

GLOSSARY	<p>Effective Date: 7/22/19</p> <p>Page: 1 of 12</p> <p>Replaces: Appendix A, 4/1/17</p>
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As used in the Personnel Policy and Procedure Manual, the following terms have the following meanings, unless otherwise defined in policy.

ADA Coordinator	The human resources director or designee.
Adverse Personnel Action	An unfavorable action affecting only one employee (e.g., denial of a promotion, a job performance evaluation, a disciplinary action, or administrative separation from employment).
Alcohol	The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol. Alcohol consumption or use means the drinking or swallowing of any beverage, liquid measure, or preparation (including any medication), containing alcohol.
Automatic Rehire Consideration	The process established by PRS.11.17 of automatically considering the rehire of a medically separated employee into the same position, or a like position, as the position held prior to medical separation without requiring the employee to compete for the position with other applicants.
Available Vacant Position	A budgeted, vacant position that meets the following conditions: <ul style="list-style-type: none"> • approval for the position to be filled has been requested by the appropriate hiring authority and granted by the appropriate budget authority and by Human Resources; and • an offer of employment is not pending acceptance or completion of the pre-employment processes by a selected applicant.
Breath Alcohol Technician (BAT)	A person who instructs and assists employees in the alcohol testing process and operates an evidential breath-testing device.
Budget Approval Authority	The employee who is responsible for monitoring and managing facility or department expenditures relating to salaries for filled positions.
Calendar Days	Sunday through Saturday, including holidays.
Career Ladder Salary Adjustment	An increase in salary rate that a youth development coach (coach) receives upon meeting established eligibility criteria, which allows the coach to advance to a higher pay level within the appropriate coach career ladder. A salary adjustment may include a promotion to a higher salary group or an increase in pay within the same salary group.
Career Path	A specific range of job classifications in which an eligible employee is promoted without: (1) changing positions; or (2) applying or competing for a position vacancy.
Career Path Promotion	The promotion of an eligible employee within a career path established by the executive director.

Chief Local Administrator (CLA)	The appropriate director, superintendent, or principal in the employee's chain of supervision, as determined by the director of human resources or designee.
Classified Position	A position with a title listed in the Position Classification Plan, which is included in Article IX of the General Appropriations Act.
Collection Site	A place selected by TJJJ where employees present themselves for the purpose of providing a urine specimen for a drug test.
Collector	A person who instructs and assists applicants or employees at a collection site, receives and makes an initial inspection of the specimen provided, and initiates and completes the Federal Drug Testing Custody and Control Form.
Compensatory Time	Time credited to an employee at a rate of equal time for time worked (e.g., one hour compensatory time for one hour worked).
Continuous State Employment	An employee's consecutive months of state employment. To be considered continuous state employment, the months must not be interrupted by any period of employment separation.
Contract Vendor	An outside company, an employee of an outside company, or an individual contracted by TJJJ to provide services for youth or assigned to work in TJJJ facilities or programs.
Conviction	<p>A conviction is defined as: (1) a judgment or a verdict of guilt, (2) a plea of guilty or nolo contendere (no contest); or (3) a judicial finding of guilt substantiated by the evidence that results in the payment of fines, forfeiture of collateral or bond, restitution, community supervision (probation), confinement, suspended sentence, or any other penalty imposed by a court of law or agreed upon by the accused.</p> <p>(A) A conviction for which a pardon or reprieve has been granted for reasons other than proof of innocence is still considered a conviction for purposes of criminal background checks.</p> <p>(B) Disposition of a criminal charge by a pre-trial diversion is not considered a conviction. A pre-trial diversion is an agreement between the defendant and the prosecutor, with or without judicial approval, by which a criminal charge is dismissed without an admission of guilt or no contest under an agreement that the charge can be refiled if certain conditions are not met. This is different from deferred adjudication, in which the defendant enters a plea of guilty or no contest, but the court defers further proceedings on the plea pending the completion of conditions imposed by the court.</p>
Correctional Series Position	A TJJJ position or TJJJ contract vendor position responsible for the direct care and custody of youth or required to regularly transport youth.
Daughter	A biological, adopted, or foster child; stepchild; legal ward; or a child for whom an individual is standing or stood <i>in loco parentis</i> .

Deferred Adjudication	A type of court disposition in which the defendant enters a guilty plea but the judge defers the finding of guilt to give the person the opportunity to successfully complete probation terms and have the proceedings dismissed.
Demotion	An employee's change in duty assignment from one classified position to another classified position that is in a salary group with a lower minimum salary rate.
Department Head	For purposes of PRS policy implementation, an employee who is responsible for the management of a division, department, or program area and who reports directly to a division director.
Difficult-to-Fill Position	A position identified by the director of employment as being a position that generally attracts a low number of applicants due to the location or specialized job skills required to perform the position's essential functions (e.g., mental health professional, teacher).
Direct Threat	A significant risk of substantial harm to the health or safety of an individual or others that cannot be eliminated or reduced to an acceptable level by reasonable accommodation.
Disability	<p>With respect to an individual, a mental or physical impairment that substantially limits at least one major life activity of that individual, a record of such an impairment, or being regarded as having such an impairment.</p> <p>The term does not include:</p> <ul style="list-style-type: none"> (A) a current condition of addiction to the use of alcohol, a drug, an illegal substance, or a federally controlled substance; or (B) a currently communicable disease or infection as defined in Section 81.003, Health and Safety Code, or required to be reported under Section 81.041, Health and Safety Code, that constitutes a direct threat to the health or safety of other persons or that makes the affected person unable to perform the duties of the person's employment.
Disciplinary Coordinator	The employee relations specialist coordinating the TJJJ employee disciplinary process.
Disciplinary Decision Authority	For the purpose of determining employee disciplinary action, a TJJJ administrator designated by the director of human resources or designee.
Disciplinary Termination	A termination of employment through the disciplinary action policy, PRS.35.01.
Discrimination	Unlawful treatment based on race, color, sex (gender), age (40 or above), religion, national origin, disability, or genetic information. Sexual harassment is a form of gender-based discrimination.
Division Director	For purposes of PRS policy implementation, an employee in a management position who reports directly to the TJJJ board or executive director.

Education Position	<p>A position held by an employee responsible for providing education services directly to youth in TJJD secure residential facilities. These positions include, but are not limited to, the following positions:</p> <ul style="list-style-type: none"> • academic counselors • assistant principals • educational diagnosticians • English as a second language (ESL) resource teacher/coordinators • lead reading instructors • licensed specialists in school psychology • physical education/recreational coordinators • principals • teachers • teacher aides
Emergency Medical Services Volunteer	An employee who volunteers outside the agency to perform services as an emergency care attendant, emergency medical technician, or licensed paramedic.
Employee Grievance Coordinator	The employee relations specialist coordinating the employee grievance system.
Employee Mediation	See definition for “Mediation.”
Employment-Related Matter	Includes, but is not limited to, adverse personnel actions, discrimination or other serious impropriety (e.g., inappropriate sexual conduct, harassment, retaliation prohibited by policy or law), and working conditions.
Employment Separation	The voluntary or involuntary termination of employment for any reason.
Essential Functions	The essential job duties of a position, as determined from the job description, the judgment of TJJD management as to which duties are essential, the amount of time spent performing the various duties of the job, the effect of not performing the duty, the work experience of past and present employees in the same or similar jobs, and other relevant factors.
External Applicant	An individual who is not a current TJJD employee and who has submitted an employment application for a TJJD position.
Fitness-for-Duty Certification	A written statement from the employee's health care provider releasing the employee to return to work, with or without restrictions.
FLSA Exempt Employee	An employee who is not eligible to earn FLSA overtime due to being in a position classified as exempt from FLSA overtime requirements.
FLSA Non-Exempt Employee	An employee who must be compensated for FLSA overtime due to being in a position that does not meet the criteria for an exemption under the FLSA.

Former Foster Child's Employment Preference	<p>The preferential consideration to which a former foster child meeting the criteria set forth below is entitled under state law (Chapter 672, Texas Government Code) in the employment selection process.</p> <ul style="list-style-type: none"> • The individual must be 25 years of age or younger; and • The individual must have been under the permanent managing conservatorship of the Department of Family and Protective Services (DFPS) on the day preceding the individual's 18th birthday. <p>Preferential consideration in the employment selection process is only used to make a selection decision between equally qualified applicants.</p>
Grievance (Employee)	A formal written complaint submitted on an Employee Grievance form, HR-210, from an employee (grievant) regarding an employment-related matter.
Grievance Decision Authority	The TJJJ employee responsible for resolving a grievance or grievance appeal, as designated by the employee grievance coordinator.
Grievant (Employee)	A TJJJ employee who files a grievance through the employee grievance system.
Harassment	Systematic and/or continued unwanted and offensive actions, threats, or demands that tend to create a hostile work environment.
Hazardous Duty Position	A position authorized to receive hazardous duty pay in accordance with PRS.19.03.
Health Care Provider	A doctor of medicine or osteopathy, podiatrist, dentist, clinical psychologist, optometrist, chiropractor, licensed acupuncturist, nurse practitioner, nurse mid-wife, clinical social worker who is performing within the scope of his/her practice as defined under state law, any health care provider recognized under the Texas Employees Group Benefits Program, or a Christian Science practitioner listed with the First Church of Christ, Scientist in Boston, Massachusetts.
Higher Qualification (HQ) Screening	A process that may be used after minimum qualification screening and after any applicable pre-interview skills test to further reduce the number of applicants to be considered for a vacant position. The process requires a further review of the employment applications from those applicants who remained eligible for consideration after minimum qualification screening. The additional review determines if the applicants meet an established set of higher qualifications that are based on objective, job-related criteria.
Hiring Authority	The manager or supervisor designated by the chief local administrator to be responsible for making the hiring decision upon a determination that a vacant position should be filled.
Hostile Work Environment	An environment in which offending behavior is sufficiently severe or pervasive to alter the grievant's employment conditions and create an abusive working environment.

In Loco Parentis	A phrase used to identify a relationship in which an adult, in place of a parent, has or had day-to-day responsibilities to care for and financially support a child. A biological or legal relationship is not necessary. A host parent of a foreign exchange student is standing “in loco parentis” for the foreign exchange student.
Independent Dismissal Mediation	See definition for “Mediation.”
Inhalant	Any substance inhaled contrary to the substance’s intended use.
Internal Applicant	An applicant for a TJJD position who is: <ul style="list-style-type: none"> • a current TJJD employee; or • a former employee who is entitled to the reduction-in-force (RIF) employment preference in accordance with PRS.11.15.
Investigative Findings	The findings of a closed official investigation included in an investigative report.
Job Classification	A specific job title established by the State of Texas Position Classification Plan and assigned to one or more individuals whose work has the same characteristics and same level of responsibility. Each job classification has a corresponding salary group assignment that provides the minimum and maximum salary rate appropriate for the type and level of work being performed.
Job Classification Series	A hierarchical structure of job classification titles established by the State of Texas Position Classification Plan involving work of the same nature but requiring different levels of responsibility. Examples of a job classification series include the four-level clerk series (levels I through IV) and the three-level teacher aide series.
Key Personnel Position	A high-level leadership position that significantly impacts the performance of the agency’s mission-critical functions. TJJD key personnel positions include the following: chief of staff, all directors, general counsel, superintendent, assistant superintendent, principal, and any other position identified by the executive director as a key position.
Lapse	Relating to leave balances, leave that has expired and will not be available again for use.
Last Duty Day	The last day that an employee: <ul style="list-style-type: none"> • is physically performing his/her job duties; or • uses leave for a reason other than the sole purpose of: <ul style="list-style-type: none"> ○ exhausting available leave balances after notice of employment separation; or ○ having a payroll termination date that coincides with the last calendar day of the month.
Leave Coordinator	The Central Office employee in the Human Resources Division who coordinates the TJJD leave benefits programs.

Local Employee Grievance Contact	<p>The person at an employee's work location with whom a grievance may be filed and who is responsible for sending the grievance to the employee grievance coordinator. The person is:</p> <ul style="list-style-type: none"> • the human resources administrator (HRA), for employees assigned to a TJJJ-operated institution or to Central Office; • the superintendent, for halfway house employees; or • the parole supervisor, for district office employees.
Marriage	<p>The two types of marriage recognized by the State of Texas are "ceremonial marriage" and "common-law marriage":</p> <ul style="list-style-type: none"> • "Ceremonial Marriage" is a marriage documented by: (1) a marriage license recorded with a county clerk; and (2) a marriage certificate issued by the county clerk. • "Common-Law Marriage" (referred to in Texas Family Code 2.401 as an "informal marriage") is a marriage that is not necessarily documented through a county clerk but is valid when a man and woman perform all of the following: (1) agree to be married; (2) after the agreement, live together in the State of Texas as husband and wife; and (3) represent to others that they are married.
Mediation	<p>A form of alternative dispute resolution in which a neutral mediator, independent from the control of either party to a dispute, assists in the resolution of the dispute by facilitating communication and negotiation between the parties. TJJJ offers the following two types of mediation:</p> <ul style="list-style-type: none"> • Employee Mediation – an opportunity for employees to participate in mediation voluntarily or as directed by management for the purpose of resolving a work-related dispute, other than termination or dismissal, by attempting to reach a voluntary and mutually acceptable agreement. • Independent Dismissal Mediation – an opportunity for a former employee whose termination of employment has been approved through the disciplinary process to voluntarily participate in mediation with a designated senior agency official in an attempt to reach a mutually acceptable agreement that may or may not result in the termination decision being reversed or modified.
Mediation Agreement	<p>A written plan of action resulting from a mediation session and agreed upon by the participating employees to resolve a dispute or as a condition of continued employment. Such an agreement does not constitute or create a contract of employment, does not create a legally enforceable interest on behalf of the employee against the agency, and does not limit management's authority to impose agency rules of conduct, performance measures, discipline, or any agency directive.</p>
Mediation Impasse	<p>The status of mediation that occurs when employees are unable to reach an agreement during a mediation session.</p>
Medical Review Officer (MRO)	<p>A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.</p>

Minimum Qualification Screening	The process used to determine, based on documentation provided by an applicant, whether the applicant meets employment eligibility criteria and a position's minimum qualifications and may be further considered for employment. The process includes verification of an applicant's college degrees, appropriate coursework, and licenses or certificates if the position requires such credentials.
Nepotism	Favoritism in employment granted to family or friends (e.g., an undeserved job promotion or biased performance review).
Non-Correctional Series Position	A position that is other than a correctional series position.
Official Investigation	An investigation conducted: <ul style="list-style-type: none"> • by the Human Resources Division for an alleged equal employment opportunity (EEO) violation; • by the Administrative Investigations Division, generally for alleged misconduct involving or potentially involving abuse, neglect, or exploitation of youth (e.g., an alleged violation of a Group 3 Employee General Rule of Conduct); or • by the Office of Inspector General (OIG), generally for an alleged criminal offense. However, criminal investigations conducted by the OIG are excluded from this definition for purposes of an employee grievance or a chief local administrator's appeal of an official investigation.
On-the-Job Injury	Damage or harm to the physical structure of the body, sustained in the course and scope of employment, and may include a disease or infection naturally resulting from such on-the-job damage or harm to the physical structure of the body. The term also includes occupational diseases.
Overtime	Time credited to an FLSA non-exempt employee at a rate of 1-1/2 times the time worked when a part-time or full-time FLSA non-exempt employee physically works more than 40 hours in a seven-day workweek.
Overtime, Scheduled	Voluntary or mandatory overtime hours that are scheduled for the upcoming or subsequent workweek
Overtime, Unscheduled	Voluntary or mandatory overtime hours that were not scheduled for the workweek, but are necessary due to unplanned absences ("call-ins") or other unexpected situations.
Parent	Includes a biological, adoptive, step, or foster father or mother, or any other individual who is standing or stood <i>in loco parentis</i> . The term does not include a parent "in law."
Payroll Termination Date	The last day an employee is on TJJJ payroll.
Pending Criminal Charge	A misdemeanor or felony offense for which an arrest has been made or an information or indictment has been filed, but no final judicial determination has been made as to guilt. This does not include a pending charge for a minor traffic violation (e.g., speeding, running stop signs, etc.).

Performance Evaluation, Current	A performance evaluation completed within the past 12 months.
Progressive Employee Disciplinary System	The use of progressively severe sanctions for performance or conduct and behavior-related problems with employees.
Promotion	An employee's change in duty assignment from one classified position to another classified position that: (1) is in a salary group with a higher minimum salary rate; (2) requires higher qualifications (e.g., greater skill or longer experience); and (3) involves a higher level of responsibility.
Qualification Standards	The personal and professional attributes, including the skills, experience, education, physical, medical, safety, and other requirements that an individual must meet in order to be eligible for an employment position held or desired.
Qualified Individual with a Disability	An individual with a disability: <ul style="list-style-type: none"> • who possesses the requisite skills, experience, education, and other job-related requirements and qualifications for the position held or desired; and • who, with or without reasonable accommodation, can perform the essential functions of the position.
Reasonable Accommodation	Modifications or adjustments in the workplace: <ul style="list-style-type: none"> • to a job application process that enable an otherwise qualified applicant with a disability to be considered for the position that the applicant desires; or • to a work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or • that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities.
Reassignment	For purposes of PRS.05.19, is a voluntary, lateral transfer from: <ul style="list-style-type: none"> • a youth development coach (coach) II – IV position at one facility to a coach II – IV position at another facility; or • a case manager position at one facility to a case manager position at another facility.

RIF Applicant's Employment Preference	<p>The priority consideration given during the selection and hiring process to an employee who received a reduction-in-force (RIF) notice. The priority consideration is effective upon receipt of the written RIF notice and continues for 12 months after the effective date of the RIF separation.</p> <p>The priority consideration applies only:</p> <ul style="list-style-type: none"> • when the employee meets the minimum qualifications for the available position; and • to positions in a salary group with a minimum salary rate that is equal to or lower than the employee's salary rate at the time of the RIF separation.
Sexual Harassment	<p>Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when: (a) the conduct is sufficiently pervasive or severe that it has the effect of unreasonably interfering with an individual's work performance or creating a work environment that a reasonable person would find intimidating, hostile, or offensive; (b) submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or (c) submission to or rejection of the conduct by an individual is used as a basis for employment decisions affecting the individual.</p>
Son	<p>A biological, adopted, or foster child; stepchild; legal ward; or a child for whom an individual is standing or stood <i>in loco parentis</i>.</p>
Spouse	<p>An employee's husband or wife through a marriage (either ceremonial or common-law marriage).</p>
State Compensatory Time	<p>Includes compensatory time and holiday time.</p>
Strike	<p>A work stoppage by a body of workers to enforce compliance with demands made by the body of workers or the workers' representatives.</p>
Substance Abuse	<p>The abuse or misuse of alcohol or inhalants or the use of drugs other than the use of a drug for which a legitimate medical explanation exists.</p>
Substantially Limited	<p>Means:</p> <ul style="list-style-type: none"> • an inability to perform a major life activity that the average person in the general population can perform; or • a significant restriction as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity. <p>The following factors should be considered in determining whether an individual is substantially limited in a major life activity:</p> <ul style="list-style-type: none"> • nature and severity of the impairment; • duration or expected duration of the impairment; and • permanent or long-term impact, or the expected permanent or long-term impact of or resulting from the impairment.

Total State Service	Includes all of the time worked by an individual for any state agency, full-time or part-time.
Transfer	A position change within state employment with no break in service.
Transfer, Inter-agency	Any transfer between TJJJ and any other state agency.
Transfer, Intra-agency	A transfer to a position within TJJJ, including a youth development coach or case manager reassignment.
Transfer, Lateral	A transfer to a position with a different job classification in the same salary group or a different salary group with the same minimum salary rate.
Transfer, Management-Directed	An intra-agency transfer, lateral transfer, or demotion initiated by agency management.
Undue Hardship	<p>Significant difficulty or expense incurred by the facility, when considered in light of the:</p> <ul style="list-style-type: none"> • nature and net cost of the accommodation; and • impact of the accommodation upon the operation of the facility, including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business.
Veteran	<p>A veteran is an individual who has served in, and has been honorably discharged from, any of the following branches of service:</p> <ul style="list-style-type: none"> • The U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard or the U.S. Public Health Service under Title 42, United States Code, Section 201. • The Texas Military Forces, as defined by Section 437.001, Texas Government Code. • An auxiliary service of one of the branches of the U.S. Armed Forces. <p>A disabled veteran is a veteran who is classified as disabled by the U.S. Department of Veterans Affairs or the branch of service in which the veteran served and whose disability is service connected.</p>

Veteran's Employment Preference	<p>The preferential consideration to which veterans and certain relatives of veterans are entitled under state law (Chapter 657, Texas Government Code) in the employment process or in retention of employment if the agency undergoes a reduction in force. The preferential consideration in the employment process only applies when other applicants for the same position do not have a greater qualification. The preferential consideration in the reduction in force process only applies when the reduction in force involves other employees of a similar type or classification.</p> <p>The following individuals are eligible for the veteran's employment preference, in the order listed:</p> <ul style="list-style-type: none"> • a veteran with a disability; • a veteran; • a veteran's surviving spouse who has not remarried; and • an orphan of a veteran if the veteran was killed while on active duty.
Witness	A person who has first-hand knowledge of facts pertinent to one or more alleged violations of employee rules of conduct.
Workplace Accommodation Committee	Provides consultation to the CLA during the processing of a request for an accommodation. The committee is composed of a least the ADA coordinator and an attorney from the Office of General Counsel.
Workweek	The consecutive seven-day period used for the recording and determination of time worked for purposes of wage calculations. Unless specified otherwise in writing for a particular job or class of jobs, the workweek for all TJJD positions is the same as the calendar week (i.e., starts on Sunday at 12:00 am and ends on Saturday at midnight).
Youth	For purposes of employee disciplinary rules, includes any youth committed to a facility operated by or under a contract with TJJD, any youth on TJJD parole status, or any youth under the jurisdiction of a juvenile court or supervision of a juvenile probation department.

