

WebMemo



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Congress Deserves Praise for Dropping Collective Bargaining with Security Screeners

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Congressional negotiators have agreed to drop a provision that would have harmed national security from legislation to implement the 9/11 Commission's recommendations. The original version of the legislation required the Transportation Security Agency (TSA) to collectively bargain with security screeners, something the 9/11 Commission never recommended. Collective bargaining would impede the TSA from flexibly responding to new threats. Both congressional Democrats and Republicans deserve praise for removing this detrimental provision from the bill. The bill, however, needs further revision to provide greater security for the American people.

9/11 Commission Never Recommended Collective Bargaining. Under current law, TSA security screeners may not collectively bargain over working conditions. TSA screeners may belong to a union, and the TSA withholds union dues for screeners who request it, but the union may not collectively negotiate how TSA screeners perform their jobs. The labor movement has used its political clout to persuade Congress to insert collective bargaining provisions into bills in the House and the Senate (H.R. 1 and S. 4) to implement the 9/11 Commission's recommendations. The 9/11 Commission, however, never recommended that Congress do this—for good reason.

Collective Bargaining Hurts National Security. The TSA needs the flexibility to change its security procedures to respond to new threats and intelligence as they emerge. Without collective bargaining, it has this flexibility. In response to the

attempted liquid explosives attack on British airlines, for example, the TSA changed its screening procedures literally overnight. The TSA could not have done this had it been required to collectively bargain with the screeners' union before changing screeners' working conditions. Collective bargaining takes time; terrorists will not wait until contract negotiations have finished before attacking.

Collective bargaining would also threaten the merit pay system that the TSA uses to keep its screeners motivated and to put the best workers in the most sensitive positions. Unions usually insist on seniority-based promotions and job protections that make it nearly impossible to fire workers who under-perform. In the private sector, this is inefficient and puts some companies out of business. In the TSA, putting less competent screeners in sensitive positions just because they have seniority could cost lives. Americans need the best screeners protecting them, not just those who have the most union seniority.

Other countries that allow their security workers to collectively bargain have found that it harms national security. A 2006 labor dispute in Toronto caused many pieces of luggage to go unscreened

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