

**OCTOBER 2019 PERSONNEL MANUAL UPDATE
SUMMARY OF REVISIONS**

EXECUTIVE DIRECTIVES:

PD-24, Administrative Separation” (rev. 5)

- Updated Policy statement to remove “uniformed services status” as a separate protected classification; added reference to harassment or retaliation for associating with a person who opposes or reports discrimination.
- Deleted definitions of Accommodation Coordinator, Essential Functions, State Compensatory Time, and Workdays.
- Section III.B: Revised to include tracking mail via tracking status notification through <http://www.usps.com>; added a statement related procedure to use if an employee refuses to sign.
- Section III.C: Revised the title for PERS 301 to Notification of Family and Medical Leave.
- Section IV.A.2.a: Revised to state that if, prior to administrative separation, the employee provides documented proof that the employee’s authorization to work in the United States has been renewed or extended, the administrative separation process will stop.
- Section IV.B: Revised to clarify that an employee may be placed on leave without pay, pending administrative separation, if the employee has exhausted all accrued leave balances except for sick time or elects to avoid use of accrued overtime or vacation time.
- Section V.B.1.a: Removed pre-existing permanent medical condition from list of criteria for ineligibility for employment.
- Attachments were updated for consistency with language found in the directive.
- Grammatical and formatting updates were made.

PD-42, “Line of Duty Deaths” (rev. 1)

- Procedures, Section I.C.2: Revised as required by HB 872, 86th Legislature, by indicating that the benefits coordinator complete all applicable claim forms for benefits no later than 30 days after the employee’s death.
- Procedures, Section II.A and Attachment A: Revised as required by HB 3635, 86th Legislature, by stating that payment of benefits to eligible survivors consists of a lump sum payment of \$500,000 or the amount designated by the ERS board of trustees.
- Grammatical and formatting updates were made.

PD-44, “Retirement Benefits” (rev. 9)

- Definitions: Added definition for “Qualifying Felony.”
- Procedures, Section I: Revised website address for Employees Retirement System of Texas (ERS).
- Procedures, Section II.C: Revised to describe accounts as “retirement” accounts.
- Procedures, Section II.D.1: Revised to state that the refund of employee “retirement” contributions cancels the “employee’s” ERS membership and terminates all rights to benefits.
- Procedures, Section II.D.2: Removed speculation on normal processing time for a refund by ERS.
- Procedures, Section II.E: Added a new section to incorporate the requirements of SB 1570, 86th Legislature. Correctional officers are ineligible to receive a service retirement annuity under the ERS, if the ERS member is convicted of a qualifying felony for conduct arising directly from the member’s service as a correctional officer.
- Procedures, Section II.F: Revised ways to obtain information regarding cost of service credit by including the ERS’s mailing address. Deleted detailed employee instructions on obtaining information from ERS.
- Procedures, Section III.B.1.a: Revised to include donating excess sick leave to an employee who is eligible to receive donated sick leave.
- Procedures, Section III.B.4: Revised to include that if an employee takes a lump sum payment or defers the payment to a TexaSaver 401(k) and 457 Plan for unused accrued vacation leave, the employee forfeits use of the vacation leave to increase the employee’s monthly annuity check.
- Procedures, Section IV: Revised to include that one of the qualifications required by the ERS for disability retirement benefits is to have 10 years of state service.
- Procedures, Section VI.A.3: Detailed instructions from the ERS have been removed. These instructions will have been provided by the ERS to the employee in Section VI.A.1.
- Procedures, Section VI.B.1.b: Revised to state that the human resources representative upon notification of an employee’s retirement effective date, must assist the employee in completing the PERS 428, Retiree Leave Accruals Options form, and explain to the prospective retiree that they are eligible to exhaust all compensatory and holiday accrual, unless the employee indicates an election to forfeit on the PERS 428.
- Procedures, Section VI.B.1.c: Removed the responsibility of the human resources representative

to calculate an employee's sick and vacation leave balances. Added the option of an employee donating all or a portion of their sick time to an individual by completing a PERS 637, Sick Leave Donation form.

- Attachment B, PERS 571: Revised the title of the form; revised to allow for designation for 401(k) and/or 457 Plan(s); and incorporated specific instructions for filling out the document.
- Attachment C, PERS 428: Revised the title from "Retiree Options Regarding State Compensatory and Holiday Leave Accruals" to "Retiree Leave Accrual Options." Added a reminder that a PERS 24, Leave Request, is required for use of vacation and overtime, and remaining balances will be paid.
- Grammatical and formatting updates were made.

PD-48, "Unemployment Benefits" (rev. 7)

- Revised the title from "Unemployment Compensation" to "Unemployment Benefits."
- Revised Employment at Will Clause and Policy statement.
- Revised definitions of Claimant, Hearing Officer, Reduction-in-Force, and Unemployment Benefits.
- Discussion: Revised to state that information regarding unemployment claim procedures, updating personal TWC account information, or accessing TWC publications or other documents should be obtained through the TWC website www.twc.texas.gov or the local TWC office.
- Section I: Revised claimant's responsibilities when filing for unemployment benefits and removed procedures for registering for work within three business days.
- Section II: Revised title to address only interests of the TDCJ.
- Section III.A: Added the Human Resources Division director or designee determining the appeal is not in the best interest of Texas; then removed language regarding medically verifiable reasons in the appeal process.
- Grammatical and formatting updates were made.

PD-79, "Employee Transfers, Reassignments, and Temporary Assignments" (rev. 8)

- Title revised to "Employee Transfers, Reassignments, and Temporary Assignments." Applicable changes made to similar language throughout the directive.
- Dual supervised positions within the TDCJ no longer exist; therefore, reference to such has been removed throughout the directive; and revised Emergency Transfer Committee to Transfer

Committee throughout the directive.

- Throughout the directive time frames related to transfers were revised from six months to 12 months.
- Added definitions for Correctional Career Position (CCP) and Targeted Career Position; deleted definitions of Dual Supervision Position and Technical Supervision; and revised definitions of Administrative Reassignment, Full-Time Correctional Officer, Health Care Provider, Immediate Family, Lateral Transfer, Non-Correctional Position, Part-Time Correctional Officer, Promotion, Reassignment, Supervisor of Correctional Officers, Transfer, Transfer Committee and Voluntary Demotion.
- Section I.B.2: Revised to indicate that upon successful completion of the disciplinary probation period, an employee may submit a request for transfer.
- Section I.C: Added instructions for the losing unit or department to forward disciplinary, medical, and human resources files to the gaining unit or department within 10 workdays.
- Section II: New language regarding temporary assignments was added. Information was formerly located within PD-93, "Employee Classification."
- Section III: Added a new section regarding food service and laundry managers requesting a transfer to a CO position at their current unit of assignment.
- Section IV.C.2: Revised to accurately reflect the current Pre-Service Training Academy requirements for employees who are voluntarily reassigned from a non-correctional to a correctional position.
- Section V: Title has been renamed "Voluntary Transfers from a Correctional Career Position to a Correctional Officer Position at a Different Location" to be consistent with current practice. Transfers no longer apply to only CO to CO positions, and now apply to correctional career positions transferring to a CO position. Employees are now required to be employed by the TDCJ for 12 consecutive months before being eligible for a transfer request to a different location. Removed detailed information about the transfer list; it is only relevant to the human resources representative and is covered in the Road Map for PD-79.
- Section V.B.2.a(5) and V.B.3.b: Expanded protection of the employee's "child" to "immediate family member(s)."
- Section V.C: Added section titled "Transfer Committee" to list meeting times, decision routing, transfer announcements, resubmission of emergency transfer requests, and the priority of approved emergency transfers.
- Section VI: Replaced all references to "transfer" with "change," to clarify that the CO is not transferring positions, but rather changing from part-time to full-time status or vice versa.

- Section VI.A.8: Edited to clarify effective dates.
- Section VI.B: Added language to clarify procedures for changing from full-time to part-time.
- Section VIII.A.4 and 5: Clarified the sections of the transfer list as they relate to transfers within a region or to a different region; added language to clarify transfer approval process.
- Section IX: Clarified language regarding lateral transfers and voluntary demotions.
- Section IX.B: Revised to specify final approval for administrative reassignment within the same division is obtained from the division director or designee.
- Attachment A, PERS 379: Clarified the referenced time periods as “consecutive.” Replaced “TDCJ CO or supervisor of COs position” with “correctional career position”; and replaced the SSN with Payee ID.
- Attachment B, PERS 195: Revised the title to include Correctional Career Position; revised for consistency with language updates in the directive.
- Attachment C, PERS 427: Replaced “transfer” with “change” throughout the form for consistency with language updates in the directive.
- Attachment D, Unit List by CID Region and Location: Revised the layout of the form.
- Attachment E, District Parole Office List by Parole Division Region and Location: Revised the layout of the form.
- Grammatical and formatting updates were made.