	DEPARTMENT OF PUBLIC SAFETY CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: MAR 17 2010	POLICY NO.: COR.14.02
		SUPERSEDES (Policy No. & Date): COR.14.02 & 03/4/93	
	SUBJECT: INMATE WORK PROGRAM/COMPENSATION		Page 1 of 6

1.0 PURPOSE

To delineate policies and procedures governing inmate work programs in correctional facilities and remuneration for performing such activities and inmate compensation account controls.

2.0 REFERENCES AND DEFINITIONS

.1 References

- a. Hawaii Revised Statutes (HRS), 353-18, Director to Fix Committed Person's Compensation
- b. HRS, 353-19, Compensation for Labor or Training by Committed Persons
- c. HRS, 353-20, Custody of Moneys; Accounts for Committed Person's, etc.
- d. HRS, 353-21, Withdrawals; Forfeitures, etc.
- e. HRS, 352-17, Compensation in Facilities;
- f. HRS 352-18, Establishment of Trust Accounts
- g. HRS, 352-19, Withdrawal from Accounts.

.2 Definitions

- a. Committed persons - as used in this policy statement refers to inmates who have been convicted of felony or misdemeanor charges and sentenced to the jurisdiction of the Department of Public Safety (PSD). This includes persons who have filed appeals of the convictions or have filed motions for reconsideration of sentence.
- b. Pretrial or Presentence - as used herein refers to detainees who are awaiting judicial disposition.
- c. Compensation - includes all monetary compensation.

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- d. Work Training - includes all on-the-job instructional counseling given to beginning or apprentice inmate workers, or any academic classroom type instruction necessary in imparting information to beginning or apprentice inmate workers in any job or trade..

3.0 POLICY

It is the Department's goal to provide inmates with reasonable opportunities for useful and productive employment and to enable them to acquire experiences, which may be valuable to them in securing and maintaining regular employment in the community when they are released. This is accomplished by:

- .1 Affording all employable inmates, within the capability and resources of the State, the opportunity to work and participate in educational work/training activities and to receive financial compensation of their services.
- .2 Assigning inmates to work in the institution on the basis of their abilities, interests, needs, and trustworthiness;
- .3 Providing work opportunities which enable inmates to contribute toward the effective and economic maintenance of the institution; and
- .4 providing work experiences which develop incentive, skills, and habits which may contribute towards modifying inmates' attitudes and behaviors regarding the value of steady employment. Every effort shall be made to provide a normal workday of constructive activity for every inmate.

4.0 PROCEDURES

- .1 Committed inmates contributing to the operation and maintenance of the facility within which they are placed, may receive compensation for their efforts. Such employment provides a means of maintaining and improving their morale and self-respect while under confinement.
- .2 Pretrial and Presentence detainees confined in a correctional facility for over 45 days may be provided the opportunity to work.

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.3 Responsibilities

- a. Inmates shall perform their assigned tasks diligently and conscientiously. Shirking, pretending illness, evading work, or encouraging others to do so is a violation of the rules and regulations. Inmates shall report to work as scheduled and not leave without permission.
- b. Each facility shall develop procedures following these guidelines for compensation of inmate work.
- c. Approval for the payment of compensation due the inmate, upon parole or discharge, shall be made only by the facility Warden or designee. Such authorization shall be in writing on form PSD 1995, Release of Inmate Funds (see attached).
- d. All inmate funds authorized to be spent or deposited shall be the responsibility of the Warden and/or designee.
- e. Where practical, joint bodies consisting of institutional management, inmates, labor organizations, and correctional industry may be utilized for planning and implementing work programs, which are useful to the inmate and related to skills in demand outside the institution.
- f. Permanent changes in the authorized number of inmates assigned to each work crew or work-training class shall not be made without the prior written approval of the facility Warden.

.4 Each correctional facility shall take steps to organize its industrial and labor programs to support the reintegrative purpose of correctional institutions.

- .5 All work shall form part of a designed training program with provisions for:
- a. Involving the inmate in the decision concerning their assignment.
 - b. Giving offenders the opportunity to perform on a productive job to further their confidence in their ability to work.
 - c. Assisting offenders to learn and develop skills in a number of job areas.
 - d. Instilling good work habits by providing incentives.

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.6 To the extent feasible, steps should be taken to develop training modules, which are integrated into a total training plan for individual inmates. Such plans shall be periodically monitored and be flexible for modification in line with individual needs.

.7 Inmate Pay Rates

The following provisions apply only to work that is not associated with the Department's Correctional Industries Program, and the contracted out-of-state facilities under the Department's Mainland Branch.

- a. The pay scale for facility worklines shall be \$0.25 an hour.
- b. In all cases, committed inmates shall be compensated for actual hours / days worked. There shall be no time-and-a-half or double time payment for any institutional work.
- c. Work shall be rewarded and based upon the performance of the inmate.
- d. The facility Warden shall establish limits, expressed as a percentage of the facilities' total population, on the number of inmates who may be paid.
 - 1) Such limits shall be based on the inmate work and work training needs and opportunities of the facility, and shall be within the facility appropriation.
 - 2) The facility Warden shall periodically review the limits and make adjustments as is necessary. The facility Warden shall notify the Division Administrator in writing of any changes to the limits.

.8 Job Classification

Each authorized inmate position receiving compensation for work shall be classified as to occupational title and Department of Labor and Industrial Relations code number.

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.9 Compensation

Inmates assigned to perform work or to work training, may earn payment.

.10 Mandated Savings

Any inmate who is provided compensation in excess of \$20 in any calendar month shall have fifty percent (50%) of the excess withheld and saved. Such savings shall be paid in total to the inmate upon parole or discharge from the PSD. Any withdrawal of the mandated savings prior to parole or discharge may be authorized by the facility Warden upon a fully justified request submitted by the inmate and recommended by their assigned corrections counselor according to the established policy of the facility.

.11 Compensation Account Controls

For Compensation Account Controls and documentation procedures, refer to Departmental Policy and Procedures, COR.02.12, Inmate Trust Accounts.

.12 Inmate Pay Records

For each satisfactory hour worked or in work training, a permanent compensation record for each inmate shall be maintained.

.13 Inmate Pay Criteria

- a. No pay shall be allowed for less than a full hour's work/training.
- b. Any change in assignment and/or pay rate will become effective, for pay purposes, on the first workday of the month.
- c. Each inmate who receives an authorized assignment change during a calendar month shall be paid the same rate they started with on the first of the month. Pay for that month shall be charged to the crew and section with which the inmate began the month, regardless of any change in pay grade during the month.
- d. Each instructor, foreman, or other supervisor shall certify on the last day of each month the number of hours the inmate actually worked or trained.

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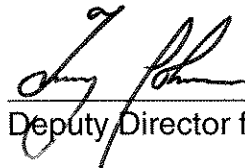
.14 Extra Work Without Compensation

An inmate may be required to perform additional work without compensation based on action by the Adjustment or Disciplinary Committee.

5.0 SCOPE

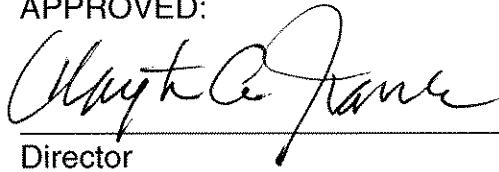
This policy applies to all correctional facilities.

APPROVAL RECOMMENDED:


 Deputy Director for Corrections

3/15/10
 Date

APPROVED:


 Director

3/17/10
 Date