



*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 supersedes the Federal Aviation Administration (FAA) orders, policies, guidance, and bulletins regarding English language requirements issued under the FAA Personnel Management System. This directive is TSA policy and must be applied accordingly.*

1. **PURPOSE:** This directive provides TSA policy and procedures regarding English language requirements for work-related duties and employees in duty status.
2. **SCOPE:** This directive applies to all TSA organizational elements and all TSA employees and contractors while on duty or in duty status.
3. **AUTHORITIES:**
  - A. The Aviation and Transportation Security Act, Pub. L. 107-71 (ATSA)
  - B. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e *et seq*
  - C. 29 C.F.R. §1606
  - D. The U.S. Equal Employment Opportunity Commission (EEOC) Compliance Manual: Section 13
4. **DEFINITIONS:**
  - A. National Origin Discrimination: Denial of equal employment opportunity because of an individual's, or his or her ancestor's, place of origin; or because an individual has the physical, cultural or linguistic characteristics of a national origin group.
  - B. Foreign Language: For purposes of this directive, any language that is not English.
  - C. Management: Higher-level official(s) in the employee's chain of supervision or as designated by the Assistant Administrator for the affected program office.
  - D. TSA Employee: For the purposes of this directive, all persons appointed to a position with TSA.
5. **RESPONSIBILITIES:**
  - A. Supervisors, managers and /or other designated management officials are responsible for:
    - (1) Notifying and informing their respective employees of this policy and its parameters;
    - (2) Notifying employees of this policy during the hiring process and when employees are accepted for appointments within respective airports or other TSA facilities to ensure their understanding of the English language requirements in the workplace; and

- (3) Maintaining a work environment free from national origin discrimination, including but not limited to discrimination related to national origin groups and physical, linguistic or cultural backgrounds and traits.
- B. Office of Human Capital (OHC) Employee Relations Division is responsible for providing consultation and advice on corrective actions and procedures.
  - C. Office of Chief Counsel (OCC) is responsible for providing advice and legal review regarding corrective actions and procedures and national origin discrimination issues.
  - D. All TSA Employees are responsible for:
    - (1) Understanding and adhering to this directive at their respective airport or TSA facility;
    - (2) Conveying and executing security and safety measures consistently throughout the agency with coworkers, stakeholders and the traveling public on a daily basis and in times of crises and emergencies; and
    - (3) Working in and perpetuating an environment free from national origin discrimination, including but not limited to discrimination related to national origin groups and physical, linguistic or cultural backgrounds and traits.

## **6. POLICY:**

- A. It is the policy of TSA that all employees shall communicate with co-workers in the workplace in English, both written and spoken, while on duty or in duty status. It is vital that procedures and instructions are clearly and consistently understood by the workforce and its stakeholders, including the traveling public.
- B. The requirements and reasons for this policy shall be clearly explained to all employees by management.
- C. Consistent with ATSA-mandated qualification standards, all Transportation Security Officers (TSOs) shall be able to read, write and speak English well enough to carry out written and oral instructions regarding the proper performance of screening duties and provide direction to and understand and answer questions from English-speaking individuals undergoing screening. ATSA outlines the expectations for English proficiency of TSOs.
- D. Employees may utilize their foreign language skills if they are considered necessary for a work-related task, objective or need (e.g., to assist a passenger that does not speak English).
- E. TSA employees are not required to exclusively speak English during breaks or when off duty on work premises.
- F. Management shall not discriminate in selection for employment or promotion due to national origin. Such discrimination would include selecting native English-speaking candidates over qualified non-native English speakers due to their native English-speaking status.

**7. PROCEDURES:**

- A. Notification of this policy by management to their respective employees may be done through various means of communication including but not limited to meetings, memoranda, postings, and emails.
- B. Prior to any corrective action being taken regarding an employee failing to follow this directive, management shall consult appropriate OCC and OHC Employee Relations Division.

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

**APPROVAL**

*Signed*

*7/1/10*

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Richard A. Whitford  
Assistant Administrator for Human Capital

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Date

Distribution: Assistant Secretary, Deputy Assistant Secretary, Assistant Administrators and equivalents, Area Directors, Senior Field Executives, Federal Security Directors, Administrative Officers, TSA Affiliated HR Offices, Special Agents in Charge, Supervisors, Managers and Employees.

Point of Contact: Office of Human Capital; [TSA-OHC-Policy@dhs.gov](mailto:TSA-OHC-Policy@dhs.gov)