF CHANGES: Section 4, Definitions, and Section 5, Responsibilities, reorganized and revised; Section 6, Policy, the minimum number of hours in which an employee may consume alcohol prior to the performance of security-related functions modified; Section 7, Procedures, updated for clarification; and administrative and formatting changes throughout the directive.

1. **PURPOSE:** This directive provides TSA policy and procedures for implementing the statutory requirement that Transportation Security Officers (TSOs) demonstrate daily fitness for duty.
2. **SCOPE:** This directive applies to all TSOs as defined in Section 4.
3. **AUTHORITIES:** The Aviation and Transportation Security Act, Pub. L. 107-71 (ATSA)
4. **DEFINITIONS:**
 - A. **Daily Demonstration:** TSOs are required to demonstrate their fitness for duty on a daily basis. This daily demonstration will be accomplished by Start-of-Shift Observations and supervisory observations over the course of the work shift.
 - B. **Fit for Duty:** A statutory requirement that mandates that a TSO cannot be impaired while on duty due to illegal drugs, sleep deprivation, medication, or alcohol.
 - C. **Impairment:** Includes, but is not limited to, fatigue, drowsiness, lethargy, sluggishness, and other similar limitations due to sleep deprivation, alcohol, illegal drugs, or medication, including the failure to take prescription medicine as directed. Impairment due to the presence of alcohol occurs when a TSO has a blood alcohol concentration level of 0.020 or higher. Impairment due to the use of illegal drugs occurs when a TSO has any illegal drugs present in his or her system.
 - D. **Management Official:** A TSA employee who is a higher-level official in the employee's chain of supervision such as Transportation Security Manager or Supervisory TSO (STSO), and including but not limited to, Assistant Administrator, Federal Security Director (FSD), Deputy FSD, and Assistant FSD.
 - E. **Medication:** Includes prescription or over-the-counter medicines, and nutritional or

dietary supplements and similar substances.

- F. Reasonable Belief: Belief that is based on specific observable facts.
- G. Shift: Includes a TSO's regularly scheduled tour of duty and any other additional time he or she is required to be on duty, or when the TSO works overtime hours and/or shift work.
- H. Start-of-Shift Observation: Within 30 minutes of the start of each TSO's work shift, his or her supervisor will observe the TSO to determine his or her fitness for duty.
- I. Transportation Security Officer (TSO): The title is used generically in this directive to include all positions within the 1802 occupational series, which includes STSO, Lead TSO (LTSO), Master TSO (including Behavior Detection Officer (BDO), Coordination Center Officer (CCO), and Security Training Instructor (STI)) and Expert TSO (including Lead BDO, CCO, and STI).

5. RESPONSIBILITIES:

- A. Employee Relations (ER) within the Office of Human Capital is responsible for providing management officials with advice and guidance regarding matters covered by this directive.
- B. The Office of Chief Counsel (OCC) is responsible for providing legal advice and guidance, including legal sufficiency review, to management officials regarding matters covered by this directive.
- C. Management officials are responsible for:
 - (1) Ensuring that employees under their supervision adhere to the guidance set forth herein;
 - (2) Ensuring that the TSOs are fit for duty at the beginning of, and throughout, each shift; and
 - (3) Considering fitness for duty requirements when preparing and managing work schedules, shifts, and breaks.
- D. TSOs are responsible for:
 - (1) Reporting to work for every shift fit for duty, ready and able to meet their work obligations; and
 - (2) Informing his or her supervisor when he or she is impaired and therefore, unfit for duty.

6. POLICY:

- A. TSOs must be able to demonstrate fitness for duty daily without any impairment.

- B. Management officials shall assess TSO daily fitness for duty within 30 minutes of the start of each TSO's work shift. During the Start-of-Shift Observation, and over the course of the shift, management officials, and in some cases LTSOs, will observe each TSO for signs of impairment. Management officials may use [TSA Form 1133-1, TSO Daily Fitness for Duty Possible Indicators of Impairment](#), as a reference to assist them in conducting fitness for duty observations.

NOTE: In situations where management officials or LTSOs are not routinely present at the work site, procedures must be established to comply to the extent possible with these requirements. For example, management officials may use telephonic communications as a basis for assessing fitness for duty or may assign this responsibility to another employee at the site. The FSD, or his or her designee, may assign a TSO on-site to assess daily fitness for duty.

- C. Employees occupying Testing Designated Positions, which includes TSOs, are prohibited from consuming or being under the influence of alcohol while on duty or consuming alcohol for a minimum of eight (8) hours preceding performance of security-related functions.
- D. Depending on the particular circumstances involved, a TSO who is unfit for duty may be placed on absence without leave (AWOL) status, as described in Section 7A(2).
- E. Repeated instances of reporting not fit for duty: TSOs repeatedly found to be not fit for duty will be notified in writing that he or she may be subject to disciplinary or adverse action in accordance with [TSA MD 1100.75-3, Addressing Unacceptable Performance and Conduct](#). The appropriate corrective, disciplinary, or adverse action will be determined in consultation with an ER Specialist and/or OCC, as necessary.

NOTE: Reporting unfit for duty as described in Sections 6D and 6E apply only to impairment due to sleep deprivation, medication, or the failure to take prescription medicine as directed. It is not applicable to impairments due to illegal drugs or alcohol. See Section 7B for further guidance.

7. PROCEDURES:

- A. Impairment due to sleep deprivation, medication, and/or the failure to take prescription medication as directed:
- (1) If a management official has a reasonable belief that a TSO is not fit for duty, or if the TSO discloses that he or she has a fitness for duty impairment and his or her supervisor concurs, the management official may offer the TSO an opportunity to recover, e.g., taking a short break to address his or her condition.
 - (2) If the TSO is unable to remedy his or her physical impairment, the supervisor may permit the affected employee to request leave as described in Section 7A(2)(a). If the TSO does not have a sufficient leave balance, he or she may request leave without pay (LWOP).

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- (a) A TSO who is not fit for duty is responsible for requesting appropriate leave, e.g., annual leave, sick leave, compensatory time off, if available, or LWOP following established procedures for requesting unscheduled leave.
- (b) If the TSO fails to report for duty without approval, has an unauthorized absence from the workplace during the workday, or does not give proper notification for an absence, he or she will be placed in an AWOL status for the remainder of his or her shift.

NOTE: Before an employee is placed in an AWOL status, it is recommended that his or her supervisor consults ER and/or OCC.

- (3) TSOs who repeatedly fail to demonstrate fitness for duty must be notified in writing that future instances of reporting not fit for duty will be considered an unauthorized absence from the workplace and charged as AWOL.
 - (a) While not itself a disciplinary action, AWOL is a basis for taking disciplinary or adverse action. These processes are outlined in TSA MD 1100.75-3.
 - (b) A TSO charged with AWOL or repeatedly reporting not fit for duty may be subject to disciplinary or adverse action.
 - (c) Management officials will consult with an ER Specialist and/or OCC for guidance regarding disciplinary or adverse actions as a result of AWOL charges and/or failing to demonstrate fitness for duty.
- (4) Based on the nature and extent of the TSO's condition, adjustments or modifications to the TSO's duties and/or schedule may be explored consistent with [HCM Policy 820-2, Light Duty](#), if applicable.

B. Impairment due to alcohol or illegal drugs:

- (1) If management officials have a reasonable belief that a TSO is impaired due to the use of illegal drugs, or under the influence of alcohol while on duty, the procedures outlined by [TSA's Drug and Alcohol-Free Workplace Program \(DAFWP\)](#) will be followed. Contact DAFWP at dafwp@tsa.dhs.gov for additional assistance.
- (2) TSOs who are determined to be unfit for duty due to impairment due to illegal drugs or alcohol in their system will be subject to removal upon the first offense, as per the guidance in Appendix A of the [Handbook to MD 1100.75-3](#).

8. **EFFECTIVE DATE AND IMPLEMENTATION:** This policy is approved and effective the date of signature unless otherwise specified.

APPROVAL

Signed

August 14, 2014

Karen Shelton Waters
Assistant Administrator for Human Capital

Date

EFFECTIVE

Date

Distribution: Administrator, Deputy Administrator, Assistant Administrators,
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