

Statement of
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before the
United States House of Representatives
Committee on Homeland Security
Subcommittee on Transportation and Maritime Security

“20 Years of Workforce Challenges: the Need for H.R. 903, Rights for the TSA Workforce Act”
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Good morning Chairwoman Coleman, Ranking Member Gimenez, and distinguished members of the subcommittee. My name is Jeffrey Neal and I am honored to appear before this Subcommittee to discuss the vital issues regarding the workforce of the Transportation Security Administration

I was appointed as Chief Human Capital Officer for DHS during the Obama/Biden administration. In 2019, I chaired a Blue Ribbon Panel chartered by TSA at the direction of Administrator David Pekoske to provide a neutral third-party review of TSA’s Human Capital Operations and examine how human capital policy decisions have affected the Transportation Security Officer (TSO) workforce. During our initial meeting with Administrator Pekoske, it was evident to the Panel that he was seeking solutions to address human capital issues and, specifically, to deal with concerns from Transportation Security Officers. In the time since our report, TSA has taken action to implement 43 of 46 Panel recommendations in two major areas:

- Support for the TSO Workforce, and
- Human Capital Service Delivery

I believe they have made good progress toward accomplishing the recommended changes.

I share the respect that members of this subcommittee and Chairman Thompson have for the TSA workforce. These men and women are the front line officers who protect the flying public. The Blue Ribbon Panel recognized the need to ensure that they have competitive pay and benefits, an effective means of moving up in the organization, and recognition for performance that exceeds expectations.

We recommended that TSA provide these officers with longevity pay, similar to that provided to General Schedule employees. TSA implemented that recommendation. We recommended improved use of locality pay. TSA has implemented locality pay at 74 airports, using flexibility provided under the Aviation and Transportation Security Act (ATSA). We also recommended that TSA hire an experienced HR professional to lead its Human Capital operation. They did so, and Ms. Bradshaw has made significant improvements.

I understand the interest in reducing the sweeping authorities authorized by ATSA. However, repeal of the personnel flexibilities provided by ATSA is double-edged sword. It will provide Merit System Protection Board appeal rights – a move I believe is in the best interests of TSA and its workforce. It will offer a degree of job security, a move that also has merit. But it will place employees under the General Schedule pay system – a move that I believe may have many unintended consequences.

The Blue Ribbon Panel considered suggestions that TSA transition to the General Schedule to solve pay and hiring problems. We believed there was no evidence that such a change would have the intended results. Agencies that use the General Schedule complain about its inflexibility and lack of labor market sensitivity. It still takes 18 years to get to Step 10. General Schedule job classification is governed by classification standards that often take OPM years to develop and are infrequently updated. It makes many pay policies dependent on action by the Office of Personnel Management, which does not always agree and is sometimes slow to respond to agency requests.

The General Schedule was an effective pay system when it was designed in 1949. Much has changed since then. Virtually every good government organization, including the National Academy of Public Administration and the Partnership for Public Service, has recommended replacing the General Schedule with a pay system that is appropriate for today's workforce and labor market. While the proposed Act rightly provides that no employee shall suffer a loss in pay, there is no guarantee that employees will continue to receive pay increases and benefits they might otherwise have received, such as split shift pay differentials and expanded leave transfer options. There is no guarantee that TSOs will be classified at any particular grade level. It is entirely possible that TSOs will be classified at a GS grade that provides for a lower pay range than is currently available to them. It is also possible that they will be classified at a grade level that requires far more funding than TSA currently has.

Moving fifty thousand employees to a different personnel system is a highly complex undertaking that requires extensive planning and a clear picture of the consequences of the change. It requires employee, supervisor and HR training, so all stakeholders understand how to

operate under the new rules. Most TSA employees, managers and HR specialists are not experienced in the General Schedule. Such a change also requires that the HR information technology is adapted to the new processes. The requirement to move to Title V rules, yet retain some pay and benefits under ATSA means that the HR information technology systems will need modifications. The six month transition period in the proposed Act does not provide adequate time to conduct the necessary planning, system changes and training, and my 33 years of experience in federal human capital management convince me that rushing to implement something so far reaching almost certainly ensures it will be done badly. Botching a transition such as this will put the TSA employees and the agency mission at risk.

Rather than moving the TSA workforce to a pay system that was designed when propeller-driven aircraft were the state of the art in air travel, I urge the subcommittee to consider moving beyond the General Schedule. Consider the recommendations of good government organizations and the GAO. Set minimum pay standards for TSOs that still provide flexibility to raise pay where needed. Codify a process that combines longevity pay increases, but allows high performing employees to move up more quickly. Allow TSA, within a set of prescribed guidelines and following recommendations from GAO, NAPA or other unbiased groups, to develop a pay system that fits the TSA workforce, provides job security, ensures employee rights, pay stability and upward mobility, and allows TSA to compete for talent it needs. And make all of these changes with a program management approach that provides a clear understanding of the costs, risks, and time it will take to do it right. Making these officers GS-5s or GS-7s is not likely to do that.

The proposed Act provides an opportunity to rethink a 72 year old pay system and provide employees with a modern, flexible and competitive pay system that retains merit as the foundation of the civil service and makes the United States government a model employer. The potential benefits of that are tremendous.

Madam Chairwoman, Ranking Member Gimenez, and members of the subcommittee, thank you for the opportunity to testify before you today. I look forward to your questions.