

Departmental Standard Operating Procedure
Miami-Dade Aviation Department
DSOP No. 04 – 01
Effective: August 23, 2004

SUBJECT: MIAMI-DADE AVIATION DEPARTMENT (MDAD) EMPLOYEES NOT QUALIFIED FOR UNESCORTED ACCESS TO CUSTOMS AND BORDER PROTECTION (CBP), TRANSPORTATION SECURITY ADMINISTRATION (TSA) STERILE AREAS, SECURITY IDENTIFICATION DISPLAY AREAS (SIDA), AIRSIDE OPERATIONS AREA (AOA), AND/OR ANY OTHER AREA OF THE AIRPORT IDENTIFIED AS SECURED

PURPOSE: To establish policy and procedures for the possible reassignment of employees with permanent status who fail to qualify or whose qualification for the retention of unescorted access to CBP areas, TSA sterile areas, SIDA, AOA, or any other area of the Airport identified as Secured, is revoked pursuant to a Customs and Border Protection (CBP) determination or a report of an unlawful or criminal activity that does not meet the requirements of Transportation Security Administration (TSA) Regulations.

I. AUTHORITY:

- A. TSA Regulations, 49 CFR, Part 1542.209, Fingerprint-based Criminal History Records Checks (CHRC).
- B. Customs and Border Protection, 19 CFR, Part 112, Subpart S. Access to Customs Sterile Areas.
- C. Miami-Dade County Administrative Order No. 7-39.
- D. Chapter 25, of Miami-Dade County Code, Aviation Department Rules and Regulations.
- E. Operational Directives (OD) No. 99-03, Written Directive System.

II. POLICY:

- A. Full-time, permanent status employees who do not meet TSA/CBP security requirements to qualify for unescorted access to CBP areas, TSA sterile areas, SIDA, AOA, or any other area of the Airport identified as Secured, will have their unescorted access revoked.

- B. MDAD is hereby establishing the procedures delineated in Section III of this document to review and determine the full-time, permanent employee's possibilities of continued employment within MDAD through reassignment.
- C. Part-time employees not meeting TSA/CBP security requirements to qualify for the retention of unescorted access to CBP areas, SIDA, AOA, or any other area of the Airport identified as secured, will have their unescorted access revoked and their continued employment at MDAD will be considered on a case-by-case basis.

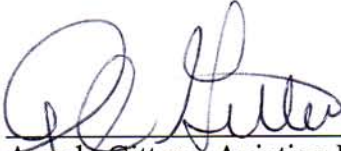
III. PROCEDURES:

- A. Employees who receive notification from CBP or the MDAD Security and Safety Division to surrender their identification badge due to non-compliance with Federal and/or County regulations shall do so immediately. This information will also be provided to the employee's Supervisor, Manager, Assistant Director, and the Administrative Services and Employee Development Division.
- B. Employees have 30 days as of receipt of the notification to appeal if, in the employee's estimation, the decision to have the Customs seal removed and/or the identification badge removed was based on inaccurate information.
- C. Independently from the appeal process, full-time permanent employees may submit a memorandum to the Administrative Services and Employee Development Division requesting the possibility of a temporary reassignment to a position that does not require unescorted access to the area/s specified in the notification letter.
- D. Based upon departmental needs, the Administrative Services and Employee Development Division will make a reasonable effort to temporarily reassign the employee to a job that does not require unescorted access to the particular area/s indicated in the notification letter. The temporary assignment period shall not exceed 120 days.
- E. Full-time permanent employees on temporary reassignment are responsible for performing all necessary steps for the appeal process during non-working hours. When actions are required during working hours, employees shall request the appropriate leave time in accordance with payroll guidelines.
- F. While on a temporary assignment, employees will be paid 100 percent of their regular salary.

- G. If at the end of the 120-day period the employee has not qualified for unescorted access or has not been assigned to a permanent position that does not require unescorted access, the employee will be required to use his/her accumulated annual and/or holiday time until the appropriate administrative action is taken.
- H. MDAD will work with the Miami-Dade County Employee Relations Department and the Collective Bargaining Unions to assist in the relocation of the employee who has not been able to have the unescorted access restored. The relocation of the employee may result in a salary reduction. The employee will have 21 days to accept the job offered.
- I. The Administrative Services and Employee Development Division will consider those part-time employees who had their CBP seal and/or identification badge removed, on a case-by-case basis, as indicated in Section II. C. of this document.

IV. REVOCATION: None.

V. CROSS REFERENCE: None.



Angela Gittens, Aviation Director
Date: 8-23-04