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## Employee Handbook

# Appendix B to TJJD Personnel Policy and Procedure (PRS) Manual

*Prepared by*

TJJD Human Resources  
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## INTRODUCTION

This employee handbook is designed to provide you with an overview of the personnel policies of the Texas Juvenile Justice Department (TJJD), to help you understand your responsibilities as a TJJD employee and the agency's expectations about work and personal conduct, and to make you aware of available employment-related benefits and services.

You are responsible for promptly reviewing all of the handbook's contents and referring to it when you have employment-related questions.

The information in this handbook is current as of the publication date but is subject to change as statutes, regulations, and agency policies are modified. In the event of a conflict between policies in the General Administrative Policy Manual (GAP) or Personnel Policy and Procedure Manual (PRS) and the procedures in any other TJJD manual, guideline, or local procedure, the provisions of the GAP and PRS manuals will be controlling.

No handbook or policy manual can address every possible situation that may arise. TJJD management may:

- in accordance with generally accepted management practices and procedures, resolve issues that are not adequately addressed in this handbook;
- change this handbook or the policies mentioned in this handbook at its discretion; and
- depart from written policy when necessary to address the circumstances of a particular situation.

- A. **Employment at Will**: Nothing contained in this handbook should be considered as a contract, promise, or guarantee of continued employment or of any particular policy or benefit. Employees of TJJD are "at will" employees. This means that employment is for no definite period and either the employer or the employee may terminate the employment relationship at any time for any reason or no reason, other than an illegal reason by the employer, without liability.
- B. **Human Resources Administrator**: Each TJJD secure facility has a human resources office with staff that includes a human resources administrator. Human Resources staff members are available to assist the facility's employees with employment-related issues. A human resources specialist at Central Office acts as the human resources administrator for employees assigned to Central Office, district offices, and halfway houses. In addition, employees may contact the appropriate Central Office Human Resources staff member for answers to questions about a specific program area, service, or benefit.
- C. **Employee General Rules of Conduct**: As indicated in the table of contents, this handbook briefly covers several employment-related topics. All of the topics are important, but of particular importance is Section VIII, Employee General Rules of Conduct and Disciplinary Process. Becoming familiar with these rules will help you avoid conduct that could lead to disciplinary action.
- D. **Access to TJJD Policies and Website**: The PRS manual contains personnel policies and procedures. The GAP manual contains policies and rules about the agency's various responsibilities and operations. The Employee Handbook is based on and refers to some of the policies in the PRS manual and reflects some of the GAP rules about employee responsibilities. The PRS and GAP manuals and this handbook are available on TJJD's public website ([www.tjtd.texas.gov](http://www.tjtd.texas.gov)) and the TJJD intranet, which is accessible to TJJD employees from a TJJD computer. In addition, other procedures, guidelines, and helpful resources are available on the TJJD intranet. Examples include the Case Management Standards Manual and the Institution Operations Manual, both of which include procedures and expectations that apply to specific TJJD positions. It is your responsibility to know and comply with all policies, procedures, and guidelines that apply to your position.



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Please let human resources staff or other appropriate staff know if you believe a policy or practice could be improved in any way or if you have any questions or comments about any aspect of our policies or practices. We encourage all employees to present their ideas, problems, and concerns to management. We appreciate any suggestions from you that may aid us in our operations or streamline your work processes. Constructive communication helps us all to maintain a positive work environment.



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## SECTION I. EQUAL EMPLOYMENT OPPORTUNITY

### A. Equal Employment Opportunity Policy

TJJD is an equal opportunity employer and strives to provide a work environment free from discrimination, which is defined as unlawful treatment based on race, color, religion, sex (gender), national origin, age (40 and above), disability, or genetic information. Sexual harassment is a form of gender-based discrimination.

All TJJD employees are responsible for refraining from discrimination or harassment. TJJD managers and supervisors are responsible for basing all employment-related decisions on job-related, non-discriminatory factors and for complying with all laws applying to the employment relationship. This includes activities related to recruitment, screening, hiring, training and development, promotion, compensation, benefits, social and recreational programs, termination, reduction in force, and all other conditions and privileges of employment.

#### ***What do I do if I believe I have been the subject of employment discrimination?***

You should file a formal employee grievance in accordance with [PRS.35.03, Employee Grievances](#), if you believe that discrimination has adversely affected your employment, assignment, compensation, advancement, career development, or any other condition of employment. If for any reason you are reluctant to file a grievance with the local employee grievance contact, you may file a grievance directly with the employee relations specialist, who serves as the agency's employee grievance coordinator and is located in Central Office. (For more information regarding the filing of a grievance, see Section X of this handbook.)

#### ***What about retaliation?***

TJJD does not tolerate retaliation against employees who:

- oppose a discriminatory practice;
- make or file a charge;
- file a complaint; or
- testify, assist, or participate in any manner in an investigation, proceeding, or hearing relating to an allegation of discrimination.

If you believe you have been subjected to retaliation, you should file a formal employee grievance in accordance with PRS.35.03.

[PRS.01.01, Equal Employment Opportunity](#), provides additional information about the agency's equal employment opportunity policy. In addition, the agency's zero tolerance of discrimination and retaliation is reflected in Group 1 of the Employee General Rules of Conduct (Equal Employment Opportunity and Protection of the Work Environment).

### B. Sexual Harassment Prevention Policy

As previously stated, sexual harassment is a form of gender-based discrimination. To protect employees from sexual harassment, TJJD has established procedures reflecting the agency's effort to provide a safe, professional, and pleasant work environment free of inappropriate sexual conduct.

All inappropriate sexual conduct is strictly prohibited and is not tolerated. This policy applies to employees, contractors, and contractors' employees, volunteers, delivery persons, vendors, and any other person having contact or doing business with TJJD.



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## ***What is inappropriate sexual conduct?***

Inappropriate sexual conduct is conduct of a sexual nature that is debilitating to morale, interferes with job performance, or in any way has a negative impact on a safe, professional, and pleasant work environment. It can occur in many ways, all of which are unacceptable. No employee, male or female, should see or hear unwelcome and unsolicited sexual comments or conduct. In particular, this includes verbal, visual, or physical conduct of a sexual nature or unwelcome requests for sexual favors when:

1. submission to the conduct or request is a condition of employment;
2. rejection of or agreement with the conduct or request is used to make an employment decision; or
3. the conduct or request has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

## ***What are some specific examples of inappropriate sexual conduct?***

The following are some examples of inappropriate sexual conduct. Please keep in mind it is not possible to list every action that might be considered inappropriate sexual conduct.

Examples:

1. Off-color jokes, sexual horseplay or teasing, sexual innuendo, and other obscene, lewd, or sexually suggestive remarks or gestures.
2. Sexually suggestive workstation wallpaper, screen-savers, calendars, posters, T-shirts, cartoons, or drawings or other sexually suggestive displays.
3. Touching or threatening to touch another in an unprofessional manner.
4. Inquiring about another person's sex life or discussing sexual conduct that is unrelated to work.
5. Using demeaning or inappropriate terms related to gender.

## ***What about complimenting a coworkers or subordinate employees regarding their appearance?***

Inappropriate sexual conduct does not include occasional compliments of a socially acceptable nature.

## ***Is inappropriate sexual conduct limited to the immediate work environment?***

No. Inappropriate sexual conduct can occur both within and outside of the immediate work environment.

## ***What do I do if I believe that I have been subjected to inappropriate sexual conduct or have observed another employee being subjected to inappropriate sexual conduct?***

You should file a grievance in accordance with [PR.S.35.03, Employee Grievances](#). If for any reason you are reluctant to file a grievance with the local employee grievance contact, you may file a grievance directly with the agency's employee relations specialist, who serves as the employee grievance coordinator and is located in the Central Office. All complaints and reports are taken seriously and are investigated to gather facts about the alleged occurrence. To the extent possible, confidentiality is maintained and information is disclosed only as needed to investigate and resolve the matter or as required by law.

[PR.S.01.02, Inappropriate Sexual Conduct](#), contains additional information about the agency's provisions and procedures that have been established with the goal of providing employees with a workplace free of inappropriate sexual conduct.



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## C. Americans with Disabilities Act Policy

In compliance with the Americans with Disabilities Act (ADA), no qualified individual with a disability may be subjected to discrimination in selection, promotion, discharge, compensation, training, or other terms or conditions of employment on the basis of having a disability or record of a past disability. The law and the agency's ADA policy also prohibit treating an individual as disabled through stereotyping or assumptions about physical or mental conditions, real or perceived.

TJJD grants reasonable accommodations for known physical or mental limitations to qualified individuals having a disability in order to enable the individual to perform the desired or current position's essential functions, as long as the agency can provide the accommodation without undue hardship to the agency and without a direct threat to health or safety

### ***What do I do if I need to request an ADA accommodation?***

You must inform your human resources administrator of your disability and the functional limitations creating a need for an accommodation. Requests for an accommodation are voluntary.

Each request for accommodation is reviewed on a case-by-case basis. Requests for accommodation are reviewed by the chief local administrator, who may work in consultation with the agency's workplace accommodation committee.

**[PRS.01.10, Americans with Disabilities Act \(ADA\)](#), contains additional information about ADA accommodations.**

## SECTION II. ATTENDANCE AND PUNCTUALITY

Your job is important. Good attendance practices and responsible use of leave are essential requirements for every TJJD position. Such attendance practices include arriving to work on time, working scheduled hours, and staying until the end of the scheduled workday unless you have prior approval to leave early. Unauthorized absences and abuse of leave benefits are not tolerated. Absences and tardiness have a negative impact on the agency's ability to successfully fulfill its mission. [PRS.27.01, Attendance](#), contains additional information about your responsibilities relating to attendance.

### ***How do good attendance practices impact the agency's mission?***

- When co-workers can count on each other to come to work and not have excessive absences, employees will not have to work extra hours on a routine basis. The results are a work atmosphere based on respect, trust, good teamwork, and a reduction in employee turnover.
- Lower turnover results in an agency team consisting of employees with high levels of experience and skills, which are critical components in fulfilling the agency's mission.

### ***How do excessive unplanned absences impact the agency's mission?***

- Co-workers have to pick up the slack to ensure that goals are met and daily operations are maintained. This has a negative impact on morale.
- The longer work hours for co-workers picking up the slack not only strain the agency's budget due to overtime costs but also have a negative impact on the work-life balance for these employees. A poor work-life balance affects the quality of work performed.



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- A level of work quality that is not the very best it could be affects programs throughout the agency and the youth depending on these programs.

## ***What do I need to do when I realize that I will be tardy or absent?***

If you are unable to report at the scheduled time, you must take two actions:

- give notice to the appropriate contact person in accordance with instructions provided by your supervisor; and
- provide the general reason for the absence.

If you are responsible for supervising or providing services to youth at a residential facility, there are some additional requirements that apply to you.

- If an emergency or unexpected circumstance will cause you to be late or absent from work, you must notify the appropriate contact person by the appropriate method immediately upon becoming aware of the situation unless a verifiable emergency makes it impossible for you to do so.
- The notice must be provided as soon as reasonably possible and no less than two hours prior to the start of the shift or workday when a non-emergency medical condition or illness (e.g., cold, stomach virus) causes you to be late or absent unless you do not become aware of the illness or medical condition in sufficient time to provide a two-hour notice prior to the start of the workday.
- The purpose of providing as much notice as possible is to allow the facility to arrange for replacement staff or make any necessary changes to the youth activity schedule due to the absence.

You are not required to provide medical facts to the contact person. However, a general reason is required to determine whether you complied with call-in requirements and whether the reason for tardiness or absence could potentially qualify for FMLA-covered leave as explained in [PRS.28.10, Family and Medical Leave Act \(FMLA\)](#). You may be required to provide medical facts to your human resources administrator in follow-up conversations or documentation as needed to support entitlement to sick leave and/or FMLA-covered leave.

You are also responsible for informing your supervisor if you need to leave your work site at any time other than your regularly scheduled break period.

Because absenteeism and tardiness interfere with operations and place hardships on others, a failure to report absences from work in a timely manner, unauthorized absences, or tardiness may result in disciplinary action or discharge. Three consecutive workdays of unauthorized absence is considered a voluntary resignation.

## ***What is a medical fact?***

A medical fact is a description of a condition identifying the cause or nature of the illness or injury (e.g., viral illness, internal bleeding, back pain, upper respiratory infection). A procedure identifying the body part (e.g., hysterectomy, appendectomy, or tonsillectomy) is sufficient information to serve as a "medical fact." Terms such as "under my care," "surgery," or "stress" are not acceptable as medical facts. A medical fact does not require a diagnosis.

## ***When will I need to provide a statement from a health care provider?***





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The following list includes some, but not all, of the situations when you are required to provide a health care provider's statement (also referred to as a medical certification or doctor's note):

- if you are absent due to illness or injury for more than three consecutive workdays;
- if you are a juvenile correctional officer (JCO) and are absent due to an illness or injury on certain holidays or other days listed in [PRS.27.01, Attendance](#); or
- if you are required to provide a health care provider's statement in accordance with PRS.27.01 as an administrative measure to help ensure responsible use of leave.

It is important to keep in mind that failure to provide the required medical certification will result in the time missed being treated as an unauthorized absence.

### ***If I exhaust all of my available paid leave benefits, does this affect other benefits?***

Possibly. If you exhaust all available paid leave benefits and are placed on unpaid leave, you might:

- become ineligible to participate or continue participating in the direct deposit and electronic paycard program (See the [Options for Payroll Deposits form, HR-176](#));
- be paid in the middle of the month following the unpaid leave period on supplemental payroll instead of on the first workday of the month); and
- not receive longevity pay and/or hazardous duty pay for the month, depending on when the unpaid leave occurs and how long you are on unpaid leave (See [PRS.19.03, Hazardous Duty and Longevity Pay](#)).

You should also keep in mind that upon retirement, your sick and vacation leave may count toward ERS service credit.

[PRS.27.01](#) and Group 2 of the Employee General Rules of Conduct (Attendance and Punctuality) describe the agency's specific expectations regarding attendance and punctuality.

***Remember, your job is important and your co-workers are relying on you to report to work!***

## **SECTION III. REPORTING ILLEGAL ACTIVITIES**

TJJD does not take any action against anyone for making a good-faith report of illegal activities as provided in A or B below or for participating in an investigation of alleged misconduct. However, this protection does not apply to self-disclosure.

### **A. Youth Mistreatment**

You are required to report any youth mistreatment, whether performed by another youth or a TJJD or county employee, volunteer, or contractor.

#### ***What is youth mistreatment?***

Youth mistreatment includes any abuse, neglect, or exploitation of a youth as defined by §261.401, Family Code.

- **Abuse** – an intentional, knowing, or reckless act or omission that causes or may cause emotional harm or physical injury to, or death of, a youth.



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- **Neglect** – a negligent act or omission, including failure to comply with an individual case plan, that causes or may cause substantial emotional harm or physical injury to, or death of, a youth.
- **Exploitation** – the illegal or improper use of a youth or the resources of a youth for monetary or personal benefit, profit, or gain.

Some, but not all, specific acts of youth mistreatment are described in the following documents:

- Group 3 of the Employee General Rules of Conduct (Youth Supervision);
- [GAP.380.9333, Investigation of Alleged Abuse, Neglect, and Exploitation](#);
- [GAP.380.9723, Use of Force](#);
- [GAP.380.9337, Zero Tolerance for Sexual Abuse, Sexual Activity, and Sexual Harassment](#); and
- the [Notice of Improper Sexual Activity with Person in Custody form, HR-270](#), which describes sexual activity constituting a felony criminal offense. Each newly hired employee receives the HR-270 form during the New Employee Orientation session.

[PRS.02.09, Staff/Youth Relationship](#), describes other agency expectations regarding staff/youth relationships.

## ***What do I do if I believe a youth in TJJD custody has been a victim of youth mistreatment?***

[GAP.07.03, Incident Reporting](#), establishes how incidents must be properly documented and reported. Any staff member who witnesses a critical or serious incident or who has reasonable cause to believe that a youth in TJJD custody or under the supervision of TJJD has been a victim of abuse, neglect, or exploitation or who receives such a report must: (1) immediately notify the Office of the Inspector General – Incident Reporting Center by telephone (1-866-477-8354); and (2) immediately after calling the Incident Reporting Center, call the chief local administrator. If you received a tracking number from the Incident Reporting Center, provide that number to the chief local administrator. See GAP.07.03 for the definition of chief local administrator.

If you observe or have first-hand knowledge about any youth mistreatment and you do not report the activity or you help cover it up, you are subject to disciplinary action, up to and including termination of employment. Everyone involved is held accountable.

TJJD investigates all reported allegations according to TJJD policies and procedures. If the allegations are substantiated, the agency takes appropriate disciplinary action, up to and including termination of employment. Criminal investigations are conducted separately and could result in prosecution.

## ***What do I do if I have been given information that a child in the juvenile justice system who is not in TJJD custody has been a victim of mistreatment or if I witness mistreatment?***

If you are given information that a child involved in the juvenile justice system but not in TJJD custody has been the victim of mistreatment, or if you witness any mistreatment, you must immediately notify the Office of the Inspector General – Incident Reporting Center by telephone (1-866-477-8354). The written report must be submitted as soon as possible after notifying the Incident Reporting Center, but no later than the end of the current shift. If you received a tracking number from the Incident Reporting Center, include that number on the written report.



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### B. Fraud, Waste, or Abuse of State Resources and Other Unlawful Activities

#### *What is fraud?*

Fraud includes any intentional deception, misrepresentation, or omission of important facts. Fraud, waste, and abuse of state resources can be related to the expenditure of state appropriated (budgeted) funds or state grant money (e.g., theft, forgery, breach of computer security). Some, but not all, specific acts of fraud are described in Group 4 of the Employee General Rules of Conduct (Conflicts of Interest, Ethics, and Fraud) and in [PRS.02.03, Standards of Conduct and Ethics](#).

#### *How do I report a suspected incident of fraud, waste, or abuse of state resources or other unlawful activity?*

If you become aware of fraud, waste, or abuse of state resources or any other unlawful activity, you must immediately notify at least one of the following:

- chief local administrator, campus shift administrator, or administrative duty officer;
- Office of the Inspector General – Incident Reporting Center (1-866-477-8354 or [tjjd.irc@tjjd.texas.gov](mailto:tjjd.irc@tjjd.texas.gov));
- management in TJJJ Central Office;
- Texas State Auditor's Office hotline (1-800-892-8348 or [sao.fraud.state.tx.us](http://sao.fraud.state.tx.us)) for fraud, waste, or abuse of state resources; or
- anyone in authority within TJJJ to whom you feel comfortable reporting.

You do not have a duty to report fraud, waste, or abuse of state resources or any other unlawful activity if you have clear evidence that the matter has already been reported.

## SECTION IV. SAFETY AND WORKERS' COMPENSATION

Employees of TJJJ are the most valuable and important resources of the agency. TJJJ cannot perform its vital public mission for the citizens of Texas without the enthusiastic, energetic, professional, and dedicated work performed by each employee.

The safety and health of our employees are major concerns of TJJJ. The agency promises to make every reasonable effort to provide all employees with a safe and healthy workplace. Each year, accidents, injuries, and illnesses have caused suffering and financial loss to employees of the agency and their families. In addition, accidents, injuries, and illness keep us from providing full service to the people of Texas who depend on us. A safe and healthy workplace cannot happen by itself. Therefore, safety is everyone's responsibility, and everyone, without exception, is personally accountable to help and support the employee safety and health program of this agency.

TJJJ is committed to safety and health and will do everything it can to support and promote a safe and healthy workplace. TJJJ will comply with all applicable safety and health laws, rules, regulations, and standards; take no shortcuts when it comes to safety and health; and give safety and health priority consideration when it comes to making decisions. If all staff members do their part, TJJJ will become an even safer place for everyone to work.



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You will be evaluated on your safety performance during your performance appraisal. Your responsibilities include, but are not limited to, the following:

- immediately reporting any safety hazard and correcting the hazard when possible;
- performing all duties in a manner to prevent accidents/injuries; and
- completing required documentation within required time frames in the event of an accident/injury while on the job.

## ***What is a safety hazard?***

A safety hazard is an unsafe condition, usually physical, that has the potential to cause injury to an employee or youth. Common examples include spills or tripping hazards on floors, frayed electrical cords, improperly stored chemicals and tools, blocked emergency exits, and poor lighting.

## ***To whom do I report a safety hazard?***

You are required to immediately report a safety hazard to your immediate supervisor. You are also required to report the safety hazard to the facility safety officer (institutions), assistant superintendent (halfway houses), or assigned risk management specialist (other locations).

## ***Does the agency have workers' compensation insurance?***

Yes. The State Employees' Workers' Compensation System pays for medical treatment and lost wages for state workers who are injured or become ill as a result of their work. Coverage is provided at no cost and you are not required to sign up for this coverage.

- The State Office of Risk Management serves as the state's insurance carrier for this benefit.
- The Texas Department of Insurance/Division of Workers' Compensation (TDI/DWC) regulates workers' compensation insurance in Texas. You can receive more information about your workers' compensation rights from any office of the Texas Department of Insurance/Division of Workers' Compensation or by calling 1-800-252-7031.

## ***What do I do if I am injured on the job?***

If you are injured on the job, you are responsible for:

- seeking medical assistance, which must be from a treating doctor in the CareWorks Network if you live in a CareWorks service area;
- telling the medical provider that the injury was job related;
- immediately telling your supervisor about the injury;
- immediately telling the human resources office about the injury;
- immediately completing any required documentation; and
- if time off from work is necessary due to an injury, providing any required medical certifications for the administration of leave.

Prompt notice is vital to receipt of benefits. All benefits may be denied if you fail to give notice of injury within 30 days or fail to file a claim within one year, unless you have a good cause for failure to give notice or file a claim. [PRS.23.03, Workers' Compensation](#), contains additional information about the agency's workers' compensation program.



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## ***What do I do if I experience an occupational exposure?***

If your eyes, broken skin, and/or the mucous membranes of your nose or mouth come into contact with blood, body fluids, or other potentially infectious material while you are performing your job duties, you must report the incident to your supervisor and the human resources office, regardless of the level of perceived risk or the perceived status of the source individual. All human blood and certain human body fluids are treated as if they are infected with human immunodeficiency virus (HIV), hepatitis B (HBV), hepatitis C (HCV), and/or other bloodborne pathogens.

- The US Centers for Disease Control and Prevention recommends that individuals who have experienced an occupational exposure should obtain testing and seek medical attention as soon as possible. Therefore, TJJJ encourages you to seek medical attention within two hours of an occupational exposure so you can be assessed for the need for post-exposure testing and possible preventative medication. You are allowed time off for such testing and medical attention in the same manner as if you were seeking immediate medical attention for a work-related injury.
- You have the right to file a workers' compensation claim and to be tested for a reportable disease no later than 10 days after an exposure.
- [PRS.23.05, Occupational Exposure to Potentially Infectious Material](#), contains additional information relating to occupational exposures, including procedures for requesting a test for the source of the exposure.

## ***Does the agency have a return-to-work program?***

Yes. In addition to workers' compensation insurance coverage, the agency has established a return-to-work program for employees who have experienced an on-the-job injury or illness. You may be eligible to work in an alternative work assignment if:

- you are unable to perform your essential job duties due to an on-the-job-injury accepted by the State Office of Risk Management;
- you are able to work with restrictions;
- an alternative work assignment is available; and
- you are able to perform the duties of the alternative work assignment.

The maximum length of the alternative work assignment is six consecutive weeks unless extended for extenuating circumstances. See [PRS.23.04, Return-to-Work Program](#), for more information.

## **SECTION V. DRUG-FREE WORKPLACE**

TJJJ makes a good-faith effort to maintain a drug-free workplace, which is essential for:

- reducing the potential for delivery of contraband to youth in the agency's custody;
- creating a safe residential environment for youth and a safe work environment for staff; and
- preventing substance use from impairing the operation of youth residential facilities, the delivery of juvenile justice services and programs, and the performance of related administrative processes.

### ***What does the agency do to maintain a drug-free workplace?***

- The agency implements an alcohol/drug testing program in accordance with [PRS.02.17, Drug-Free Workplace](#). The program includes: (1) pre-employment and random drug testing for all positions assigned to a residential facility or having routine, direct contact with youth; and (2) reasonable-suspicion alcohol/drug testing for all employees regardless of position held. The agency prohibits the manufacture, distribution, dispensation, possession, or use of alcoholic



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beverages, inhalants, controlled substances, or narcotics paraphernalia on TJJD premises or while conducting TJJD business off agency premises. This prohibition includes prescription drugs unless taken as prescribed by the employee's medical provider. Employee General Rule of Conduct 5.12 establishes certain exceptions for lawfully possessed items.

- The agency requires you to notify your supervisor within two workdays after any arrest, charge, indictment, or conviction under the Texas Controlled Substances Act or any other criminal drug or alcohol statute. Procedures for reporting criminal charges and changes in the status of a criminal case are found in [PRS.02.08, Criminal History: Standards, Background Checks, and Self-Reporting Requirements](#).

Note: This reporting requirement also applies to an arrest, charge, indictment, or conviction (including deferred adjudication) for any other criminal offense.

- Upon receiving notice of a drug- or alcohol-related conviction, TJJD management: (1) takes appropriate disciplinary action, up to and including termination of employment; and (2) if the employee is not terminated, requires the employee to satisfactorily participate in and complete an agency-approved substance use treatment program.
- The agency's employee assistance program is available to help employees address any type of personal issue, including substance use issues. TJJD encourages employees who need professional help due to substance use to voluntarily notify their supervisors of the need for such help before their job performance is adversely affected.

## ***What if I am taking a prescription drug or over-the-counter medication with side effects that may appear to be a result of substance abuse?***

If you are taking a prescription or over-the-counter medication that may impair your mental or physical capabilities, you must notify your supervisor prior to starting work while taking the medication. If your supervisor determines that you cannot safely or effectively perform your job duties while taking the medication, you must use your leave in accordance with [PRS.28.02, Use of Leave Benefits](#).

## **SECTION VI. EMPLOYEE ASSISTANCE PROGRAM**

The agency's employee assistance program is provided through Deer Oaks Employee Assistance Program Services. The employee assistance program provides valuable services at no cost to you and your family in the form of stress management, short-term counseling, legal and financial consultations, enhancing wellness and quality of life, and an online resource center. For more information, you may: (1) obtain an informative brochure from your human resources office; or (2) visit the Deer Oaks website at [www.deeroaks.com](http://www.deeroaks.com). The login username and password for TJJD employees is available through the human resources administrator.

### ***Are services provided through the employee assistance program confidential?***

Yes. The employee assistance program must comply with all state and federal confidentiality laws with regard to alcohol and drug use treatment and mental health records, including the Health Insurance Portability and Accountability Act (HIPAA).

### ***Are family members covered by services provided through the employee assistance program?***

Yes, services are provided to any family members living in your household at no cost to you.



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## ***How do I access the employee assistance program?***

Simply call the toll-free, 24-hour hotline at 1-866-327-2400. Employees who are hearing impaired can reach the program at 1-800-735-2989.

## **SECTION VII. INFORMATION TECHNOLOGY RESOURCES**

TJJD employees are expected to use professional practices when using the agency's information technology resources. All agency information technology resources are the property of TJJD and the State of Texas and are provided for conducting state business. TJJD has established rules for the use of information technology resources. These rules are contained in the Information Security Procedure Manual, [PRS.02.31, Use of Information Technology Resources](#), and the [Data Use Agreement form, HR-016](#), provided to and signed by each newly hired employee.

Passwords are intended to protect against unauthorized access to information technology resources and must be kept confidential and not disclosed to anyone. You are prohibited from accessing any agency information technology resource using someone else's password or disclosing your password to anyone other than authorized TJJD staff, except as permitted by law. With appropriate management authorization, any TJJD information technology resource may be monitored to ensure security and appropriate use of state property without notice of times, locations, or durations of monitoring.

## **SECTION VIII. EMPLOYEE GENERAL RULES OF CONDUCT AND DISCIPLINARY PROCESS**

### **A. Discussion**

The purpose of the employee general rules of conduct is to assist you in: (1) becoming familiar with the agency's general expectations for employee conduct; and (2) avoiding conduct that could lead to disciplinary action. If you violate a general rule of conduct, you are subject to the agency's disciplinary process.

#### ***What is considered a violation?***

A violation of a general rule of conduct includes, but is not limited to:

- committing or attempting to commit a violation, including assisting someone else in committing a violation;
- planning to or conspiring with others to commit or attempt to commit a violation; or
- failing to take action when required.

#### ***What are the types of corrective actions or disciplinary actions used by the agency?***

It may be appropriate for a supervisor to take corrective action through a written counseling memo to address an employee's unacceptable performance or behavior before pursuing disciplinary action. Counseling is not considered a disciplinary action. However, if a written counseling memo does not result in the necessary change in conduct or is considered insufficient to address the conduct, the supervisor must proceed with disciplinary action.



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Disciplinary actions include a reprimand, disciplinary probation, involuntary demotion, and termination. In addition to internal disciplinary actions, TJJD may be required to report certain types of misconduct on the part of an employee holding a professional license to the agency or entity that issues the license or governs the conduct of persons holding the license.

Although the TJJD disciplinary process is generally progressive in nature to encourage positive behavioral change and improve employee performance, you are not entitled to counseling or a less severe disciplinary action prior to having a more severe disciplinary action, including termination of employment, imposed. A single infraction may warrant termination of employment based on the nature of the offense or any aggravating circumstance. If there are mitigating circumstances, a lesser disciplinary action may be imposed. Aggravating or mitigating circumstances include things like evidence of willfulness or lack of willfulness, environmental factors that may have contributed to your action, and efforts or lack of efforts to help you overcome the problem.

## ***Is the disciplinary process different for newly hired employees with fewer than six months of service?***

No. The process is the same, including your ability to choose to grieve a disciplinary termination or participate in independent dismissal mediation. However, your first six months of employment with TJJD is considered an introductory period. It is expected that, during this period, you will gain a better understanding of the expectations of the agency, the duties of your job, and whether employment with the agency is a good fit for you. Similarly, during this introductory period, your supervisor will become familiar with your work habits and skills and gain a better understanding of whether you are suited to the position. You should expect and welcome careful scrutiny of performance and conduct during this introductory period but should also expect an intolerance of certain performance or conduct problems (e.g., excessive tardiness, unauthorized absence). Therefore, if you commit a rule violation during the first six months of TJJD employment, you may be subject to a more severe disciplinary action than would be generally imposed upon an employee with a greater length of service.

## ***Am I entitled to a greater degree of job protection if I commit a rule violation after I have been employed with the agency for six months?***

Length of service is one of the factors considered when deciding the appropriate disciplinary action for an employee. However, remaining employed for longer than six months does not entitle you to any greater degree of job protection or lesser degree of scrutiny of performance and conduct. Employment with the agency remains "at will" at all times, both during and after the initial six months of employment. In other words, either the agency or you can terminate the employment relationship at any time, for any reason (other than an illegal reason by the employee) or no reason, without liability.

## ***Will I be held to higher standards if I am a supervisor?***

Yes. If you are a supervisor, the agency's expectation is that you should conduct yourself as a role model for employees. Therefore, you may be subject to a more severe penalty for a violation than the penalty imposed upon a non-supervisory employee for the same violation.

## ***Do the employee rules of conduct include every performance expectation?***

No. Every conceivable situation cannot be described in a specific rule. The absence of a specific rule covering any act tending to discredit the agency does not mean that the act is condoned, is permissible, or would not call for disciplinary action.

In addition to these rules of conduct, TJJD publishes performance expectations in agency policies, job descriptions, other manuals (e.g., the General Administrative Policy Manual, the Institution Operations





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Manual, the Education Procedure Manual, the Case Management Standards Manual), and other documents (e.g., the [Prohibited Acts of Agencies and Individuals form, HR-154](#)). You are responsible for knowing and observing all policies and performance expectations that apply to your position.

A violation of a policy or procedure that does not directly correspond with any other general rule of conduct will be considered a violation of Rule 5.02 (Comply with TJJJ rules, policies, procedures, and guidelines). This rule states that it is your responsibility to know, have a clear understanding of, and comply with all TJJJ rules, policies, procedures, and guidelines that apply to your position. Not being aware of a policy or rule that applies to your position is not a defense to disciplinary action.

**Further explanation of the disciplinary actions and the procedures involved in the employee disciplinary action process is included in [PR.35.01, Disciplinary Action](#).**

### ***Will I be guaranteed continued employment if I comply with the employee general rules of conduct?***

TJJJ makes no promise or representation that you are guaranteed continued employment if you comply with these rules. The employment-at-will provision is discussed in the introduction of this handbook and in [PR.01.00, At-Will Employment](#). In addition, you may be subject to administrative separation per PRS Chapter 11 policies (e.g., due to ineligibility for continued employment).

## **B. Range of Disciplinary Actions (“Grid”)**

Each general rule of conduct is assigned a violation level ranging from 1 to 4, with 1 being the least severe and 4 being the most severe. The grid is a guideline for determining which disciplinary action is generally appropriate for the corresponding violation level. However, the grid is not the only factor considered when determining appropriate disciplinary action. **Therefore, disciplinary action authorities are not required to impose a less severe disciplinary action shown on the grid prior to imposing a more severe disciplinary action.** A single infraction may warrant termination of employment. Additionally, imposed disciplinary actions may be less severe than the disciplinary actions shown on the grid. When imposing probation, management may issue any length of a probationary period that is determined to be appropriate for the situation.

Violation Level	Written Reprimand Only	Probation Only: Up to Six Months	Probation Only: More Than Six Months	Involuntary Demotion	Disciplinary Termination
Level 1	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense
Level 2		1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Level 3			1 <sup>st</sup> Offense	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
Level 4					1 <sup>st</sup> Offense

## **C. Employee General Rules of Conduct**

The general rules of conduct are grouped into five subject areas, and each rule within a group is assigned a number. Each rule includes a title, a description of the rule, and the assigned violation level. The five subject areas are:

- Group 1: Equal Employment Opportunity and Protection of the Work Environment
- Group 2: Attendance and Punctuality
- Group 3: Youth Supervision



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- Group 4: Conflicts of Interest, Ethics, and Fraud (not related to youth mistreatment)
- Group 5: Overall Job Expectations

Each of the Group 3 rules indicates whether a confirmed violation of the rule is considered abuse, neglect, or exploitation of a youth. Depending on the specific behavior involved, confirmed violations of rule 5.02 could also be considered abuse, neglect, or exploitation. For each rule violation involving potential abuse, neglect, or exploitation (whether in group 3 or rule 5.02), the Office of the Inspector General will conduct an official investigation. However, the Office of the Inspector General investigator may determine that an incident does not involve abuse, neglect, or exploitation and that a local investigation is appropriate.

As you review the employee general rules of conduct, keep in mind that it is your responsibility to seek any clarifications you need from your supervisor, management, or Human Resources staff. Again, one of the purposes for providing you with these rules is to help you avoid engaging in conduct that will lead to disciplinary action.

## **Group 1. Equal Employment Opportunity and Protection of the Work Environment**

### **1.01. Do not violate the agency's Equal Employment Opportunity policies.**

You are prohibited from violating the provisions in Section I of this handbook and in [PRS.01.01, Equal Employment Opportunity](#). Repeated, serious, or blatant violations of Equal Employment Opportunity policies are not tolerated and almost always result in termination of employment.

**1.01a:** Minor infraction – **Violation Level 2**

**1.01b:** Major infraction (e.g., highly inappropriate conduct, repeated, serious, or blatant violation) – **Violation Level 4**

### **1.02. Do not engage in sexually inappropriate conduct.**

You are prohibited from violating the provisions in Section I of this handbook and in [PRS.01.02, Inappropriate Sexual Conduct](#). Highly inappropriate sexual conduct and repeated, serious, or blatant violations of the Inappropriate Sexual Conduct policy will not be tolerated and will almost always result in termination of employment.

**1.02a:** Minor infraction – **Violation Level 2**

**1.02b:** Major infraction (e.g., highly inappropriate conduct, repeated, serious, or blatant violation) – **Violation Level 4**

### **1.03. Do not use any slurs or hostile epithets or access, send, view, print, possess, or knowingly receive materials containing or insinuating any slurs or hostile epithets.**

Slurs and hostile epithets are verbal or written comments that humiliate or show hostility or animosity toward any individual because of an individual's race, color, religion, sex (gender), national origin, age (40 or above), disability, or genetic information. An isolated remark or a comment not directed to anyone in particular may be considered profane/abusive language, a slur, or a hostile epithet. You are prohibited from responding in like terms to what you consider imprudent or insulting language or to any slur or hostile epithet.

**1.03a:** Minor infraction – **Violation Level 2**

**1.03b:** Major infraction (e.g., highly inappropriate conduct, repeated, serious, or blatant violation) – **Violation Level 4**



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**1.04. Do not retaliate against an employee for reporting an alleged Equal Employment Opportunity violation.**

You are prohibited from retaliating against or harassing an employee or other individual because the person has: (1) opposed discrimination, sexual harassment, or other illegal conduct; (2) filed a complaint alleging such discrimination or harassment; or (3) cooperated in a TJJD or external investigation, hearing, or court proceeding regarding such an allegation. **Violation Level 4**

**1.05. Do not retaliate against an employee or other individual for participation in the grievance process.**

You are prohibited from retaliating against or harassing an employee or other individual because the person has filed a complaint or grievance or has participated in the grievance process as a witness or otherwise. **Violation Level 4**

## **Group 2. Attendance and Punctuality**

In addition to the following rules, see Section II of this handbook for information regarding attendance and punctuality.

**2.01. Report to your duty/shift location on time or follow proper call-in procedures.**

You are required to report to your duty/shift location at the time specified unless excused by the appropriate supervisor. Merely being on the agency's premises (e.g., parking lot, gatehouse) is not the same as reporting to your duty/shift location (i.e., your office, cubicle, dormitory, or designated work area). If you are unable to report to your duty/shift location on time, you are required to notify the appropriate contact person as instructed by your supervisor or chain of supervision and advise of your estimated time of arrival for duty. See Section II of this handbook for more information regarding punctuality. **Violation Level 1**

**2.02. Do not miss work without authorization.**

Unauthorized absence is defined in [PRS.27.01, Attendance](#).

**2.02a:** One workday – **Violation Level 1**

**2.02b:** Two consecutive or non-consecutive workdays – **Violation Level 2**

**2.02c:** Three non-consecutive workdays – **Violation Level 3**

**2.02d:** Three consecutive workdays – **Violation Level 4**

**Three consecutive workdays of unauthorized absence is considered voluntary resignation. This applies even if you return to the workplace following the period of unauthorized absence. Consecutive workdays include two or more workdays interrupted only by regularly scheduled days off.**

**Example: Unauthorized absences on Thursday, Friday, and Monday would be three consecutive workdays of unauthorized absence for an employee whose regular off days are Saturday and Sunday.**

**2.03. Do not abuse any form of leave.**

TJJD does not tolerate abuse of leave, which is generally defined as using leave when you know or have reason to know that the eligibility criteria for leave are not met. Examples of leave abuse include, but are not limited to:

- missing work due to an alleged illness or injury when there is no valid medical reason for missing work (e.g., employee calls in ill due to a contagious illness such as a stomach virus)



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but then attends a community event such as a football game or is present at a nightclub during the employee's regularly scheduled work hours);

- submitting falsified or altered documentation in support of leave taken or requested;
- while on any form of medical-need-based leave, engaging in conduct that is inconsistent with the medical restriction(s) upon which the time off is based (e.g., an employee who has been restricted from lifting in excess of 10 lbs is performing work for another employer that requires lifting more than 10 lbs or is lifting weights of more than 10 lbs in a gym); or
- engaging in any pattern of absences supporting a reasonable inference that you have used leave based on claims of injury or illness when there was no valid medical reason for missing work (e.g., calling in sick without adequate explanation or documentation on a day for which you had been previously denied permission to miss work for personal reasons or a pattern of frequently calling in sick on weekends or days immediately before or after your regular days off).

**2.03a:** Submitting false or altered documentation in support of leave – **Violation Level 4**

**2.03b:** All other forms of leave abuse – **Violation Level 2**

## 2.04. **Use leave benefits responsibly.**

A pattern of repeatedly using and exhausting paid leave benefits as they are earned without adequate justification is not considered responsible use of leave. **Violation Level 1**

## 2.05. **Do not leave the work site without permission.**

You are prohibited from leaving the assigned work area without proper authorization. If you are a JCO, you must:

- not leave the assigned post until properly relieved; and
- return to the assigned post as instructed if you are relieved only for a specified amount of time (e.g., a break).

**Violation Level 1**

## 2.06. **Be available when you are in an on-call status.**

If you are placed in an on-call status, you are required to be easily accessible by landline or cell phone during off-hours so that you may be contacted to perform duties on an as-needed basis. With the exception of a Special Tactics and Response Team member required to meet the special on-call requirements set forth in [PRS.19.23, Special Tactics and Response \(STAR\) Team](#), an FLSA non-exempt employee in an on-call status is required to arrive at the worksite within two hours of being called in to work. An FLSA exempt employee is required to arrive at the worksite within a timeframe established by the employee's supervisor, which may be less than two hours of being called in to work. **Violation Level 1**

Note: [PRS.27.21, On-Call Duty](#), contains additional information about on-call duty status, including when on-call time is considered as time worked.

## 2.07. **Attend mandatory meetings or training sessions.**

You must attend mandatory meetings and training sessions as instructed by your chain of supervision. **Violation Level 1**

## **Group 3. Youth Supervision.**

The assignment of violation level 1, 2, or 3 to violations involving injury to youth in no way indicates the agency's acceptance of a youth being injured by staff. A violation level lower than level 4 indicates the agency's acknowledgement that good intent sometimes has undesired outcomes. Evidence that an



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employee acted with malice or intent to harm is considered an aggravating circumstance justifying a disciplinary action more severe than the corresponding range indicated on the grid.

In addition to the Group 3 employee general rules of conduct, you should review and become familiar with the provisions in [PRS.02.09, Staff/Youth Relationship](#).

### 3.01. **Do not sexually abuse or engage in sexual contact with a youth involved in the juvenile justice system.**

Sexual abuse is described in [GAP.380.9337, Zero Tolerance for Sexual Abuse, Sexual Activity, and Sexual Harassment](#). Sexual contact is described in the [Notice of Improper Sexual Activity with Person in Custody form, HR-270](#). **Violation Level 4 (Abuse, Neglect, or Exploitation [ANE] – Abuse)**

### 3.02. **Provide the necessary quality of supervision to avoid or prevent harm to a youth in TJJD custody.**

Providing the necessary quality of supervision includes:

- ensuring you do not act or fail to act in any way that results in a breach of security or jeopardizes security of the dorm or campus;
- conducting proper headcounts;
- properly supervising youth to prevent youth-on-youth assaults;
- properly reporting any suicide attempts or suicidal behavior; and
- properly supervising a youth on suicide alert.

**3.02a:** Minor (a negligent act or omission that does not cause or present a significant risk of physical injury or substantial emotional harm to a youth) – **Violation Level 2 (not ANE)**

**3.02b:** Major (a negligent act or omission that results in or presents a significant risk of causing substantial emotional harm or physical injury to a youth, including, but not limited to, negligence contributing to escape, serious injury, or other serious harm) – **Violation Level 4 (ANE – Neglect)**

Note: Sexual contact between youth or between staff and youth, regardless of the consensual or perceived consensual nature, may constitute harm to youth. See GAP 380.9337 for additional information about TJJD's zero-tolerance policy for sexual contact and activity in facilities.

### 3.03. **Maintain an appropriate adult/youth relationship at all times.**

An **inappropriate** adult/youth relationship includes, but is not limited to:

- engaging in intimate verbal communication with a youth;
- engaging in intimate or personal written communication with a youth through letters, emails, text messages, or social media;
- providing pictures to or exchanging pictures (e.g., photos, cartoons) with a youth;
- providing a youth with any contraband (e.g., illegal drugs or unauthorized prescription drugs or medications, cell phones, cigarettes or other forms of tobacco, money, candy, soda, other items not permitted by agency policy, procedure, or practice);
- exploitation of youth (e.g., using youth labor to further private interests, selling contraband to a youth, soliciting loans or favors from a youth); and
- inducing (e.g., causing, persuading) or attempting to induce a youth to commit an unlawful act or to falsify records or other information.

**3.03a:** Providing a youth with contraband other than drugs, alcohol, tobacco products, cell phones, or weapons – **Violation Level 2 (not ANE)**



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- 3.03b:** Providing a youth with drugs, alcohol, tobacco products, or weapons – **Violation Level 4 (ANE – Abuse)**
- 3.03c:** Engaging in intimate verbal or written communication with a youth – **Violation Level 4 (ANE – Abuse)**
- 3.03d:** Providing to or exchanging with a youth pictures or other materials of a sexual nature (e.g., photos, cartoons) – **Violation Level 4 (ANE – Abuse)**
- 3.03e:** Exploitation of a youth – **Violation Level 4 (ANE – Exploitation)**
- 3.03f:** Inducing or attempting to induce a youth to commit an unlawful act or to falsify records or other information – **Violation Level 4 (ANE – Exploitation)**
- 3.03g:** Engaging in unauthorized personal written communication with a youth – **Violation Level 2 (not ANE)**
- 3.03h:** Providing a cell phone to a youth – **Violation Level 4 (not ANE)**
- 3.04. Do not participate in horseplay or unauthorized physical activities with youth.**  
You are prohibited from participating in rough or boisterous conduct for the purpose of amusement (e.g., running, wrestling, practical jokes). You are also prohibited from participating in unauthorized physical activities with youth such as recreation, physical education, or physical training unless specifically authorized to do so (e.g., by your job description, by explicit permission of the chief local administrator or designee).
- 3.04a:** Minor (no injury and no conduct that presents a significant risk of physical injury or substantial emotional harm to a youth) – **Violation Level 1 (not ANE)**
- 3.04b:** Major (causing or presenting a substantial and foreseeable risk of physical injury or substantial emotional harm to a youth) – **Violation Level 4 (ANE – Abuse)**
- 3.05. Do not yell, scream, or curse at or use any improper language in front of a youth or taunt, provoke, or attempt to intimidate a youth.**  
You are prohibited from using profanity or intimidation to manage youth behavior. You must use concern, empathy, respect, and fairness when dealing with youth and youth issues, including all verbal and non-verbal interactions.
- 3.05a:** Comments did not include a slur or hostile epithet and were not directed to anyone in particular - **Violation Level 1 (not ANE)**
- 3.05b:** Comments were directed to one or more particular youth but did not include slurs or hostile epithets – **Violation Level 2 (not ANE)**
- 3.05c:** Slur or hostile epithet not directed to one or more particular youth – **Violation Level 3 (not ANE)**
- 3.05d:** Slur, hostile epithet, or other inappropriate comment intended to provoke anger or fear, directed at one or more particular youth – **Violation Level 4 (ANE – Abuse)**
- 3.05e:** Other conduct intended to taunt, provoke, or intimidate youth – **Violation Level 4 (ANE – Abuse)**
- 3.06. Use physical interventions (reasonable force) only when standards for use of force are met.**
- Use reasonable force only in the circumstances authorized by [GAP.380.9723, Use of Force](#).
  - Alternatives to force must be used whenever practical to assist a youth in maintaining or regaining self-control.



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- The use of force as punishment or for convenience of staff is strictly prohibited.
- 3.06a:** Unnecessary use of force that does not cause or present a significant and foreseeable risk of physical injury or substantial emotional harm to a youth – **Violation Level 1 (not ANE)**
- 3.06b:** Unnecessary use of force causing or presenting a significant and foreseeable risk of physical injury or substantial emotional harm to a youth – **Violation Level 4 (ANE – Abuse)**
- 3.07. Use only agency-approved techniques when using physical interventions, except in limited circumstances provided by agency policy.**
- Do not use restraint techniques prohibited by [GAP.380.9723, Use of Force](#).
  - Use only the restraint equipment approved by the executive director or designee.
  - Use all restraint equipment in a manner consistent with its design and intended purpose.
- 3.07a:** Use of an unauthorized technique of force or unauthorized equipment that does not cause or present a significant and foreseeable risk of physical injury or substantial emotional harm – **Violation Level 2 (not ANE)**
- 3.07b:** Use of an unauthorized technique of force or unauthorized equipment that causes or presents a significant and foreseeable risk of physical injury or substantial emotional harm (includes any unjustified use of a prohibited technique) – **Violation Level 4 (ANE – Abuse)**
- 3.08. Do not use excessive force (i.e., force that is greater than necessary) to achieve and maintain safety and order.**
- The degree of force used is to be based on the totality of the circumstances, including the amount of resistance presented by the youth. When physical restraint becomes necessary, use only the least amount and type of reasonable force necessary to achieve and maintain safety and order.
  - Release youth from manual or mechanical restraint as soon as the purpose for the restraint has been achieved.
- 3.08a:** Excessive force that does not cause or present a significant and foreseeable risk of physical injury or substantial emotional harm to a youth – **Violation Level 2 (not ANE)**
- 3.08b:** Excessive force that causes or presents a significant and foreseeable risk of physical injury or substantial emotional harm to a youth – **Violation Level 4 (ANE – Abuse)**
- 3.09. Intervene when you observe mistreatment of youth or youth misconduct.**  
It is your responsibility to intervene when you:
- know that a youth is being mistreated by another youth or a TJJD or county employee, volunteer, or contractor (e.g., abuse, unjustified/excessive use of force, neglect, exploitation, violation of a youth’s basic rights);
  - observe a youth assaulting another person, including a youth, employee, volunteer, contractor, or visitor; or
  - observe a youth engaging in any other misconduct.

**Note:** Intervention may consist of: (1) nonverbal gestures made with eyes, hands, head, or body using proximity, standing, eye contact, and/or facial expressions; (2) verbal prompting, directive statements, redirecting youth attention and/or behavior; (3) requesting staff who may not have been initially involved in the situation to intervene with the youth; or (4) physical interventions.. Only staff who are trained in agency-approved techniques are authorized to use physical interventions (force).



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**3.09a:** Failure to intervene that does not result in or present a significant and foreseeable risk of physical injury or substantial emotional harm – **Violation Level 1 (not ANE)**

**3.09b:** Failure to intervene that results in or presents a significant and foreseeable risk of physical injury or substantial emotional harm – **Violation Level 4 (ANE – Neglect)**

**3.10. Promptly and properly report mistreatment of youth, youth misconduct, or use of force.**

You are required to report any and all information concerning the following as soon as possible and no later than the time limits established in policy:

- possible harm or mistreatment of youth, whether performed by another youth or a TJJD or county employee, volunteer, or contractor (e.g., abuse, unjustified/excessive use of force, neglect, exploitation, violation of a youth's basic rights);
- any physical restraint of a TJJD youth; or
- any TJJD youth's assault of another person, including a youth, employee, volunteer, contractor, or visitor.

**3.10a:** Failure to report that does not result in or present a significant and foreseeable risk of physical injury or substantial emotional harm to a youth – **Violation Level 1 (not ANE)**

**3.10b:** Failure to report that results in or presents a significant and foreseeable risk of physical injury or substantial emotional harm to a youth – **Violation Level 4 (ANE – Neglect)**

**3.11. Do not aid a youth in an escape or escape attempt and immediately report any information about evidence of an escape or escape attempt.**

You are prohibited from aiding or abetting an escape or an escape attempt, and it is your duty to immediately report any information you have about evidence of plans to escape, an escape attempt, an actual escape, or assistance the youth receives after an escape (e.g., if you know of someone who is sheltering the youth or providing the youth with clothes or money, you must report it). For the purposes of employee rules, escape includes an unauthorized absence from a medium-restriction facility.

**3.11a:** Aiding a youth in an escape or escape attempt – **Violation Level 4 (Abuse, Neglect, or Exploitation – Abuse)**

**3.11b:** Failure to immediately report any information about evidence of plans to escape, an escape attempt, an actual escape, or assistance the youth receives after an escape – **Violation Level 4 (Abuse, Neglect, or Exploitation – Neglect)**

## **Group 4. Conflicts of Interest, Ethics, and Fraud**

**4.01. Use state time, property, facilities, and equipment for official business only.**

Your use of state time, property, facilities, and equipment must be for official business only, except as provided by agency policy. You are prohibited from:

- taking or using any TJJD resources to further your private interest;
- taking or using any item of state property for the purpose of converting it to your personal use;
- using a state-issued credit card for any type of expense other than a state-business-related expense (personal use may violate Section 39.02 of the Texas Penal Code);
- using state-issued cell phones and vehicles for any purpose other than official state business; and/or
- using an agency access/identification badge for any unauthorized activity.





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**4.01a:** Excessive personal use – **Violation Level 1**

**4.01b:** Commercial use – **Violation Level 4**

**4.02. Do not commit bribery or accept gifts or an honorarium.**

You may not:

- grant special favors to or ask for or accept gratuities (whether in property or as a service) from a youth or a youth's family member;
- solicit, accept, or agree to accept an honorarium in consideration for services that you would not have been requested to provide but for your official TJJD position or duties;
- accept or solicit any gift, favor, or service that might reasonably tend to influence your discharge of official duties or that you know or should know is being offered with the intent to influence your official conduct;
- intentionally or knowingly offer to pay or agree to accept any remuneration directly or indirectly, overtly or covertly, in cash or in kind, to or from any person, firm, association of persons, partnership, or corporation for securing any action or decision, or soliciting favoritism or patronage, in violation of state or federal law.

**Violation Level 4**

**4.03. Provide notice of multiple employment(s) with the state.**

You are required to provide the director of human resources with written notice (e.g., email) before you accept additional employment with another state agency or a state institution of higher education. Notice to the agency of such employment is required by state law. **Violation Level 2**

**4.04. Do not accept other employment that could reasonably be expected to conflict with your TJJD duties.**

You are prohibited from accepting outside employment that:

- involves employment as an employee, partner, consultant, or agent with a vendor or potential vendor to the agency, including a contract facility;
- indicates a reasonable expectation that it would require or induce you to disclose confidential information acquired by reason of your TJJD position;
- indicates a reasonable expectation that it would impair your independence of judgment in the performance of your TJJD duties; or
- undermines the TJJD image, mission, or goals.

**Violation Level 2**

**4.05. Do not engage in political activity or political influence at work or while on duty.**

You are prohibited from: (1) using your official authority or influence for political purposes; (2) campaigning during working hours or in a TJJD office or facility; (3) using state funds or property to influence the outcome of any election or passage or defeat of any legislative measure; or (4) using the internal hard-copy or electronic mail system for the distribution of political advertising.

**Violation Level 2**

**4.06. Report suspected incidents of fraud, waste, or abuse of state resources and other job-related illegal activities.**

You are required to report suspected incidents of fraud, waste, or abuse of state resources and other job-related illegal activities to your chief local administrator, the Office of the Inspector General's hotline (1-866-477-8354 or [tjld.irc@tjld.texas.gov](mailto:tjld.irc@tjld.texas.gov)), the Texas State Auditor's Office



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hotline (1-800-892-8348 or [sao.fraud.state.tx.us](mailto:sao.fraud.state.tx.us)), or anyone in authority to whom you feel comfortable reporting without fear of retaliation. **Violation Level 2**

4.07. **Do not induce or attempt to induce a TJJD officer or employee to commit an unlawful act or falsify information.**

You are prohibited from inducing (e.g., causing, persuading, intimidating) or attempting to induce a TJJD officer or employee to commit an unlawful act or to falsify information. **Violation Level 4**

4.08. **Do not destroy evidence.**

You are prohibited from removing, altering, or destroying property, contraband, or other evidence relevant to an investigation, grievance, claim, or disciplinary matter unless specifically authorized in writing to remove or destroy the evidence. **Violation Level 4**

## **Group 5. Overall Job Expectations**

5.01. **Perform your job duties in a competent manner and use good judgment.**

You are required to perform your duties in a responsible and timely manner that meets or exceeds the minimum standards established for your position and reflects the use of good judgment. This includes informing co-workers and supervisors of progress and problems on assigned projects and effectively relaying verbal or written information to co-workers and supervisors. You are required to be receptive to feedback and demonstrate a willingness to make necessary changes. Job quality and productivity standards are established by position descriptions and written or verbal instructions. **Violation Level 1**

5.02. **Comply with TJJD rules, policies, procedures, and guidelines.**

It is your responsibility to know, have a clear understanding of, and comply with all TJJD rules, policies, procedures, and guidelines that apply to your position. Not being aware of the existence of any of the aforementioned is not a defense.

**Violation Level 1 – 4** (depending on severity, taking guidance from the levels for similar violations)

**(Determinations of abuse, neglect, or exploitation are to be made on a case-by-case basis using the definitions given in [GAP.380.9333, Investigation of Alleged Abuse, Neglect, and Exploitation.](#))**

5.03. **Promptly comply with any lawful instructions issued by your supervisor or other authority.**

You are required to comply fully with any lawful instructions issued by your supervisor or other authority. This includes instructions posted on employee bulletin boards or a verbal or written lawful order issued directly to you by or through your chain of supervision (not by or through a co-worker) or through another director or manager or office of authority or oversight (e.g., Office of the Inspector General). **Violation Level 2**

5.04. **Provide truthful and accurate records and statements.**

You are required to provide truthful and accurate records and statements throughout your TJJD employment and to be truthful in all your work-related communications. You must not make false or misleading verbal or written statements in work-related communications. When you sign a document or submit a document on your behalf to an agency representative (e.g., State of Texas Application for Employment, grievance, time report), you are attesting to the truthfulness, accuracy, and completeness of the information or events presented in the document.



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**5.04a:** Involving records or statement other than State Application for Employment – **Violation Level 2**

**5.04b:** Providing false or omitting relevant information in application for employment (e.g., relating to education or licensure, experience, information affecting minimum standards for employment) – **Violation Level 4**

Note: Submission of falsified or altered documentation in support of leave taken or requested is a violation of General Rule of Conduct 2.03. Making or submitting false or intentionally misleading statements in response to an investigation is a violation of General Rule of Conduct 5.14.

**5.05. Be courteous to fellow workers, supervisors, subordinates, and the general public.**

You are expected to maintain a professional, cooperative, and helpful attitude toward fellow workers, supervisors, subordinates, and the general public. This includes listening to the views of others, discussing issues and concerns honestly and courteously, and providing feedback to staff and supervisors when requested. Disrespectful, rude, or unmannerly conduct that disrupts the workplace or adversely affects an employee's ability to perform job duties (e.g., yelling, screaming, or provoking a fellow employee verbally or through emails, text messages, or social media) is not tolerated.

**Violation Level 1 – 4** (depending on severity, taking guidance from the levels for similar violations)

**5.06. Do not conduct excessive personal business or participate in excessive visiting during work hours.**

While on duty, you must: (a) not spend an excessive amount of time away from the workstation due to personal business or visiting with co-workers; (b) keep personal telephone calls and use of personal cell phones for any reason to a minimum; (c) limit personal use of the internet to non-work time; and (d) refrain from distracting others with excessive visiting. **Violation Level 1**

**5.07. Do not date or become romantically involved with a subordinate or supervisor in your chain of supervision.**

Dating and romantic relationships between persons in the same chain of supervision are prohibited to avoid the potential for favoritism. If you are or become employed in a position resulting in a prohibited relationship, you have a duty to report the relationship to your human resources administrator so that protective measures (e.g., transfer of one of the employees out of the chain of supervision) can be taken. ([See PRS.02.12, Nepotism and Relationships between Employees](#) for additional information.)

Note: A shift lead (e.g., JCO V) is not a supervisor. Two employees are in the same chain of supervision if one supervises the other, either directly or through intermediate supervisors. Persons are not employed in the same chain of supervision merely by having a supervisor in common, so long as one is not supervising the other.

**5.07a:** Employee being disciplined is the supervisor – **Violation Level 3**

**5.07b:** Employee being disciplined is the subordinate – **Violation Level 2**

**5.08. Remain alert and awake while on duty.**

You are required to remain alert and awake and to devote full attention to your assigned duty or area of responsibility during working hours.

**5.08a:** No injury or other harm – **Violation Level 2**

**5.08b:** Contributing to escape, death, serious injury, or other serious harm – **Violation Level 4**



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- 5.09. **Do not commit or threaten to commit any act that endangers the safety of another individual.**  
TJJD has zero tolerance for workplace violence. You are prohibited from committing or threatening to commit any act that endangers the safety of another individual, including hazing or horseplay. A threat of violence is considered an act of violence.  
**5.09a:** Threat or act did not endanger life – **Violation Level 2**  
**5.09b:** Threat or act endangered life – **Violation Level 4**
- 5.10. **Report any safety hazard to your supervisor.**  
You are responsible for immediately reporting any unsafe condition that has the potential to cause injury to any person to your immediate supervisor and a facility safety officer (institutions), assistant superintendent (halfway houses), or assigned risk management specialist (other locations). Common examples include, but are not limited to, spills or tripping hazards on floors, frayed electrical cords, improperly stored chemicals or tools, blocked emergency exits, and poor lighting.  
**5.10a:** Failure did not result in injury – **Violation Level 1**  
**5.10b:** Failure resulted in injury – **Violation Level 2**
- 5.11. **Perform all duties in a manner to prevent accidents/injuries and immediately report an injury that occurs while on the job.**  
You must immediately report any injury that occurs while on the job to your immediate supervisor and the appropriate human resources office. **Violation Level 1**
- 5.12. **Do not possess contraband while on agency premises.**  
Contraband is a specific, tangible item that you are not permitted by agency policy, procedure, or practice to possess while on agency premises. Having an alcoholic beverage, controlled substance, paraphernalia, or unauthorized deadly weapon within an automobile on agency premises or an automobile on the premises of a facility operated under a contract with the agency is a violation of this rule.  
**5.12a:** Possession of item other than a deadly weapon without authorization, alcohol, or a controlled substance – **Violation Level 2**  
**5.12b:** Possession of a deadly weapon without authorization, alcohol, or a controlled substance – **Violation Level 4**

Note 1: A violation of this rule that is evidence of an inappropriate employee–youth relationship is a violation of a Group 3 rule.

Note 2: Residences on state property are exempt, with the exception of any of these items that would be illegal to possess by law. The prohibition against having an alcoholic beverage in an automobile applies only to automobiles parked in the parking lots of TJJD-operated or contract residential facilities.

Note 3: The prohibition against an unauthorized deadly weapon applies when driving any state-owned or state-leased vehicle regardless of whether you are licensed to carry a handgun under Subchapter H, Chapter 411, Government Code. The prohibition does not apply to lawfully possessed firearms or ammunition when driving a personal vehicle while performing official business. In addition, an unauthorized deadly weapon does not include a lawfully possessed firearm or ammunition transported or stored in a privately owned motor vehicle in a parking lot, parking garage, or other parking area the agency provides for employees as long as the vehicle is capable of being locked in a manner that prohibits unauthorized entry, the vehicle is locked, and the firearm is stored unloaded in the locked trunk of the vehicle or in a locked compartment in the vehicle.



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## 5.13. Cooperate with TJJD staff during a search.

Searches are necessary to maintain safe, rehabilitative environments in TJJD facilities and to investigate employee misconduct. Upon entering a TJJD secure facility or during routine inspections while on the premises of a TJJD secure facility, you give implied consent to the search of your person and your personal possessions. In addition, your work area, agency property assigned to you, and your personal vehicle parked in a secure parking lot, are subject to search as necessary. You are required to cooperate with agency staff during a search. **Violation Level 4**

Note: Searches will be conducted in accordance with [PRS.02.04, Search of Employees, Personal Property and Vehicles, and Agency Property](#). Entry searches are governed by [GAP.380.9710, Entry Search](#).

## 5.14. Cooperate fully in investigations.

You have a duty, as a condition of employment, to cooperate fully in all administrative investigations conducted by the agency and in all criminal investigations arising from agency operations or employment in which you are not accused of a crime. The duty of cooperation requires that you fully answer all work-related questions. You must not make or submit false or intentionally misleading verbal or written statements in response to an investigation.

**5.14a:** Refusal to cooperate, including willful intent to deceive an investigator – **Violation Level 4**

Note: If you are accused of committing a criminal offense, you have a constitutional right to remain silent in a criminal investigation. Invoking the right to remain silent in such circumstances will not be used against you, either criminally or for employment purposes.

## 5.15. Exercise care when handling or using state property.

You must handle and use state property with care to avoid loss, damage, or destruction. You must immediately report to your supervisor the loss, damage, or destruction of any state property that occurs while in your possession or during use. This includes, but is not limited to, vehicles, keys, identification and credit cards, cell phones, mobile computing devices, and radios. If the lost, damaged, or destroyed property is IT hardware, you must also report it to the IT division. If the property is classified as an asset, see [FIN.53.09](#) for additional reporting requirements.

**5.15a:** Minor – **Violation Level 1**

**5.15b:** Major – **Violation Level 2**

## 5.16. Notify the agency immediately of any past or present relationship with a TJJD youth or an immediate family member of a TJJD youth.

You must notify your chief local administrator and your human resources administrator in writing immediately upon becoming aware that an individual with whom you have a current or had a former relationship is related to a TJJD youth in custody or on parole. This includes, but is not limited to: (1) being related to a TJJD youth or having a family member who is related to a TJJD youth; (2) having a current or former romantic or spousal relationship with a TJJD youth or an immediate family member of a TJJD youth (e.g., dating, ceremonial or common-law marriage, living together, having a child together); or (3) having a current business association with a TJJD youth or an immediate family member of a TJJD youth.

**5.16a:** Failure to notify of past relationship, youth with whom employee does not routinely interact – **Violation Level 1**

**5.16b:** Failure to notify of current relationship, youth with whom employee does not routinely interact – **Violation Level 3**

**5.16c:** Failure to notify of current or past relationship, youth with whom employee routinely interacts – **Violation Level 4**



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**5.17. Do not intentionally release, disclose, or use non-public information.**

You are expected to maintain confidentiality of all agency records and information relating to TJJD youth and employees unless you are specifically authorized to release, disclose, or use the information. You must not accept other employment or engage in a business or professional activity that you might reasonably expect would require or induce you to disclose confidential information that you acquired because of your TJJD employment. **Violation Level 2**

**5.18. Report any arrest, criminal charge, or a change in status of a criminal charge.**

You must report, as set forth in [PRS.02.08, Criminal History: Standards, Background Checks, and Self-Reporting Requirements](#), any of the following events to your supervisor or human resources administrator within two workdays after the event:

- an arrest for any offense;
- an indictment or other official notification that you have been charged with a crime; or
- any change in status of a pending criminal charge, including dismissal, conviction, the initiation or termination of proceedings to revoke, etc.

**5.18a:** Failure to report involving an offense for which the employee would be subject to automatic review for possible termination if convicted – **Violation Level 2**

**5.18b:** Failure to report involving an offense listed as an automatic disqualifier – **Violation Level 4**

**5.19. Report any protective order naming you as the respondent and any change in status of the protective order.**

You must report, as set forth in [PRS.02.06, Reporting Protective Orders](#), any of the following events to your supervisor or human resources administrator within two workdays after the event:

- receipt of a protective order naming you as the respondent; or
- a court order changing the terms, duration, or status of a protective order naming you as the respondent (e.g., an order making the protective order permanent, dismissing the protective order, or altering the restrictions of the protective order).

**Violation Level 2**

**5.20. Do not commit any criminal offense.**

You will be subject to disciplinary termination upon arrest, conviction, or receipt of deferred adjudication for certain offenses as set out in [PRS.02.08, Criminal History: Standards, Background Checks, and Self-Reporting Requirements](#). A review will be conducted and you may be subject to disciplinary termination for the following:

**5.20a:** Disqualifying Offense – **Violation Level 4**

**5.20b:** Offense that requires review – **Violation Level 2 – 4**

**5.21. Do not access, send, view, print, possess, or knowingly receive pornographic materials or other materials containing sexually explicit content.**

You are prohibited from accessing, sending, viewing, printing, possessing, or knowingly receiving pornographic or other materials containing sexually explicit content while on state property or through the use of state resources (e.g., computers, copiers). Sexually explicit content includes, but is not limited to, illustrations or descriptions of sexual references, full or partial nudity, or sexual acts. **Violation Level 4**

**5.22. Do not steal or damage state property or the property of others.**

Theft or willful damage to state property or the property of others is strictly prohibited. This includes acquiring property that you know was stolen by another. **Violation Level 4**



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Note: TJJD assumes no responsibility for personal property brought to the work site or parking area except as provided by law or policy.

5.23. **Do not gamble while on duty or on state property.**

State law prohibits betting or gambling while on official duty or on state property.

**Violation Level 2**

5.24. **Do not report to work or perform work while under the influence of alcohol or drugs.**

You are prohibited from consuming, using, or being under the effects of alcohol, drugs, or any mood-altering substance at work or on TJJD premises. Exceptions will be made for prescription drugs or over-the-counter medications that do not significantly interfere with the performance of job duties. You must notify your supervisor prior to commencing work while taking a prescription drug or over-the-counter medication that may impair your mental or physical capabilities.

**5.24a:** Failing to notify supervisor prior to commencing work while taking a prescription drug or over-the-counter medication that has the potential to impair your mental or physical capabilities – **Violation Level 2**

**5.24b:** Consuming or using alcohol, drugs, or mood-altering substances at work or on TJJD premises or having a positive alcohol or drug test result – **Violation Level 4**

5.25. **Submit to alcohol or drug tests as required.**

You are required to submit to alcohol or drug tests as outlined in existing policies, procedures, and federal regulations. **Violation Level 4**

Note: Additional information about the agency's alcohol and drug testing provisions and procedures is included in [PRS.02.17, Drug-Free Workplace](#).

5.26. **Smoke only in outside locations designated as smoking areas.**

You are prohibited from smoking inside any TJJD building or facility or in outside areas that are not designated as smoking areas.

**5.26a:** Smoking in outside area that is not a designated smoking area – **Violation Level 1**

**5.26b:** Smoking inside a TJJD building or facility – **Violation Level 3**

5.27. **Do not participate in unauthorized solicitations or sales.**

No commercial solicitations, whether verbal or written, are permitted during working hours or on TJJD premises. All non-work-related solicitations or fundraisers must take place off TJJD premises and before or after work hours or during lunch breaks. You may coordinate or participate in a voluntary work-related fundraiser during working hours or in work areas (such as office collections for flowers, parties, or a fundraiser for a coworker), as long as the fundraiser does not interfere with your daily work routine and prior approval for the fundraiser was obtained from the chief local administrator or department head.

**5.27a:** Participating in an unauthorized fundraiser – **Violation Level 1**

**5.27b:** Participating in a commercial solicitation – **Violation Level 2**

5.28. **Ensure your personal contact information is current and valid.**

You are required to have current and valid contact information on file and to immediately notify your human resources administrator of any changes to the information. The required information includes the following:

- your telephone number or the telephone number of a person who can reach you on short notice if you do not have a telephone number;



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- your mailing address; and
- a telephone number for one or more emergency contacts.

## Violation Level 1

### 5.29. **Have your employee identification badge in your possession while on agency premises.**

You are required to have your employee identification badge in your possession at all times while on agency premises, and you must comply with any request from a proper authority to wear or display your badge. You must report a lost or stolen badge to your supervisor and the local human resources office on the first workday that the badge is lost or stolen, and you must have a state-issued ID in your possession while on agency premises until your employee identification badge is replaced. – **Violation Level 1**

### 5.30. **Do not misuse an issued body-worn camera; ensure your issued device is functioning properly and record your entire shift unless deactivating during certain exceptions listed in TJJD policy; report equipment malfunctions timely as required by policy.**

TJJD provides body-worn cameras to all juvenile corrections officers and to certain other staff members assigned to high- and medium-restriction facilities. If you are issued a body-worn camera, it is your responsibility to ensure you comply with all policy requirements regarding these devices, including, but not limited to:

- recording your entire shift unless the camera is deactivated during an exception listed in policy;
- ensuring the issued device is functioning properly; timely reporting any malfunctions of equipment in order to receive a replacement device; and
- ensuring activation and deactivation requirements are completed.

**Violation Level 1 – 4** (depending on severity, taking guidance from the levels for similar violations)

## SECTION IX. LEAVES OF ABSENCE AND OTHER BENEFITS

### *Is TJJD covered by the Family and Medical Leave Act (FMLA)?*

Yes. TJJD grants FMLA leave to eligible employees in accordance with the FMLA and applicable state law. TJJD employees are notified of their rights and responsibilities under the FMLA through the notice developed by the United States Department of Labor (Employee Rights and Responsibilities under the FMLA). This notice is provided to employees during New Employee Orientation and posted in employee common-use areas.

To be eligible for leave under the FMLA, you must meet both of the following service requirements:

- You must have at least 12 months (or 52 weeks) total state service. If you had a break in state service and the break was longer than seven years, the service accrued prior to the break does not count toward the 12-month service requirement.
- You must have physically worked at least 1,250 hours during the 12-month period immediately prior to the leave period. Time on leave does not count toward the minimum 1,250 hours.

In addition to the Employee Rights and Responsibilities under the FMLA notice, [PRS.28.10, FMLA](#), provides additional information about events that qualify for leave under the FMLA (e.g., birth of a child, placement of a child with an employee for adoption or foster care, serious health conditions, military





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exigency leave, military caregiver leave), maximum amounts of FMLA leave, and your responsibilities when using this leave entitlement.

## ***What other types of leave does the agency offer its employees?***

The various policies that address leave benefits and entitlements are included in Chapter 28 of the PRS Manual. The categories of other leave that may be available to TJJJ employees include, but are not limited to, the following (See the corresponding PRS policy for more information):

- holiday leave ([PRS.28.03, Holiday Leave](#), and the [holiday schedule](#) available on the TJJJ intranet under Employee Resources);
- vacation (or annual) leave ([PRS.28.05, Vacation Leave](#));
- sick leave ([PRS.28.07, Sick Leave](#));
- sick leave pool ([PRS.28.08, Sick Leave Pool](#) and Donated Sick Leave);
- non-FMLA medical leave ([PRS.28.09, Non-FMLA Medical Leave \(NFM Leave\)](#));
- emergency leave – death in immediate family ([PRS.28.11, Emergency Leave – Death in Immediate Family](#));
- emergency leave – inclement weather or other emergency conditions ([PRS.28.13, Emergency Leave – Inclement Weather, Emergency Conditions, or Other Good Cause](#));
- administrative leave for jury duty ([PRS.28.15, Jury Service](#));
- leave for special purposes ([PRS.28.17, Leave for Special Purposes](#)), which includes firefighter leave, foster parent leave, parental leave, leave for organ or bone marrow donors, leave for donation of blood, personal unpaid leave, and disaster relief leave; and
- military leave ([PRS.28.19, Military Service and Leave](#)).

## ***What other benefits does the agency offer?***

TJJJ offers several other benefits to eligible employees, including hazardous duty pay, longevity pay, direct deposit, the “Homes for Heroes” home loan program, and an educational assistance program ([PRS.19.25, Educational Assistance Program](#)).

- The [Benefits Overview for Full-Time Employees form, HR-175ft](#), summarizes the benefits offered by the agency for full-time employees.
- The Employees Retirement System of Texas, which is the administrator for the state agency retirement system, insurance benefits, and flexible spending accounts, provides a New Employee Benefits Guide on its website at [www.ers.state.tx.us](http://www.ers.state.tx.us). Employees receive a copy of this guide during New Employee Orientation.

## **SECTION X. EMPLOYEE GRIEVANCE SYSTEM**

To promote fairness, TJJJ provides its employees a comprehensive grievance system to address work-related complaints. You may file a grievance regarding:

- discipline or another adverse personnel action (e.g., unfavorable action affecting only one employee, such as denial of a promotion, an unfavorable job performance evaluation, or administrative separation);
- unlawful conduct or other serious impropriety (e.g., inappropriate sexual conduct, any form of illegal discrimination, retaliation prohibited by policy or law);
- working conditions; or
- other employment-related matters, subject to the limitations in [PRS.35.03, Employee Grievances](#).



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## ***What steps should I take to file a grievance?***

- Obtain a [Statement of Grievance form, HR-210](#), from the TJJJ website or from the employee relations specialist acting as the agency's employee grievance coordinator, who is located in Central Office.
- Complete the HR-210 form based on the information and instructions provided on the form.
- Submit the fully completed HR-210 form to either the local employee grievance contact or the employee grievance coordinator in Central Office. If for any reason you are reluctant to file a grievance with the local employee grievance contact, you may file the grievance directly with the agency's employee grievance coordinator in Central Office.

## ***May I use state time and resources to prepare a grievance?***

No. You must use your personal time and resources, including postage and supplies, when preparing a grievance. However, you may use an agency fax machine to submit a grievance or grievance appeal to the employee grievance coordinator in Central Office. The fax number is on the grievance form.

## ***Is there a deadline for filing a grievance?***

Yes. The deadlines for filing a grievance are discussed in [PRS.35.03](#). A grievance is considered to be filed only when it has been actually received by the local grievance contact or the agency's employee grievance coordinator in Central Office. The grievance file date is not based on the date the grievance is mailed or otherwise sent to one of these employees. Grievances that are not timely filed will be considered for acceptance on a case-by-case basis. However, there is no guarantee of acceptance for a late grievance.

- When calculating maximum time periods or due dates for an action in the grievance process, the date of an event (e.g., the date of receipt of a disciplinary document, a grievance assignment, or a grievance decision) is not counted. The first day following the event is counted as the first day of the applicable time period.
- The end of a maximum time period or a due date that falls on a weekend or holiday will be extended to the next regular workday.

## ***Whom may I contact if I have a question about filing a grievance?***

You may always contact your human resources administrator for assistance in filling out the grievance form. In addition, the contact information for the agency's employee grievance coordinator is located on TJJJ's public website. Click on 'Contact Us' and then find the question related to contacting the employee grievance coordinator.

## ***May I appeal the grievance decision (response) if I disagree with it?***

The grievance decision should indicate whether you have the right to an appeal. Contact the employee grievance coordinator in Central Office if it is not clear whether the decision can be appealed.

## ***What about retaliation?***

The agency strictly prohibits retaliation against any person for filing a grievance through the employee grievance system or through an outside agency or for participating as a witness in any complaint or complaint investigation. This prohibition includes harassment, intimidation, or coercion of any person because of involvement in a grievance or complaint, whether as a party, representative, or witness.

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## SECTION XI. TJJJ EMPLOYEE IDENTIFICATION CARDS

Each employee is issued a TJJJ Employee Identification Card (ID badge) on the first day of employment. You must comply with General Rule of Conduct 5.29 regarding the ID badge. You might need to have your badge replaced during your employment. The reason for the replacement determines whether a fee is charged for the replacement ID badge.

- Replacement due to lost ID badges: \$2 fee
- Replacement due to your request to have a new picture: \$2 fee
- Replacement due to worn out badge: No fee
- Replacement ID badge due to change in position or name: No fee

### REMINDERS

As you read and refer to this handbook throughout your employment with TJJJ, keep the following in mind:

- The information in this handbook is current as of the publication date but is subject to change as statutes, regulations, and agency policies are modified.
- In the event of a conflict, the Personnel Policy and Procedure Manual and the General Administrative Policy Manual control over this handbook.
- The Personnel Policy and Procedure Manual and the General Administrative Policy Manual, as well as this handbook, are available on the TJJJ website (<http://www.tjjd.texas.gov/>). Other procedures, guidelines, and helpful resources are available on the TJJJ intranet.
- No handbook or policy manual can address every possible situation that may arise.
- It is your responsibility to seek guidance from your human resources administrator, immediate supervisor, or another employee in your chain of supervision on any policy, rule, or other provision that is not clear to you.

You are encouraged to fill in the blanks on the next page for important contacts that were mentioned in this handbook so you can easily retrieve this information when needed. You may obtain the contact information from your human resources administrator or your immediate supervisor.

Thank you for choosing to become part of the TJJJ family and part of an agency that truly recognizes our employees as our greatest asset.



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Position	Name	Phone Number
Human Resources Administrator:		
Immediate Supervisor:		
Second-line Supervisor:		
Chief Local Administrator:		
Facility Safety Officer:		
Campus Shift Administrators (secure) or Administrative Duty Officers (halfway house):	(will vary)	Cell numbers:

Work Address	Other Important Phone Numbers (e.g., to report tardiness or absence, report emergencies, call the gatehouse)
TJJD Public Website:	<a href="http://www.tjtd.texas.gov/">http://www.tjtd.texas.gov/</a>
TJJD Webmail Address (to access your TJJD email):	<a href="https://login.microsoftonline.com/">https://login.microsoftonline.com/</a>
Weather/Information Line	512-490-7200

**Other Important Notes:**