



## TRANSMITTAL MEMO

**TO:** TJJJ Staff  
**FROM:** Policy and Standards Section  
**SUBJECT:** PRS Transmittal  
**DATE:** May 8, 2023

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Please be advised that changes have been made to the Personnel Policy and Procedure (PRS) Manual. These changes will go into effect May 15, 2023.

### SUMMARY OF CHANGES

#### PRS.35.01 Disciplinary Action

- Revised the list of additional policy resources related to disciplinary actions that an employee might choose to consult.
- Revised the definitions section, including clarifying the definitions for *employee relations specialist* and *local investigation* and deleting the definitions for *employee relations coordinator* and *preliminary investigation*.
- Removed that supervisors are expected to pursue disciplinary action if the employee does not change his/her conduct after receiving a counseling memo or if disciplinary action is appropriate to the situation.
- Added that counseling memos and corrective action plans require review and approval by the human resources administrator prior to issuance.
- Removed sections describing written counseling memos and corrective action plans and their review and distribution.
- Removed that an employee who is terminated for failure to have a negative alcohol or drug test does not have the option to request independent dismissal medication but clarified that the employee may file a grievance only if the medical review officer changed a verified positive test result to a negative test result after the employee was terminated.
- Removed that when an employee's immediate supervisor observes a rule/policy violation or receives email notice of a rule/policy violation and it appears an official investigation is warranted because the violation involves an EEO violation, an ANE violation, or a criminal offense, the supervisor summarizes the incident on an HR-200a form.
- Removed that when an employee's immediate supervisor observes a rule/policy violation or receives email notice of a rule/policy violation and it appears an official investigation is not warranted, the supervisor must conduct a preliminary investigation to determine whether there is sufficient reason to believe a rule/policy violation occurred and whether submission of an HR-200a form is required.
- Removed a section describing the assignment of cases numbers when the employee relations coordinator receives an HR-200a form.
- Added that an employee should not be considered for a change in salary, classification, or other position status change while an investigation is pending.
- Clarified that:
  - notwithstanding the supervisors determination, the Office of General Counsel may initiate an investigation separate and independent from the local investigation; and
  - the local investigation includes determining whether the incident occurred and is a violation and warrants discipline.

- Removed a series of steps related to local investigations that are no longer required because a series of HR forms is being discontinued.
- Added that before the imposition of a supervisor's recommended disciplinary action as determined by a local investigation, the employee must be provided the opportunity to present information, in writing, that may influence a decision.
- Clarified that the *two most important factors* influencing a supervisor's decision to recommended disciplinary action are the documented facts of the reported incident and the range of disciplinary actions designated in the Employee Handbook that would generally be appropriate for each violation level.
- Clarified that the *other factors* that may influence a supervisor's decision to recommended disciplinary action are the employee's disciplinary history, whether the employee is currently on disciplinary probation, any aggravating or mitigating circumstances, disciplinary actions imposed for other employees with similar violations, and the employee's record of training, length of service, position, job responsibilities, and performance history.
- Revised a table showing all available disciplinary actions as follows:
  - Reprimand
    - clarified that a reprimand is the lowest level of discipline in the progressive discipline process;
    - removed that if the reprimand is for a Group 3 rule violation, the employee is not eligible to serve as a TJJD volunteer for three months after the date of the reprimand; and
    - removed that the employee is not eligible for a merit salary increase, one-time merit payment, or administrative leave for outstanding performance for six months after the date of the reprimand.
  - Probation
    - clarified that probation may be for any amount of time deemed appropriate for the situation (instead of three or twelve months);
    - added that probation allows an employee the opportunity to improve performance or modify behavior and that failure to do so during the probation period could result in additional and more severe disciplinary action;
    - removed that, during a probation period, an employee is not eligible to serve as a TJJD volunteer if the discipline is a result of a Group 3 rule violation;
 

Note: Even though the information pertaining to employees serving as TJJD volunteers during probation periods was removed from this policy, the prohibition remains in place.
    - added that a probation period results in a delay in *career ladder* or career path promotions; and
    - removed that an employee is not eligible for a merit salary increase, one-time merit payment, or leave for outstanding performance for six months after the start of a probation period and during any part of a 12-month probation period.
  - Involuntary Demotion
    - clarified that, when an involuntary demotion is imposed, a *minimum* 3-month disciplinary probation must also be impose; and
    - removed that, if the demotion is a result of a Group 3 rule violation, the employee is not allowed to serve as a TJJD volunteer until a satisfactory performance evaluation has been received.
 

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  - Termination
    - clarified that, with termination, the employee is separated from employment for disciplinary reasons.

- Deleted sections detailing certain documentation procedures when disciplinary action is and is not recommended.
- Revised a table showing who must approve disciplinary actions as follows:
  - changed the supervisor recommended disciplinary actions for violation levels 1 and 2 to reprimand or up to *6-month* probation (instead of 3-month probation) and *more than 6-month probation* (instead of 12-month probation), involuntary demotion, or termination of employment.
  - replaced the employee relations coordinator with the human resources administrator; and
  - deleted the requirement that the approvals be obtained in the order listed.
- Removed all sections relating to conducting an employee disciplinary hearing. (These hearings will no longer be held.)
- Removed that if no discipline is imposed, no documentation is filed in an employee's personnel file.
- Clarified that, if discipline is imposed, the only documentation filed in an employee's personnel file is the HR-200d form *or the HR-200dd form*, and added that all other documentation relating to the disciplinary action is filed in the separate disciplinary case file maintained by HR.
- Removed information about how disciplinary case files are maintained.
- Removed the section about technical reviews by the employee relations specialist.
- Removed the responsibilities of the employee relations coordinator from the Exceptions section.

#### **PRS Appendix B Employee Handbook**

- Clarified that the maximum length of an alternative work assignment is six weeks unless extended for extenuating circumstances.
- Changed the second of five disciplinary actions on the Range of Disciplinary Actions Grid to *Probation Only: Up to 6 Months* (from Probation Only: 3 Months).
- Changed the third of five disciplinary actions on the Range of Disciplinary Actions Grid to *Probation Only: More Than 6 Months* (from Probation Only: 12 Months).
- Clarified that the title of Group Four within the five groups of the general rules of conduct is titled *Conflicts of Interest, Ethics, and Fraud*.
- Removed the detailed definition of *unauthorized absence* and added that the information can be found in PRS.27.01, Attendance.
- Clarified that sexual contact between youth or between staff and youth, regardless of the consensual *or perceived consensual* nature, may constitute harm to youth.
- Under the section "Do not commit any criminal offense," made the following changes:
  - Added that *arrest or deferred adjudication* (in addition to conviction) for certain offenses subjects a person to disciplinary termination.
  - Removed the detailed description of the types of offenses that can lead to termination and added that the information can be found in PRS.02.08, Criminal History: Standards, Background Checks, and Self-Reporting Requirements;
  - Removed a statement about possibly being subject to administrative suspension without pay or administrative separation for certain pending criminal charges; and
  - Clarified that the three categories of offenses under this rule are *disqualifying offense* (rather than any felony), *offense that requires review* (rather than Class A or B misdemeanor involving a child victim or direct endangerment of a child), and *other offense* (rather than other Class A or B misdemeanor).
- Added that an employee should notify the agency immediately of any past or present relationship with a TJJJ youth *or an immediate family member of a TJJJ youth*.
- Added an Overall Job Expectation explaining that employees must not misuse an issued body-worn camera; must ensure issued devices are functioning properly and record the entire shift unless

deactivating during certain exceptions listed in TJJJ policy; and must report equipment malfunctions timely as required by policy.

- Added that in the event of a conflict, the Personnel Policy and Procedure Manual and the General Administrative Policy Manual control over this handbook.

**PRS Appendix C Employee Disciplinary Hearing Guidelines – REPEAL**

- The content is addressed by revisions to PRS.35.01 and PRS Appendix B.