

**NOVEMBER 2021 PERSONNEL MANUAL UPDATE  
SUMMARY OF REVISIONS**

**EXECUTIVE DIRECTIVE:**

**PD-22 (rev. 17), “General Rules of Conduct and Disciplinary Action Guidelines for Employees”**

- Updated notice of employee hearing from 24 hours to 48 hours throughout the directive.
- Added BP-01.03, “Delegation of Authority to Manage the Texas Department of Criminal Justice” to the Authority section.
- Added the Texas Board of Criminal Justice to the Applicability section.
- Section VII.D.1.a: Added a requirement for an employee to notify their supervisor within 24 hours of notification of the new date and time when an employee hearing is rescheduled.
- Section VII.D.2.a and b: Clarified procedures for when an employee fails or refuses to sign the PERS 185, Reprimand Form.
- Section XI.A: Added language that if a disciplinary action is imposed on a Friday, Saturday, Sunday, or holiday, the information shall be entered on the next business day.
- Disciplinary Action Revisions:
  - Level Two Violations (Attachment A, Attachment C):
    - No. 25f.\* – Administrative or Procedural Violation of a Security Nature Relating to Use of Force; revised to a Level Four violation and combined with 25h\* - Technical Violation Relating to Use of Force.
  - Level Three Violations (Attachment A, Attachment D):
    - The following Level Three violations are revised to Level Four violations:
      - No. 2 – Unexcused Absenteeism – One Hour or More
      - No. 51 – Failure to Report Use of Certain Prescription Drugs
    - Changed Level Three violations to drop off an employee’s record after one year
  - Level Four Violations (Attachment A, Attachment E):
    - The following Level Four violations are revised to non-subsequent violations with no enhancements:
      - No. 1 – Tardiness - Less than One Hour
      - No. 28 – Improper or Untidy Uniforms
      - No. 52 – Failure to Provide Contact Information
    - The following Level Four violations are revised to a subsequent violation if within six months prior to date of discipline (Section IX.G):
      - No. 7 – Substandard Duty Performance
      - No. 8 – Failure to Follow Proper Safety Procedures
      - No. 12 – Unauthorized Sales or Solicitations of state Premises
      - No. 25h\* – Technical Violation Relating to Use of Force
      - No. 37 – Misconduct
- Grammatical and formatting revisions were made.

**EXECUTIVE DIRECTIVE:**

**PD-30 (rev. 9), “Employee Grievance Procedures”**

- Added BP-01.03, “Delegation of Authority to Manage the Texas Department of Criminal Justice” to the Authority section.
- Added the Texas Board of Criminal Justice to the Applicability section.
- Replaced “offender” with “inmate” throughout the directive.
- Section II.B.f.2: Added family leave pool to the list of non-grievable issues.
- Section II.F.1: Revised for clarity.
- Section III.A.1.c.(2): Revised to clarify who the responding authority is for Step Three grievances that are not a disciplinary action for an EEO rule violation.
- Section III.A.2.a: Revised to reflect that a grievance relating to a TDCJ-wide or division-wide policy shall only be responded to by the deputy executive director at Step Three.
- Section III.A.4.b: Added clarification that the intake officer will close a grievance with no further action taken when a grievant elects to have a grievance returned before a response at any step.
- Grammatical and formatting revisions were made.

**EXECUTIVE DIRECTIVE:**

**PD-44 (rev. 10), “Retirement Benefits”**

- Sections III.B.1 and VI.B.1.c: Added language allowing employees the option to donate any remaining excess sick or vacation hours to the Family Leave Pool.
- Procedures, Section VI.B.1: Revised to clarify that an FLSA non-exempt employee is eligible to exhaust all compensatory and holiday accruals; added language that an FLSA exempt employee who is dismissed or allowed to resign or retire in lieu of dismissal is not guaranteed the option to exhaust compensatory and holiday accruals; and added language that an FLSA exempt employee may use up to 336 hours of accrued holiday and compensatory leave to remain on the payroll through the last day of the following month with notification to the appropriate division director.
- Attachment C, PERS 428: Revised to reflect changes to policy.
- Grammatical and formatting revisions were made.

**EXECUTIVE DIRECTIVE:**

**PD-49 (rev. 15), “Leaves Other than Medical and Parental”**

- Overall: Clarified lapsing holiday and compensatory time procedures throughout the directive.
- Definitions: Added definition for Disaster.
- Part A, Section II.C.2.c: Included the submission requirements of the PERS 428, Leave Accrual Options.
- Part B, Section III: Revised the eligibility to include an employee in a leave without pay status.

- Part B, Section VI.A.8: Added language to include the requirements of HB 1589, 87th Legislature, by allowing an employee who is called to state active duty by the governor in response to a disaster seven workdays of administrative leave in a fiscal year.
- Part B, Section VII: Created a new section for additional reasons for administrative leave, to include the requirements of SB 44, 87th Legislature.
- Part C, Section I.B.1.d: Added clarification that LWOP-Other may not exceed 30 calendar days within a rolling 12-month period.
- Part C, Section V.A: Included additional examples in which 30 calendar days of LWOP-Other may be granted.
- Part C, Section V.D: Updated the instructions regarding the expiration of LWOP-Other.
- Attachment A, PERS 24: Updated the different categories of Leave With Pay in Section II.
- Attachment C, PERS 428: New attachment to policy.
- Grammatical and formatting revisions were made.

**EXECUTIVE DIRECTIVE:**

**PD-52 (rev. 8), “Performance Evaluations”**

- Revised the policy statement.
- Section IV.E: Updated salary groups related to fraud risk assessment.
- Revised “social security number” to “payee identification number” throughout policy.
- Grammatical and formatting revisions were made.

**EXECUTIVE DIRECTIVE:**

**PD-76 (rev. 6), “Employment and Reemployment of Members of the Uniformed Services”**

- Added definitions for Disaster and State Active Duty; revised definitions of State Military Forces and Veteran’s Employment Preference.
- Section I.B: Revised the pay level at which a veteran correctional applicant will be hired.
- Section II.A: Revised language regarding the fifteen days of administrative leave for authorized training or duty to be per fiscal year, not federal fiscal year. Added language that authorizes employees called to state active duty by the governor in response to a disaster to receive administrative leave for each day the employee is called to active duty not to exceed seven workdays in a fiscal year.
- Section II.B: Revised language for State Active Duty-State Military Forces to add a statement that administrative leave granted for state active duty will not count against the seven workdays of administrative leave entitled for state active duty during a disaster declared by the governor.
- Section II.H.3: Revised to include the Separation Guide in the information forwarded to the employee by the human resources representative.
- Grammatical and formatting updates were made.