

**Texas Department of Criminal Justice  
Employee's Packet for Dispute Resolution**

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**CONTENTS**

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**PERS 527-1 .....Dispute Resolution Guidelines**

**PERS 527-2 .....Dispute Resolution Consent**

## **Texas Department of Criminal Justice Dispute Resolution Guidelines**

The Employee Relations Section, TDCJ Human Resources Division, uses dispute resolution as an informal means of resolving work related disputes. Dispute resolution is a process under which an impartial person, the facilitator, promotes communication between or among employees in an attempt to reach a mutually acceptable agreement. This process allows participants to resolve many work related disputes in a fair and timely manner.

### **PARTICIPANTS' ROLES**

- Participants are responsible for negotiating their own settlement and should enter the dispute resolution session with a desire to reach a mutually acceptable agreement. The participants are expected to conduct themselves in a professional manner throughout the session and are required to follow ground rules, such as no speaking as others are speaking, and no name calling.

Reminder: **Harassment, discrimination, and retaliation are prohibited.** In addition, you are required to be truthful, accurate, and provide complete information of events to which you are a witness or about which you have knowledge.

- The facilitator aids the participants in productive communication so they may work toward a mutually agreeable outcome. The facilitator has no authority to make a decision or determine right and wrong. The facilitator is not a legal advisor and shall not provide legal advice.

### **PRIVACY OF DISPUTE RESOLUTION**

- Dispute resolution sessions are private. The only individuals attending a session are the disputing participants and the facilitator. These types of sessions are very sensitive, and your cooperation in maintaining a high degree of privacy is both expected and appreciated.
- Electronic recording devices shall not be used during the session. At the conclusion of the session, the facilitator shall collect all notes taken during the session. The facilitator shall destroy the notes before leaving the session.

### **CLOSURE**

- If the participants agree on one or more issues, the facilitator shall assist the participants in writing a settlement agreement at the conclusion of the session. Each participant shall receive an original copy of the agreement. The participants shall be encouraged to abide by the terms of the agreement document. The agreement is public information, does not constitute or create a contract of employment, nor create a legally enforceable interest on behalf of the participants against the TDCJ, or limit management's authority to enforce PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees" or any other TDCJ directive.
- The facilitator may declare an impasse in the process and terminate the session if: (1) the session becomes unproductive; or (2) no agreement is reached during the session.

## **CONFIDENTIALITY**

Unless the participants agree otherwise, all matters, including the participants' conduct and demeanor during the dispute resolution process, are confidential and shall not be disclosed to anyone. Any request for such documentation under the *Public Information Act* shall be the subject of a request to the attorney general citing the confidentiality provisions of Texas Government Code Sections 2009.001-.055 for exception from release.

Neither the PERS 528, Dispute Resolution Agreement nor the PERS 529, Dispute Resolution Impasse Form is confidential. These forms shall be released in response to a request submitted under the *Public Information Act*.

**Texas Department of Criminal Justice  
Dispute Resolution Consent**

I understand and agree to the following:

1. A facilitator is not a legal advisor and shall not provide legal advice.
2. Electronic recording devices shall not be used during the dispute resolution session. At the conclusion of the session, the facilitator shall collect all notes taken during the session. The facilitator shall destroy the notes before leaving the session.
3. Unless the participants agree otherwise, all matters, including the participants' conduct and demeanor during the dispute resolution session, are confidential and shall not be disclosed to anyone. However, neither the PERS 528, Dispute Resolution Agreement nor the PERS 529, Dispute Resolution Impasse Form, is confidential. These forms shall be released in response to a request submitted under the *Public Information Act*.

**Participant:**

\_\_\_\_\_  
Printed Name: Last                      First                      MI

\_\_\_\_\_  
Signature    Date (mm/dd/yyyy)

**Participant:**

\_\_\_\_\_  
Printed Name: Last                      First                      MI

\_\_\_\_\_  
Signature    Date (mm/dd/yyyy)

**Facilitator:**

\_\_\_\_\_  
Printed Name: Last                      First                      MI

\_\_\_\_\_  
Signature    Date (mm/dd/yyyy)

**Facilitator: (if applicable)**

\_\_\_\_\_  
Printed Name: Last                      First                      MI

\_\_\_\_\_  
Signature    Date (mm/dd/yyyy)

If applicable, attach another page identifying other participants.