

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PD-04 (rev. 6), “CONSULTANT AND CONTRACT EMPLOYEE INFORMATION
CONFIDENTIALITY”
OCTOBER 1, 2014
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TEXAS DEPARTMENT
OF
CRIMINAL JUSTICE

NUMBER: PD-04 (rev. 6)
DATE: October 1, 2014
PAGE: 1 of 3
SUPERSEDES: PD-04 (rev. 5)
August 1, 2013

EXECUTIVE DIRECTIVE

SUBJECT: CONSULTANT AND CONTRACT EMPLOYEE INFORMATION
CONFIDENTIALITY

AUTHORITY: Tex. Gov't Code §§ 552.001-.353, *Public Information Act*

Reference: American Correctional Association Standard 4-4070

APPLICABILITY: Texas Department of Criminal Justice (TDCJ)

EMPLOYMENT AT WILL CLAUSE:

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. The TDCJ reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the executive director's authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the TDCJ and **do not** create any legally enforceable interest or limit the executive director's, deputy executive director's, or division directors' authority to terminate an employee at will.

POLICY:

Consultants and contract employees of the TDCJ shall be informed in writing about TDCJ policies on confidentiality of information and shall agree to abide by such policies.

DEFINITION:

"Consultant or Contract Employee" is a representative of a company under contract with the TDCJ or an individual who performs services for the TDCJ on a contractual basis.

PROCEDURES:

I. Review of TDCJ Confidentiality Policies and Procedures

Each consultant and contract employee shall be required to read this directive and the TDCJ *Non-Disclosure Agreement*, so the consultant or contract employee may become aware of and understand TDCJ rules regarding confidentiality of information.

II. Consultant and Contract Employee Information Confidentiality Agreement

Department heads shall ensure each consultant and contract employee in their department signs a PERS 385, Consultant and Contract Employee Information Confidentiality Agreement (Attachment A) prior to beginning work. This agreement states the consultant or contract employee has read and understands PD-04, "Consultant and Contract Employee Information Confidentiality" and the TDCJ *Non-Disclosure Agreement*. The department head shall then forward the original, signed PERS 385 to the unit or department human resources office for maintenance.

Brad Livingston
Executive Director

**Texas Department of Criminal Justice
Consultant and Contract Employee Information Confidentiality Agreement**

Name: _____ Last First MI	Month/Day of Birth: _____
Consultant or Contract #: _____	Unit or Department: _____
Name of Project: _____	

I have read and understand the TDCJ Executive Directive PD-04, "Consultant and Contract Employee Information Confidentiality" and the TDCJ *Non-Disclosure Agreement*, which sets forth TDCJ rules regarding the confidentiality of information.

I agree to abide by TDCJ policies on confidentiality of information and state and federal statutes governing confidentiality of TDCJ information.

If I have a question, I understand that I may contact the unit or department public information coordinator or human resources representative, or the TDCJ Office of the General Counsel 936-437-6700.

Consultant or Contract Employee Signature:

Date:

(MM/DD/YYYY)

Note to Consultant or Contract Employee: With few exceptions you are entitled upon request: (1) to be informed about the information the TDCJ collects about you; and (2) under Tex. Gov't Code §§ 552.021 and 552.023 to receive and review the collected information. Under Tex. Gov't Code § 559.004, you are also entitled to request, in accordance with TDCJ procedures, that incorrect information the TDCJ has collected about you be corrected.