

TSA Class Complaints by Fiscal Year

FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
0	0	3	0	0

In FY 2022, three class complaints were filed, which are described in the following three tables.

- Information regarding the date on which each complaint was filed;
- A general summary of the allegations alleged in the complaint;
- An estimate of the total number of complainants joined in the complaint, if known;
- The current status of the complaint, including whether the class has been certified; and
- The case numbers for the civil actions in which discrimination (including retaliation) has been found.

Class Complaint 1

Date complaint filed	January 18, 2022
Allegations alleged (including bases)	Whether TSA engaged in discriminatory action when on December 13, 2021, TSA created a policy forcing non-vaccinated TSA employees who had religious and medical exemptions to wear face shields with a mask while indoors/on public transportation and at all federally controlled operational locations; complete additional training; wearing a mask indoors when alone or social distancing.
Estimated Number of Complainants	40
Current Status	On January 27, 2023, EEOC denied class certification for failing establish a class complaint under 29 C.F.R. § 1614.204(a) (2023) <i>et seq.</i> because he fails to establish numerosity, commonality, and typicality. I also find that this complaint lacks specificity in that it fails to provide details regarding the alleged discrimination. As such, I find that the Class Agent has failed to demonstrate that the class claims are common to the class as a whole under 29 C.F.R. §1614.204(a)(2).
Case number(s) for civil actions where discrimination was found	N/A

Class Complaint 2

Date complaint filed	January 28, 2022
Allegations alleged (including bases)	Whether TSA engaged in discriminatory action against disabled workers by intentionally providing false documentation regarding premium pay to the Office of Worker Compensation Program (OWCP)
Estimated Number of Complainants	4
Current Status	On June 30, 2022, EEOC denied class certification because the complaint was dismissed because it fails to state an EEO claim pursuant to 29 C.F.R. § 1614.107(a)(1).
Case number(s) for civil actions where discrimination was found	N/A

Class Complaint 3

Date complaint filed	September 8, 2022
Allegations alleged (including bases)	Whether TSA engaged in discriminatory action against African American Federal Air Marshalls by regularly denying them advancement and promotional opportunities.
Estimated Number of Complainants	4
Current Status	On May 18, 2023, EEOC denied class certification because the putative class agent fails to satisfy the commonality and typicality requirements, as he is unable to show any overriding policy or practice of discrimination that impacts the whole class in the same way.
Case number(s) for civil actions where discrimination was found	N/A