



**National
Urban League**

*Empowering Communities.
Changing Lives.*

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**Committee on Homeland Security, Subcommittee on Transportation and Maritime
Security**

**“Twenty Years of Workforce Challenges: The Need for H.R. 903, the Rights for the TSA
Workforce Act of 2021.”**

May 4, 2021

Chair Watson Coleman, Ranking Member Gimenez, Committee Chairman Thompson, and Members of the Subcommittee on Transportation and Maritime Security, thank you for the opportunity to testify today. My name is Joi Chaney, and I serve as Senior Vice President of Policy and Advocacy and Executive Director of the Washington Bureau for the National Urban League. I bring you greetings on behalf of Marc Morial, our President and CEO, who could not be with us today but who supports this testimony and applauds the committee in its work.

The National Urban League is an historic civil rights organization dedicated to providing economic empowerment, educational opportunities and the guarantee of civil rights for the underserved in America. Founded in 1910 and headquartered in New York City, the National Urban League has 90 affiliates serving 300 communities in 36 states and the District of Columbia, providing direct services that impact and improve the lives of more than two million people nationwide.

Of the nation’s ten busiest airports, the Urban League has an affiliate in nine and a presence in all ten.¹ One of those cities is Orlando, FL, where I was born and raised. I also spent several years in the Office of the Chair at the U.S. Equal Employment Opportunity Commission during the Obama Administration and have dedicated much of my career to promoting equity in employment for women and persons of color.

I appreciate the opportunity to share the Urban League’s perspective on the need for the *Rights for the Transportation Security Administration Workforce Act of 2021*. Ensuring that transportation security officers -- whose service helps keep us safe and our economy moving -- receive the same rights and protections as other federal workers is important to the mission of the

¹ <https://www.statista.com/statistics/185679/passengers-boarded-at-the-leading-25-us-airports/>

Urban League and my personal mission. Transportation Security Administration (TSA) jobs have the potential to offer pathways to stable employment with benefits and the middle class in urban and rural communities across this nation. Thus, it is vital that TSA workers deserve to be protected in the workplace and compensated fairly.

What members of the subcommittee have likely noticed while flying to and from your home districts, including this week, is that the TSA workforce is diverse and reflects the communities they serve. For the most part, these are not jobs that can be outsourced. They are your constituents. Nationwide, 55 percent of the 60,000 workers at the Transportation Security Administration are people of color. Black Americans make up about 11 percent of the overall population but nearly triple that (32.7 percent) of transportation screeners.² Latino and Asian Americans also make up a larger share of the transportation security workforce than their share of the US population. Within the Department of Homeland Security (DHS), the Transportation Security Administration makes up a quarter of the workforce and workers of color make up about 45 percent of all employees, so TSA's workers of color have a higher concentration at TSA than they do at DHS overall.³

The Transportation Security Administration also employs a higher concentration of women workers than DHS broadly.⁴ Across the Department of Homeland Security, only 30 percent of employees are women.⁵ At the Transportation Security Administration, women make up over 41 percent of employees.⁶

To put it plainly, the Transportation Security Administration is driving the diversity and inclusion of people of color and women in our country's homeland security workforce. And yet, transportation security workers are not afforded the protections and benefits of their counterparts elsewhere in the Department of Homeland Security or the federal government at large.

As President Biden noted in his Joint Address to Congress last week, people of color and women face unfair barriers to pay equity and workplace protections. Due to historic injustices such as slavery, segregation, redlining, unequal access to government programs, and ongoing institutionalized and systematic discrimination, Black men on average make 87 cents on a White man's dollar. Black women face an even larger pay gap on average, making only 63 cents for every dollar earned by a White man. At the same time, 80 percent of Black mothers are the sole, co-breadwinners or primary breadwinners for their households.⁷ These trends track for the Latino

² <https://datausa.io/profile/soc/transportation-security-screeners#demographics>

³ <https://www.fedscope.opm.gov/>

⁴ https://www.tsa.gov/sites/default/files/resources/tsaatglance_factsheet.pdf

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<https://pages.fiscalnote.com/rs/109-ILL-989/images/CQ-Womens-Representation.pdf?aliId=eyJpIjojNU5NajVDR3I2T3d1NFZzqKyIsInQiOiJTS1BQbGxqQloxaXprXC9NXC9UTjRzVFE9PSJ9>

⁶ <https://datausa.io/profile/soc/transportation-security-screeners#demographics>

⁷ <https://www.aauw.org/resources/article/black-women-and-the-pay-gap/>

community as well. One cause of this disparity is that people of color are often overrepresented in lower paying professions that yield fewer benefits and fewer protections. So, removing barriers to success and increasing protections to match those of other federal workers in the Transportation Security Administration, which employs a higher proportion of people of color and a higher proportion of women than the Department of Homeland Security overall, is absolutely a matter of equity that should be addressed urgently.

The hardworking officers of TSA screen more than 2 million passengers each day at nearly 440 airports nationwide. Transportation Security Officers (TSOs) are frontline workers who show up to keep our country safe through government shutdowns when they are not being paid and during the COVID-19 pandemic when their own health is at risk. Since the novel coronavirus hit our shores, over 7,810 TSA employees have contracted the virus.⁸ At least 16 have died as a result. But these dedicated federal workers continue to clock in and perform their duties in service to their country and communities.

Despite the importance of their role and the professionalism with which they continue to bring to their work, Transportation Security Officers face inequities compared to other federal employees. They lack the rights and protections afforded to their peers in the federal government under Title 5 of the U.S. Code. TSA screeners do not have the same protections to collectively bargain. Their pay scale lags behind that of other agencies in the government and they are missing out on the Family and Medical Leave Act protections available elsewhere in the government. Potential whistleblowers in the Transportation Security Administration are not protected. Without access to an objective outside body like the Merit Systems Protection Board (MSPB) or negotiated grievance procedures, Transportation Security Officers are denied the ability to appeal adverse personnel decisions in the same way as other federal employees. And unlike the progressive disciplinary system applied across other federal agencies, including other Department of Homeland Security components, Transportation Security Officers are subject to a cumulative disciplinary system.

In addition to these disparities in statutory protections, results from the “Best Places to Work in the Federal Government” survey⁹ consistently show that TSA employees rank the Transportation Security Administration in the lowest quartile (25 percent) in all categories except training. In addition to the Transportation Security Administration being ranked the lowest out of all federal agencies in employee satisfaction with pay, TSA employees scored their employer poorly on the fairness of leadership, matching employee skills to the mission, performance-based rewards and advancement, and teamwork and innovation.

⁸ <https://www.tsa.gov/coronavirus>

⁹ <https://bestplacestowork.org/rankings/detail/HS10>

Our frontline workers in the Transportation Security Administration, who are disproportionately people of color, are facing added barriers to maintaining and excelling in their roles because the federal government has not affirmed their workplace rights in the same way as their peers working in other government agencies.

It is past time this disparity is addressed. Transportation Security Officers should have the same fair pay, union rights, and treatment as other federal workers. The *Rights for the Transportation Security Administration Workforce Act of 2021* would codify these rights, and give long overdue workplace protections to TSA officers, including: Family and Medical Leave Act protections; expanded collective bargaining rights; the right to appeal adverse personnel decisions before the Merit Systems Protection Board; whistleblower rights; and better pay and benefits (including pay under the General Services wage system). The Urban League supports this effort. Thank you for your focus on this issue, I look forward to answering any questions that members of the subcommittee have.