



Statement of Employability

Name (Last, First, Middle)	Maiden Name	Date Hired	
Other Names (aliases, married name, etc.)			
Date of Birth (mm/dd/yy)	Race/Ethnicity	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Social Security #

By execution of this document, I acknowledge that I have been informed by DSSW that a criminal history check will be performed on my name. In addition, the agency will verify criminal history and EMR/NAR twice a year. I have informed this agency of all names (i.e., maiden name, aliases) that I have used in the past. I understand that I have been employed on an emergency basis and that my employment is temporary or interim pending the results of the criminal history check. I hereby profess that I have not been convicted of any of the following crimes which are a permanent automatic bar to employment by this agency.

A person for whom the facility is entitled to obtain criminal history record information may not be employed in a facility if the person has been convicted of an offense listed below:

- | | |
|--|--|
| (1) Chapter 19, Penal Code (criminal homicide) | (13) Section 29.03, Penal Code (aggravated robbery); |
| (2) Chapter 20, Penal Code (kidnapping & unlawful restraint); | (14) Section 21.08, Penal Code (indecent exposure); |
| (3) Section 21.11, Penal Code (indecency with a child); | (15) Section 21.12, Penal Code (improper relationship between educator and student); |
| (4) Section 22.011, Penal Code (sexual assault); | (16) Section 21.15, Penal Code (improper photography or visual recording); |
| (5) Section 22.02, Penal Code (aggravated assault); | (17) Section 22.05, Penal Code (deadly conduct); |
| (6) Section 22.04, Penal Code (injury to a child, elderly individual, or disabled individual); | (18) Section 22.021, Penal Code (aggravated sexual assault); |
| (7) Section 22.041, Penal Code (abandoning or endangering child); | (19) Section 22.07, Penal Code (terroristic threat); |
| (8) Section 22.08, Penal Code (aiding suicide); | (20) Section 33.021, Penal Code (online solicitation of a minor); |
| (9) Section 25.031, Penal Code (agreement to abduct from custody); | (21) Section 34.02, Penal Code (money laundering); |
| (10) Section 25.08, Penal Code (sale or purchase of a child); | (22) Section 35A.02, Penal Code (Medicaid fraud); |
| (11) Section 28.02, Penal Code (arson); | (23) Section 42.09, Penal Code (cruelty to animals); |
| (12) Section 29.02, Penal Code (robbery); | |
| (24) A conviction under the laws of another state, federal law, or the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of an offense listed by this subsection: | |

A person may not be employed in a position the duties of which involve direct contact with a consumer in a facility before the fifth anniversary of the date the person is convicted of:

- (1) Section 22.01, Penal Code (assault), that is punishable as a Class A misdemeanor or as a felony;
- (2) Section 30.02, Penal Code (burglary);
- (3) Chapter 31, Penal Code (theft), that is punishable as a felony;
- (4) Section 32.45, Penal Code (misapplication of fiduciary property or property of a financial institution), that is punishable as a Class A misdemeanor or a felony;
- (5) Section 32.46, Penal Code (securing execution of a document by deception), that is punishable as a Class A misdemeanor or a felony;
- (6) Section 37.12, Penal Code (false identification as peace officer); or
- (7) Section 42.01(a)(7), (8), or (9), Penal Code (disorderly conduct).

For purposes of this section, a person who is placed on deferred adjudication community supervision for an offense listed in this section, successfully completes period of deferred adjudication community supervision, and receives a dismissal and discharge in accordance with Section 5 (c), Article 42.12, Code of Criminal Procedure, is not considered convicted of the offense for which the person received deferred adjudication community supervision.

I acknowledge that if I am found to have been convicted of any other offense(s), that these offenses may also bar my employment. Also, if I am found to have been reported to the Employee Misconduct Registry, that this offense may also bar my employment.

I understand that all information obtained by this agency regarding any criminal history and employee misconduct will remain confidential. I have the right to contact the DPS to request an opportunity to be heard concerning the accuracy of the criminal history record information that was conducted by the agency.

I certify that the information on this form contains no willful misrepresentation and that the information given is true and complete to the best of my knowledge.

Signature of Applicant

Printed Name

Date

I certify I have verified the Employee Misconduct and Nurse Aide Registry by calling DADS' toll free number 1- 800-452-3934 to determine if the above named individual is listed in either registry as unemployable due to a finding of abuse, neglect, exploitation, misappropriation of a resident/consumer's property of misconduct.

- ☐ The above named individual is not currently listed with EMR or NAR and is employable.
☐ The above named individual is listed in the EMR/NAR and is not employable.

EMR/NAR verified on _____
Date

Verified by _____