

	DEPARTMENT OF PUBLIC SAFETY CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: April 23, 2018	POLICY NO.: COR.14.02
		SUPERSEDES (Policy No. & Date): COR.14.02 03/17/10	
SUBJECT: INMATE WORK PROGRAM/COMPENSATION		Page 1 of 7	

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 FORMS

.1 References

- a. Hawaii Revised Statutes (HRS), 353-18, Director to Fix Committed Persons' Compensation
- b. HRS, 353-19, Compensation for Labor or Training by Committed Persons
- c. HRS, 353-20, Custody of Moneys; Accounts for Committed Persons, etc.
- d. HRS, 353-21, Withdrawals; Forfeitures, etc.
- e. Department of Public Safety (PSD), Policy & Procedure (P & P), COR.02.04, Restitution Collection.
- f. PSD, P & P, COR.02.12, Inmate Trust Accounts.

.2 Forms

- a. PSD 8721 – Workline Application (attached).
- b. PSD 1991 – Inmate Daily Pay Record (attached).
- c. PSD 8700 – Monthly Work Evaluation Report (attached).

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3.0 DEFINITIONS

- .1 Jail Inmate – Any inmate who is convicted of a crime and committed by the courts for a period of LESS THAN ONE (1) YEAR (this includes probation violators awaiting adjudication of their violation hearings, pretrial detainees, Federal/other State holds).
- .2 Prison Inmate – Any individual who is convicted of a crime and sentenced by the courts for a period of MORE THAN ONE (1) YEAR (this includes anyone that has been SENTENCED to a CONSECUTIVE term TOTALLING more than one (1) year combined) and parole violators returned to custody.
- .3 Compensation - includes all monetary compensation.
- .4 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.

4.0 POLICY

While inmates are not constitutionally entitled to jobs, it is the Department's goal to provide reasonable work opportunities for inmates during their incarceration. These work opportunities will 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 remuneration of their services.
- .2 Assigning inmates to work in the institution on the basis of their abilities, interests, needs, and trustworthiness while improving inmate morale, engaging them in activities of positive and beneficial nature; and reducing inmate idle time.
- .3 Providing work opportunities which enable inmates to contribute toward the effective and economic maintenance of the institution.

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- .4 Providing work experiences which develop incentive, skills, and positive work ethic and habits which may contribute towards modifying inmates' attitudes regarding the value of steady employment. Every effort shall be made to provide a normal work day of constructive activity for every inmate.

5.0 PROCEDURES

- .1 Inmates contributing to the operation and maintenance of the facility within which they are employed, may receive compensation for their efforts.
- .2 Jail inmates confined in a correctional facility for over 45 days may be provided the opportunity to work.
- .3 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.
- .4 Each facility shall develop procedures for assigning inmates to jobs in the facility and for the remuneration of inmate work upon receipt of PSD 8721-Workline Application. Where practical, joint bodies consisting of institutional management, inmates, labor organizations, and industry, shall be responsible for planning and implementing work programs which are useful to the inmate and related to skills in demand for successful reintegration into the community.

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 inmates the opportunity to perform on a productive job to further their confidence in their ability to work.
- c. Assisting inmates to learn and develop skills in a number of job areas.
- d. Instilling good work habits by providing incentives.

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- .5 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.

Inmate workers shall be supervised by staff in a safe work environment when they are involved on work crews or work training classes.

- .6 Inmates have no right to work assignments and therefore, can be terminated immediately if a violation of procedures has occurred.

.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. The pay scale for facility community worklines may range from \$0.25 up to \$1.00 an hour as long as it is within the facility appropriation.
- b. In all cases, inmates shall be compensated for actual hours/days worked. There shall be no time-and-a-half or double time payment in 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.

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.8 Inmate workers are not employees of the state and are not entitled to employee benefits.

.9 Compensation

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

.10 Mandated Savings in Inmate's Restricted Account

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 Department of Public Safety. 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 case manager/unit manager according to PSD COR.02.12, Inmate Trust Accounts.

.11 Restitution

Inmates that owe court ordered or facility restitution shall make payments in accordance with PSD, COR.02.04, Restitution Collection.

.12 Compensation Account Controls

For Compensation Account Controls, documentation procedures, and/or approvals for the payment of compensation due to the inmate, upon parole or discharge, refer to PSD COR.02.12, Inmate Trust Accounts.

.13 Inmate Pay Records

For each satisfactory hour worked or in work training, a permanent compensation record for each inmate shall be maintained on PSD 1991-Inmate Daily Pay Record.

.14 Inmate Pay Criteria

a. No pay shall be allowed for less than a full hour's work/training.

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- b. Any change in assignment and/or pay grade will become effective, for pay purposes, on the first work day 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.

.15 Extra Work Without Compensation

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

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6.0 **SCOPE**

This policy applies to all correctional facilities.

APPROVAL RECOMMENDED:

John M. ... April 23, 2018
Deputy Director for Corrections Date

APPROVED:

John P. ... April 23, 2018
Director Date

**DEPARTMENT OF PUBLIC SAFETY
INMATE DAILY PAY RECORD**

Name: _____ SID No: _____ Month: _____

Grade: _____ Pay Rate: _____ Total Hours: _____ Total Pay: _____

DATE	HOURS WORKED	PROJECT	REMARKS
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
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28			
29			
30			
31			

Original: Inmate File
Copies: Supervisor
Attachment to monthly evaluation

Prepared by: _____

**DEPARTMENT OF PUBLIC SAFETY
MONTHLY WORK EVALUATION REPORT**

Name of Inmate: _____ Date: _____

Number of Days absent: _____ (excused) _____ (unexcused)

Number of days tardy: _____ (excused) _____ (unexcused)

Work Classification: _____

Number of Work Projects assigned: _____ Rate of Compensation: _____

DUTIES FOR WHICH TRAINED	NUMBER OF HOURS

Number of training phases completed:

	No Evaluation	Poor	Below Average	Average	Above Average	Excellent
Attendance						
Workmanship						
Learning Speed						
Application of Instruction to Work						
Work Adjustment and Adaptability						
Regularity of Output						
Relationship with other Workers						
Relationship with Instructor						
Application of Time						
Care of Government Property						
OVERALL RATING						

REMARKS:

This report was discussed with me.

Signature of Inmate: _____

Signature of Supervisor: _____

Original: Case File
Copies: Inmate, Supervisor

**DEPARTMENT OF PUBLIC SAFETY
WORKLINE APPLICATION**

A. Name: _____ TPD: _____ MOD: _____ BLK: _____ QD: _____

B. Workline: _____ (Check One) Initial Placement: _____ Transfer: _____

C. Prior work experience / related to the job requested, to include public sector and / or prison workline:

<u>Job Title</u>	<u>Start Date</u>	<u>End Date</u>	<u>Brief Description of Duties and Reason for Leaving</u>

D. List the most recent / current work experience while incarcerated:

<u>Job Title</u>	<u>Start Date</u>	<u>End Date</u>	<u>Brief Description of Duties and Reason for Leaving</u>

E. Case Manager Recommendation: Approve / Disapprove Initial: _____ UM Int: _____
Date of Last Misconduct: _____ Type: _____ Medical Clearance: Yes / No
Comments: _____

F. Workline Supervisor Recommendation: Approval / Disapproval Initial: _____
Effective Date: _____ Transfer Date: _____
Workline Assigned: _____ Position Title: _____
Work Schedule: _____ Rate of Pay: _____

G. Approval / Disapproval Receiving Unit Manager: _____ Date: _____