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TABLE OF CONTENTS

PURPOSE

PROCEDURES **PAGE**

903.01 INMATE WORK PROGRAMS 1

903.02 INMATE WORK INCENTIVE PAY PLAN (WIPP) 3

903.03 WORK PROGRAM ASSIGNMENT PROCESS 5

903.04 MINIMUM CRITERIA FOR ASSIGNMENT - INTERNAL RISK / CUTODY LEVEL 8

903.05 ARIZONA CORRECTIONAL INDUSTRIES (ACI) ASSIGNMENTS AND PAY 11

903.06 WORK AND PROGRAM ASSIGNMENT EVALUATIONS 13

903.07 SAFETY REQUIREMENTS 14

903.08 CONTRACTUAL REQUIREMENTS FOR UTILIZING INMATE WORKERS 14

IMPLEMENTATION 16

DEFINITIONS 16

CROSS REFERENCE INDEX 17

AUTHORITY 17

ATTACHMENTS

PURPOSE

This Department Order establishes criteria and procedures that ensure the lawful, safe and secure operation of Department and inmate work programs, in accordance with sound correctional practice. This Department Order further establishes consistent administration of the Work Incentive Pay Plan (WIPP). Additionally, it assists inmates to prepare for re-entry by acquiring skills including literacy, employability and sobriety. Work opportunities are provided in settings as much like the real world as possible to provide inmates with every opportunity to practically apply newly acquired skills throughout their incarceration.

PROCEDURES

903.01 **INMATE WORK PROGRAMS** - An inmate shall not be excluded from a work assignments based on their mental health status if the inmate is taking medication that stabilizes them, the inmate is stabilized and otherwise eligible for the position.

1.1 Inmate Work Programs include:

1.1.1 Labor program subject to WIPP scale, pursuant to A.R.S. 31-254.

1.1.2 Arizona Correctional Industries (ACI).

1.1.3 Inter-Governmental Agreements (IGA).

1.1.4 Education, Treatment, and Work Based Education (WBE) programs.

1.2 Wardens, Deputy Wardens and Administrators shall ensure that:

1.2.1 Meaningful work opportunities are offered to 100% of all able inmates consistent with available resources.

1.2.2 Individual inmate work assignments are based on 5x5 assessments of risk and needs and comply with the minimum eligibility criteria established in this Department Order.

1.2.3 Inmate labor is available for facility construction, improvement and maintenance.

1.2.4 Inmate labor is available for approved public works projects.

1.2.5 The Duty/Special Needs Order, Form 1101-60, is completed in accordance with Department Order #1104, Inmate Medical Records, and is updated on the appropriate AIMS screen.

1.2.6 Inmates shall not be assigned to more than one full-time equivalent paid job.

1.2.7 Inmates shall not work (actual work assignment, not to include program hours) more than 40 hours per week, usually six to eight hours per day. The Regional Operations Director must authorize any exceptions. Inmates assigned to Wild land Fire Crews or other labor contract based assignments (e.g. ACI or IGAs) which specifically allow it, are exempt from this requirement and may work in excess of 40 hours per week.

1.2.7.1 Those inmates assigned to academic education program, work based education courses, substance abuse treatment, sex offender education and treatment, may also be assigned to a work assignment if the combined hours of the program and work assignment normally does not exceed 40 hours per week.

1.2.7.1.1 On a case-by-case basis, selected inmates may be assigned to work and programs where the combined hours exceed 40 hours. However, every effort shall be made to ensure all inmates have meaningful work and/or program assignments to the extent resources allow. If a facility is minimizing idleness and an inmate with high needs for work and program development exists, as documented in the inmate's Corrections Plan, the inmate may be assigned to each and the total combined hours may exceed 40 hours.

1.2.7.1.2 The total of both the work and program assignments shall not exceed 60 hours per week, under any circumstance. The work assignment shall not exceed 40 hours per week as stipulated in 1.2.7 of this section.

1.2.8 Monthly Evaluation ratings of inmates for the previous month are entered in Adult Inmate Management System (AIMS) for each inmate Work program listed in 1.1 of this section, by the 15th day of each month, except for those assignments that pay on a bi-weekly basis. In those cases, evaluations are required for each pay period.

1.3 Work program supervisors shall maintain accurate, written attendance logs, time sheets, work evaluations, etc.

1.4 In order to prepare inmates for re-entry by acquiring the work skills and habits needed to successfully integrate into the community upon release, each work assignment's wages shall be aligned with the most appropriate U.S. Labor Dictionary of Title (DOT) code.

1.5 Inmates are compensated for actual hours worked in accordance with the WIPP formula and the objective WIPP pay scale, excluding those inmates assigned to a labor contract. Inmates shall be compensated an hour's pay for an hour's work and shall not be paid for time not at their work assignments.

1.6 Inform the appropriate security staff of the absence of any inmate assigned and the reason for such absence. This notification shall be made in advance when possible.

1.7 A racial balance and integrated work crews shall be maintained.

1.8 Disciplinary Process - An inmate charged with an alleged institutional rule violation, and/or placed in administrative investigative status for more than five work days may be suspended from the assignment.

1.8.1 Upon completion of the process the Correctional Officer IV shall review the suspension.

1.8.2 The Correctional Officer IV shall determine to either reinstate or terminate the inmate from the assigned position.

903.02 INMATE WORK INCENTIVE PAY PLAN (WIPP)

1.1 The Division Director for Offender Operations shall allocate and audit WIPP funds on a quarterly basis.

1.2 Wardens, Deputy Wardens and Administrators shall ensure:

1.2.1 WIPP payrolls do not exceed budgeted levels. Certain assignments (including WBE, Recreation Aide, Library Aide, Education Aide, Chaplain Aide) may be eligible to utilize Inmate Activities and Recreation (A & R) fund if it can be determined the assignment directly benefits the education and welfare of inmates. In the event of budget shortfalls, a reduction in inmate pay shall be imposed in lieu of a reduction in workforce.

1.2.2 Driving Under the Influence (DUI) inmates working at Department jobs, paid with Department funds, shall be compensated under WIPP using the WIPP pay scale; however, 67% of each DWI inmate's hourly WIPP wage shall be deposited into the Alcohol Abuse Treatment Fund.

1.3 Inmate pay rates are objective and are based on the inmate's Earned Incentive Program phase level, work assignment skill level, and any pay modification criteria that may apply.

1.3.1 An inmate's pay rate shall remain 10 cents per hour until functional literacy is earned (or exempted), regardless of any performance milestones (e.g., completing program, receiving exceeds ratings) reached.

1.3.1.1 Once the inmate meets the functional literacy requirement, the inmate may advance to base pay and is then eligible for performance enhancements.

1.3.1.1.1 Upon obtaining functional literacy, inmate shall be considered for GED assignment if a program slot is available. If a slot is not available, staff shall make every attempt to ensure the inmate is assigned to a GED program at the earliest opportunity.

1.3.1.2 Inmates enrolled in WBE programs, shall earn 15 cents per hour in the WBE program.

1.3.2 Completed Program

1.3.2.1 Based upon available funds, inmates may receive a five-cent pay increase to the first program completed only if the inmate has:

1.3.2.1.1 Met the GED requirement.

1.3.2.1.2 Has not refused or been removed from a program, including self-improvement programs.

1.3.2.2 Programs include GED.

1.3.3 Program Refusal – Any inmate who refuses to attend a Work or Self Improvement program included in their Corrections Plan after being offered the opportunity to participate shall remain at base pay until such time the inmate subsequently is enrolled in the program. Refusals shall be documented in writing using the Change of Status form. This form shall be filed in the inmate record and entered on the DI83 AIMS screen.

1.3.4 Removed From Program – An inmate who is enrolled in a Work or Self Improvement program included in their Corrections Plan and subsequently is removed for cause shall remain at base pay until such time the inmate is subsequently enrolled in the program. Removals shall be documented in writing using the Change of Status form. This form shall be filed in the inmate record and entered on the DI83 AIMS screen. See Department Order #910, Inmate Education and Resource Center Services.

1.3.5 Work and Programs Evaluation

1.3.5.1 Exceeds ratings (overall) for six consecutive months – An inmate may receive a five cent pay increase, subject to funds availability, if the inmate has:

1.3.5.1.1 Achieved an overall "exceeds" rating, including no “unsatisfactory” ratings, for the past 12 months.

1.3.5.1.2 Has not refused or been removed from a work or self-improvement program.

1.3.5.2 Unsatisfactory rating during past 90 days - If an inmate receives any “unsatisfactory rating” the inmate’s pay shall be set at the base rate for 90 days and any pay enhancements shall be voided.

1.3.6 Inmates, who have an assignment as of the date the automated pay scale is implemented, shall maintain their pay rate until such time as one of the conditions below is met. At that time the automated pay scale will be effected based on the applicable objective criteria:

1.3.6.1 The inmate is reassigned from the current assignment.

1.4 Work supervisors shall certify that the time recorded is actual time worked. Inmates shall not process time sheets.

1.5 The following criteria apply only to inmates incarcerated on or after January 1, 1994.

1.5.1 Inmates designated as functionally illiterate as outlined in Department Order #910, Inmate Education and Resource Center Services, shall be paid the lowest wage (ten cents) in a pay grade for the work performed, regardless of earned incentive phase level or performance pay enhancement criteria met, until the applicable Department literacy standard is met.

1.5.2 Inmates initially designated as functionally illiterate, upon meeting the applicable Department literacy standard, shall be authorized to receive any applicable wage increases or performance pay enhancements.

1.5.3 Functionally illiterate inmates, who are designated as having an exemption condition as outlined in Department Order #910, shall be exempt from the noted above sections.

903.03 WORK PROGRAM ASSIGNMENT PROCESS

1.1 Upon assignment into a permanent housing location after Reception or from another permanent facility, a staff member shall document the inmate's work skills and employment history on the appropriate AIMS screens and may use the Inmate Employment and Work Skills History, Form 903-8, to assist in gathering that information.

1.1.1 The Correctional Officer III shall conduct a quality review check by completing the Screening Report for New Arrivals, Form 903-9. This quality review check shall include, but is not limited to:

1.1.1.1 A complete file review to verify all data in AIMS.

1.1.1.2 Escape History.

1.1.1.3 Arrest History.

1.1.1.4 Offense behavior which includes a description of the offenses. This information shall be documented on the appropriate AIMS screen.

1.1.2 The Correctional Officer IV shall:

1.1.2.1 Review the Screening Report for New Arrivals form to determine the appropriate Work Level.

1.1.2.2 Forward the Screening Report for New Arrivals form to the WIPP Office and Institutional Records for filing.

1.1.3 Work and program assignments shall not be made without both the Employment and Work Skills History and the Screening Report for New Arrivals form being completed at the unit where the inmate is currently assigned.

1.1.4 The Correctional Officer IV assigns inmate to:

1.1.4.1 Labor program subject to WIPP scale, pursuant to A.R.S. 31-254.

1.1.4.2 Arizona Correctional Industries (ACI).

1.1.4.3 Inter-Governmental Agreements (IGA).

1.1.4.4 Intergovernmental Service Agreements (ISA).

1.1.5 The Correctional Officer IV assigns inmates to Education, Treatment and Work Based Education (WBE) programs in accordance with the inmate's individual Corrections Plan, the applicable facility priority ranking report(s) and actual vacancies in work assignments.

1.1.6 The Correctional Officer IV shall assess the inmate's work history and skill level and then assign the inmate to work activities as outlined in 1.1.4 of this section in accordance with the inmate's individual Corrections Plan, the applicable facility priority ranking report(s) and actual vacancies in work assignments.

1.1.6.1 The Correctional Officer IV may assign more inmates than the designed capacity to work assignments only to the extent necessary to cover temporary absences, such as turnouts.

1.1.7 The Correctional Officer IV shall document all of their assignments in AIMS.

1.1.8 An inmate shall not be assigned to a work program unless the inmate has a legitimate opportunity to regularly participate in the assignment. If there are no such assignments available for an inmate, the inmate shall not be assigned and shall be documented as "unassigned" on AIMS until such time that a legitimate work program opportunity is available.

1.1.9 When specific skill sets are required in filling an assignment, the Correctional Officer IV shall attempt to place inmate(s) with the given skills into the assignment whenever possible.

1.2 Work program vacancies shall be filled using recruitment techniques, including:

1.2.1 Job Announcements.

1.2.2 Job Applications and Resumes.

1.2.3 Interviews/Examinations.

1.3 Education, Treatment and WBE program vacancies shall be filled using applicable facility priority ranking report(s) and in keeping with individual Corrections Plans.

1.4 Work and/or program supervisors shall not assign or reassign inmates.

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1.4.1 Only the Correctional Officer IV or designee is authorized to assign or reassign inmates from Work and/or program assignments.

1.4.2 A supervisor may initiate work program assignment changes by submitting a written recommendation to the Correctional Officer IV or designee for consideration based upon:

1.4.2.1 Inmates' Requests - Inmates are expected to perform satisfactorily at their given assignment. No inmate who is assigned to a work program will be changed because the inmate is dissatisfied with pay, the job itself, the supervisor(s), or other inmates. Thus, the supervisor should rarely initiate a change and generally, only if an inmate has performed satisfactorily for at least six months and where another inmate can be assigned to satisfactorily perform the work function.

1.4.2.2 Poor Performance - The work supervisor shall make efforts to instill inmates with appropriate work habits and attitudes. The supervisor shall make efforts to improve inmate deficiencies over at least three or more consecutive pay periods with unsatisfactory ratings before initiating an assignment request change. If the inmates work habits and/or attitude is exceedingly poor and appears to be significantly affecting other workers or work production and if the work supervisor documents these conditions sufficiently, the Correctional Officer IV or designee may consider an assignment change sooner than three pay periods.

1.4.2.2.1 Unless otherwise specified for those inmates in assignments governed by a labor contract.

1.4.2.3 Disruptive Behavior – An inmate is expected to interact in a civil manner with the supervisor and other inmates. If an inmate's behavior is so disruptive as to compromise the supervisor's ability to manage the work program environment effectively, the supervisor may initiate an assignment change. Changes under these circumstances shall require a disciplinary report that documents the disruptive actions as well as an "unsatisfactory" evaluation rating.

1.4.2.4 Security Threat - If an inmate is determined to be a threat to the security or order of the institution if left in the current assignment, the supervisor shall notify the Chief of Security and provide the rationale in an Information Report. The Chief of Security shall ensure the case is investigated and, if it is determined a legitimate security threat exists, the Correctional Officer IV shall be notified to change the inmate's assignment.

1.4.2.5 Institutional Needs - The Correctional Officer IV may reassign an inmate unilaterally based on specific needs of the institution or other reasons indicating the reassignment is in the best interest of the Department.

1.4.2.6 Program Refusal or Removal – An inmate is assigned to a program and refuses to participate, or is removed for poor performance or behavior.

1.4.2.7 Program Completion – An inmate completes the requirements of program.

1.5 Hiring Process for ACI

1.5.1 The ACI Manager shall determine openings in the various job classifications and communicating vacancies to the Correctional Officer IV.

1.5.2 The ACI Manager will notify the unit Correctional Officer IV prior to the projected vacancy whenever possible and provide the following information:

1.5.2.1 Specific position(s).

1.5.2.2 Rate of pay.

1.5.2.3 Shift.

1.5.2.4 Minimum qualifications.

1.5.2.5 Specific job duties.

1.5.3 The unit Correctional Officer IV will post these job openings on the bulletin boards to the general population for a period of five work days.

1.5.4 Interested inmates shall submit an Inmate Letter and/or resume to the Correctional Officer IV prior to the closing date.

1.5.4.1 The ACI Manager or ACI Labor Contractor may also choose to interview the inmate prior to the assignment decision. If the ACI Manager or ACI Labor Contractor considers the inmate unsuitable for placement, the reason(s) for not assigning the inmate shall be forwarded to the Correctional Officer IV for consideration.

1.5.5 The Correctional Officer IV shall review the applications, screen, and place them with regard to the following minimum qualifications criteria:

1.5.5.1 Education level – GED or high school diploma or currently enrolled in a GED program. If an inmate needs to obtain a GED and a slot is not available, the inmate may be assigned to ACI on a provisional basis and staff shall make every attempt to ensure the inmate has the opportunity to earn his/her GED.

1.5.5.2 Work Evaluation Ratings – At least satisfactory overall during the last 12 months.

1.5.5.3 Disciplinary Record

1.5.5.3.1 Minimum and Medium Custody inmates shall have no minor disciplinary offenses/convictions in the last three months, and no major conviction in the last six months.

1.5.5.3.2 Close Custody inmates shall have no major convictions in the last six months.

1.5.5.4 Current Program/Education/Institutional status shall not conflict with work schedules.

1.5.5.5 No refusal or removal from a mandatory work or self-improvement program or assigned activity included in the inmate's individualized Corrections Plan during current incarceration.

1.5.5.6 Additional criteria for "ACI private partner" assignment only:

1.5.5.6.1 Within ten years of earliest, valid release date.

1.5.5.6.2 Criminal Aliens – ineligible for assignment.

1.6 The work supervisor shall complete work evaluations each month for every inmate and pay increases awarded as outlined in this Department Order.

903.04 MINIMUM CRITERIA FOR ASSIGNMENT – INTERNAL RISK / CUSTODY LEVEL

1.1 Inmates are eligible for placement in a work assignment based on their Internal Risk (IR) Level and Custody Levels as determined by the classification criteria. Work assignments shall be determined as follow:

1.1.1 Maximum Custody (IR5) - Placement by special assessment only, regardless of the inmate's internal risk level. Assignments to the kitchen are permissible, except inmates shall not work in the kitchen after evening formal count.

1.1.2 Close Custody

1.1.2.1 IR4 - Limited potential assignments.

1.1.2.2 IR3 - Eligible for an IR4 assignment.

1.1.2.3 IR2 and IR1- Eligible for any IR4 and IR3 assignments.

1.1.3 Medium Custody

1.1.3.1 Same as Close Custody as outlined in 1.1.2.1 through 1.1.2.3 of this section.

1.1.3.2 Inmates who are IR3 and below may work in an assignment outside the facility perimeter, if it is within the complex secure perimeter or those complexes that have an uninterrupted perimeter.

1.1.4 Minimum Custody

1.1.4.1 IR4 - Any assignment within the facility perimeter and shall not be assigned a job outside the facility's perimeter (e.g., cannot work on a complex perimeter assignment).

1.1.4.2 IR3 – Inside facility perimeter assignments and outside the facility perimeter but on complex grounds only. Additional non-discretionary criteria for minimum custody for IR3 inmates only includes:

1.1.4.2.1 Current or prior conviction for murder or attempted murder.

1.1.4.2.2 Current or prior conviction for kidnapping or attempted kidnapping.

1.1.4.2.3 Arrest, but no conviction, for a felony sex offense.

1.1.4.2.4 Interstate Corrections Compact (if inmate is minimum custody).

1.1.4.3 IR2 – Any IR4 and IR3 assignments and any assignment within the facility perimeter, unless ineligible due to other criteria. The inmate may be assigned to any assignment outside institutional grounds that is supervised by Department, Contract Beds staff or contractor supervisor staff. These assignments may include Arizona Department of Transportation (ADOT), Intergovernmental Agreement (IGA), or other authorized work crews where the Department's response time is within 60 miles (this distance does not apply to Wildland Fire Crews).

1.1.4.4 IR1 - Includes:

1.1.4.4.1 Any assignment within the facility perimeter per IR4 or IR3.

1.1.4.4.2 Any assignment authorized for IR2.

1.1.4.4.3 Any assignment outside institutional grounds supervised by Department or Contract Beds staff, or other authorized supervisors with no restriction as to the Department's response time.

1.2 Additional minimum criteria for specific assignments:

1.2.1 Health Unit Porter - No substance abuse current convictions or related substance abuse disciplinary violations in the past two years of the current incarceration.

1.2.2 Work assignments (even temporary detail) outside housing unit, after evening formal count and before morning formal count, may only include inmates classified as follows:

1.2.2.1 Non-kitchen assignments (any assignment other than the Kitchen).

1.2.2.1.1 Minimum custody - any internal risk level.

1.2.2.1.2 Medium or Close custody - only internal risk levels 1 or 2.

1.2.2.1.3 Maximum custody - none (may not use maximum custody inmates outside the housing unit after evening formal count).

1.2.2.2 Kitchen assignments - Same as outlined in 1.2.2.1 through 1.2.2.1.3 of this section, except that staff may use internal risk level 1, 2, 3 or 4 inmates for medium or close custody. However, inmates must receive direct supervision to and from the kitchen during the evening and morning formal count time period.

1.2.3 Criminal Aliens, who are minimum custody and have an ICE detainer, may work outside the complex perimeter on facility grounds under direct supervision only. Such inmates who do not have an ICE detainer (or pending ICE action) may work on facility grounds only and may have indirect supervision.

1.2.3.1 Criminal Aliens are not eligible for ACI private partner (sector) assignments, but may be assigned to ACI's "owned and operated" assignments.

1.2.4 Inmates in the following assignments must have earned a GED, or completed high school and received a high school diploma or currently enrolled in a GED program. If an inmate needs to obtain a GED and a slot is not available, the inmate may be assigned to the work assignment on a provisional basis and staff shall make every attempt to ensure the inmate has the opportunity to earn his/her GED. They may not have refused or been removed from a Department work or self improvement program offered during the current incarceration. If the inmate subsequently completes the previously removed or refused program, the inmate may be reconsidered for assignment.

1.2.4.1 Tutor-Education.

1.2.4.2 Clerk- Education.

1.2.4.3 Aide – Education.

1.2.4.4 Aide – Library.

1.2.4.5 Aide – Chaplain.

1.2.4.6 Aide – Program.

1.2.4.7 Recreation Clerk.

1.2.4.8 Automotive Clerk.

1.2.4.9 Chaplain Clerk.

1.2.4.10 (Vocational/Education) WBE Clerk.

1.2.4.11 Clerk – Kitchen.

1.2.4.12 Library Clerk.

1.2.4.13 Academic/School Clerk.

1.2.4.14 Suicide Prevention Aide (SPA).

1.2.4.15 Health Unit Porter.

1.2.4.16 Community Betterment.

1.2.4.17 IGA.

1.2.4.18 ACI.

1.3 Vehicle usage by inmates - Prior to an inmate being permitted to operate any motorized type vehicle (including complex transportation, heavy equipment, and farm equipment), the inmate shall be trained and certified on each type of farm equipment that the inmate is expected to operate per requirements noted in Department Order #405, Vehicles/Vehicle Maintenance.

1.3.1 On-Site Inmate Drivers

1.3.1.1 For complexes that have shuttle/bus transportation available for staff and visitors, a Work Supervisor may request an inmate be examined by unit Classification staff to determine eligibility for On-Site Driver status.

1.3.1.2 The Unit Correctional Officer IV shall ensure the inmate meets the following criteria:

1.3.1.2.1 C & I score of 2/3 or below.

1.3.1.2.2 Major disciplinary free for a period of six months.

1.3.1.2.3 Has not been convicted of accident-related charges, or a crime involving the use of or theft of a vehicle.

1.3.1.2.4 No moving violations within the three years prior to incarceration and no current conviction involving a moving violation.

1.3.1.2.5 Medically cleared.

1.3.1.2.6 Suitable for the position based on information from Classification, administrative and security staff, as necessary.

1.3.1.3 An On-Site Inmate Driver Checklist, Form 903-7, shall be completed by the designated staff member and forwarded through the Correctional Officer IV to the Deputy Warden for signature/approval.

1.3.1.4 The Warden or designee may approve exceptions to all of the criteria listed in 1.3.1.2.1 through 1.3.1.2.6 of this section, except for medical clearance.

1.3.1.5 The designated staff shall notify the requesting Work Supervisor of approved and denied requests.

1.3.1.6 When approved for On-Site Driver status, supervising staff shall ensure training and documentation are completed in accordance with the Inmate Driver Training Curriculum, Form 903-12.

1.3.1.6.1 Approved inmates shall successfully pass a driving test administered by qualified staff on each vehicle to be driven on a regular basis.

1.3.1.7 Vehicle Usage By Inmates - On-Site Drivers shall not drive on a public highway. The parameters and location of crossings shall be approved by the Warden.

1.3.1.7.1 Inmates shall not operate a vehicle equipped with a mobile radio, except fire truck engineers, or while fueling or performing general maintenance.

1.3.1.7.2 State vehicles shall not be driven at speeds to exceed the posted speed limit.

1.3.1.7.3 Damage that results from a deliberate action of an operator of a state vehicle shall result in disciplinary action and/or the operator being required to make restitution. Inmates may also be removed from driving and must be urinalysis tested.

1.3.1.7.4 All On-Site Drivers shall sign for the keys of any vehicle upon receipt and return, in accordance with Department Order 702, Key Control.

1.3.1.7.5 On-Site Drivers shall not transport unescorted inmates without prior written authorization from their supervisor.

1.3.1.7.6 If transporting other inmates, all passengers shall be properly seated. The number of occupants shall not exceed designated vehicle capacity.

1.3.1.8 Removal - On-Site Drivers may be removed for the following:

1.3.1.8.1 Any documented reports of violation, reckless or careless driving. Documentation relative to the inmate's removal from On-Site Driver status or documentation of any inappropriate contact between the On-Site Driver and a visitor or a staff member shall be completed and forwarded to the Warden or Deputy Warden for action.

1.3.1.8.2 Violation of state laws or Department written instructions.

1.3.1.8.3 A positive test result on a urinalysis.

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1.4 No Department employee shall assign an inmate to duties that include:

1.4.1 Providing direct health care services.

1.4.2 Scheduling health care appointments.

1.4.3 Handling or having access to surgical instruments, syringes, needles, bandages or other health care supplies.

1.4.4 Operating or handling health services equipment.

1.4.5 Having access to the medical records or other inmates.

1.4.6 Handling or having access to security equipment.

1.5 Community Betterment Program - Community betterment encompasses inmate work assignments in which inmates earn wages for work that is performed for public sector and/or private not-for-profit businesses. These projects are typically full time work assignments for the duration of the project and should not be confused with Community Service activities in which inmates may participate but receive no compensation after the regular work day has concluded during their recreation time.

1.5.1 Projects shall be:

1.5.1.1 Short term, not lasting more than six months. The Director or designee shall approve all exceptions to the six-month time frame.

1.5.1.2 Labor services provided intermittently during the year, for example: cleanup activities each spring, fall, winter and summer.

1.5.2 Inmates shall be compensated in accordance with the WIPP Pay Scale (Attachment A), unless otherwise specified and authorized by the Division Director for Offender Operations or designee.

903.05 ARIZONA CORRECTIONAL INDUSTRIES (ACI) ASSIGNMENTS AND PAY - Inmates are assigned to ACI positions in accordance with 903.04 except as otherwise specified in this section. Inmates assigned to ACI Owned and Operated industries occupy positions that are classified and paid in accordance with this Department Order. Wage rates, to be paid to inmates assigned to private/public sector labor programs, shall be developed through negotiation with ACI private/public Contractors; within the guidelines established in State and Federal statutes, with input from the Arizona Department of Economic Security as appropriate. All ACI inmate jobs are a privilege and inmate participation is voluntary.

1.1 Inmate participation as workers in a Prison Industry Enhancement (PIE) program is a privilege and is strictly voluntary. To participate in private sector work programs an inmate shall:

1.1.1 Agree to restrict the number of exemptions claimed for withholding to their verifiable number of dependents and agree not to request additional amounts be withheld from each paycheck. Other deductions shall be withheld from earnings by Inmate Banking pursuant to A.R.S. Section 41-1674. Inmates assigned to Private Sector labor programs that are not Prison Industry Enhancement Correctional Program (PIECP) certified shall *be subject to* mandatory deductions pursuant to A.R.S. Section 31-254. Any remaining amount shall be credited to the prisoner's retention account.

1.1.2 Be assigned and eligible for these work programs as outlined in section 903.04.

1.1.3 Complete and sign the ACI-Rules and Conditions of Employment, Form 903-2.

1.1.4 For ACI owned and operated position, complete and sign the Inmate Worker Agreement and the Standards of Conduct Agreement. These documents shall be retained and attached to the ACI Inmate Labor and PIECP work contract.

1.1.5 Have earned a GED or completed high school or currently enrolled in a GED program. If an inmate needs to obtain a GED and a slot is not available, the inmate may be assigned to ACI on a provisional basis and staff shall make every attempt to ensure the inmate has the opportunity to earn his/her GED.

1.1.5.1 For those inmates provisionally hired without a GED, a periodic review is to be conducted to ensure these inmates are making progress towards earning a GED.

1.2 Position Classifications/Compensation for ACI Owned and Operated Industries. Appropriate ACI Regional Operations Managers or Bureau Administrators shall:

1.2.1 Increase or decrease the number of assigned positions only with the prior approval of the Administrator for Workforce Development.

1.2.2 Assign inmates to ACI position classifications and pay grades.

1.2.3 Compensate ACI inmates at their regular hourly rate for actual time spent in performance of duties in accordance with the ACI Inmate Pay Scale.

1.2.4 Ensure that supervisors give advance approval for inmate workers to work in excess of a six-hour day or 40-hour week, when appropriate, as outlined in section 903.01, 1.2.7 of this Department Order.

1.3 Compensation for Inmates Assigned to Private/Public Sector labor programs.

1.3.1 Inmates assigned to Private/Public Sector labor programs shall be compensated at the wage rate(s) specified in the appropriate Inmate Work/PIECP Contract/Agreement.

1.3.2 In circumstances when inmates assigned to Private/Public Sector labor programs are pre-approved to work more than 40 hours per week for a limited period of time, they shall be paid at 1 ½ times the normal wage rate for each hour worked in excess of 40 hours per work week. For selected labor programs which preclude inmates from working more than 40 hours per work-week, inmates should not work more than 40 hours per week.

1.4 Evaluations/Pay Increases –The appropriate ACI Regional Operations Managers or Bureau Administrators shall award pay increases in accordance with the inmate's Earned Incentive Program Phase level as outlined in Department Order #809, Earned Incentive Program, and applicable performance pay enhancements. (See Attachment B, ACI Pay Scale.)

1.5 Special Recognition Awards - Private Sector Labor Programs. Selected Private Sector Contractors have developed performance-based incentive pay plans. Inmates assigned to those labor programs will receive periodic performance bonuses in accordance with the terms of the respective plans. Private sector and ACI contracts may have special recognition meetings for award presentations.

903.06 WORK AND PROGRAM ASSIGNMENT EVALUATIONS

1.1 Each inmate assigned to a formal work or program assignment shall receive an evaluation from the supervisor at least monthly. An evaluation is required for a month in which the inmate was assigned.

1.1.1 To a work or vocational training (WBE) assignment for any portion of that month, even if it was only one day.

1.1.2 To an academic education, substance abuse treatment or sex offender treatment program for at least six days during the month.

1.2 The work supervisor shall complete the AIMS generated WIPP time sheet bi-weekly and forward it to the Correctional Officer IV, to include inmates assigned as clerks or aides to program areas, and WBE students. Staff members, as determined by the program managers, shall update the inmates' evaluation in AIMS for inmates assigned to academic education, substance abuse treatment, or sex offender treatment programs.

1.3 Evaluations shall be entered into AIMS by the Correctional Officer IV or assigned staff no later than the fifteenth of the month.

1.4 Guidelines for evaluations.

1.4.1 Evaluations shall include rating, AIMS code, and hours worked.

1.4.2 The supervisor and inmate shall sign the evaluation.

1.4.3 An inmate requesting a review of the evaluation shall do so using an Inmate Letter, Form 916-1, to the Correctional Officer IV or assigned staff.

1.5 Evaluation ratings - The following designators shall be used to identify an inmate's performance.

1.5.1 Unsatisfactory (U) - An inmate's performance, attendance and attitude were below average based on expectations for the Work or Self Improvement program assignment. If more than one of the components (performance, attendance, or attitude) is considered deficient then the rating should be assessed as Unsatisfactory. If the supervisor considers only one of the components deficient, but that one deficiency overwhelms the other components, the rating may be assessed as Unsatisfactory.

1.5.2 Satisfactory (S) - An inmate's performance, attendance and attitude meets average expectations for the Work or Self Improvement program assignment. If one of the components (performance, attendance, or attitude) is deficient while the others are considered average or beyond average, then the rating may be assessed as Satisfactory. If an inmate's attendance is deficient based on verified medical or mental health issues and there are no other deficiencies in performance or attitude, the inmate shall be rated no less than satisfactory.

1.5.3 Exceeds (E) - An inmate's performance, attendance and attitude are all beyond average expectations for the Work or Self Improvement program assignment.

1.5.4 None (N) – An inmate was assigned to, but was not in attendance in the work or program assignment for any portion of the assigned period (e.g., medical lay-in, temporary absent, etc.).

903.07 SAFETY REQUIREMENTS

1.1 An inmate shall be hired, trained, and supervised in accordance with this Department Order, and Department Order #404, Fire, Safety and Loss Control.

1.2 To ensure work environment safety, the Fire and Safety Specialist shall:

1.2.1 Review all projects that will involve hazardous environments. Ensure that all inmates are in compliance with safety training requirements pertinent to the given work environment.

1.2.2 Randomly observe/monitor actual work performed in hazardous environments at least once daily to ensure proper execution of safety procedures.

1.2.3 Recommend corrective action for areas determined to be in noncompliance with safety procedures.

1.2.4 For all safety violations and serious incidents, ensure, at a minimum, the following information is documented on an Information Report, Form 105-2, and submitted to the Fire and Safety Manager:

1.2.4.1 Project name and start date.

1.2.4.2 Project supervisor.

1.2.4.3 Safety procedure and section violated.

1.2.4.4 Date of violation.

1.2.4.5 Recommended corrective action and/or steps taken to correct violation.

1.2.4.6 Project ending date.

1.2.5 Review each violation and determine whether the violation could have been prevented if proper safety procedures had been followed.

1.2.6 Notify the Project Supervisor's supervisor and the Physical Plant Supervisor of continued violations of the Safety Procedures by the Project Supervisor. If the violation continues after the Chief Maintenance Officer has been notified, the Warden, or the Administrator shall be notified.

903.08 CONTRACTUAL REQUIREMENTS FOR UTILIZING INMATE WORKERS

1.1 Discussions regarding a contract to provide inmate labor for a city or other political subdivision shall involve representative(s) from that agency, the Division Director for Offender Operations, the Warden, or ACI representatives if the work program involves ACI.

1.2 When satisfied that the provisions of this Department Order and contract requirements would be met, the Warden or ACI representatives shall contact the Chief Procurement Officer to have the contract prepared.

1.3 Approved contracts shall be signed by the Division Director for Offender Operations and the contractor.

1.4 After review and approval by the Office of the Attorney General, the contract shall be filed as a Public Works Intergovernmental Agreement with the Secretary of State. Contracts shall not be authorized if, after scrutiny of the contract proposal, discussions with the contractor, and inspections of the work areas, the Warden or the Workforce Development Administrator determines that the contractor is unable to comply with the contract.

1.5 Prior to entering into an IGA, MOU or a contract, the appropriate Division Director shall, when applicable, ensure that:

1.5.1 A training program is available for contractors and contractor employees that shall include the following topics:

1.5.1.1 Inmate supervision.

1.5.1.2 Staff/inmate relationships, to include Prison Rape Elimination Act (PREA) orientation/requirements.

1.5.1.3 Safety and liability issues.

1.5.1.4 Emergency procedures.

1.5.1.5 Inmate games and manipulation tactics.

1.5.1.6 **SECTION DELETED.**

1.5.1.7 Arizona Revised Statutes and Department Orders governing inmate labor and contractor responsibility.

1.5.1.8 Any other topics that the Program Administrator may deem appropriate.

1.5.2 The parameters of service or work activities are discussed with prospective contractors.

1.5.3 Work areas are inspected to determine if the areas are safe and consistent with Occupational Safety and Health Act standards and that work areas are secure and/or that proper security can be provided for a work crew.

1.5.4 All equipment, machinery or tools that would be used to accomplish work activities are inspected in order to ensure that all items are in good repair and in proper working order.

1.5.5 The prospective contractor has a training program for the operation of any special or potentially hazardous equipment or machinery.

1.5.6 All materials to be used in proposed work activities are inspected, any hazardous material, (i.e., reactive explosives or radioactive) is identified, and that the prospective contractor has a training program to instruct users as to the proper and safe handling of such material.

1.5.7 Special protective clothing or equipment that may be necessary for safe completion of work activities is identified.

1.5.8 The prospective contractor has field supervisors who are capable and properly trained to provide necessary technical supervision to offender workers during work activities. The Warden or ACI supervisor and the Private/Public Sector Contractors shall provide technical and operational supervision of inmate workers.

IMPLEMENTATION

SECTION DELETED.

DEFINITIONS

CORRECTIONAL OFFICER IV – A staff member designated by the unit Deputy Warden, who shall be responsible for filling vacancies and meeting utilization goals by meeting with CO III Plan Managers, Education staff, Treatment staff and other stakeholders as necessary .

COMMUNITY BETTERMENT PROJECT - Any public or private work project that uses prisoners and services to benefit the State in terms of health, safety, welfare and aesthetics.

CONTRACTOR - A state agency, political subdivision, or any private person, firm, corporation or association that contracts with the Department, including ACI, to utilize inmate services or labor.

DRIVER'S LICENSE - One of the specific licenses defined in A.R.S. 28-403, i.e., Class A, B, C or D.

DRIVING UNDER THE INFLUENCE (DUI) INMATE - An inmate sentenced under A. R. S. 28-692.01 or 28-697.

FIELD SUPERVISOR - An employee of a contractor who is responsible for transporting, supervising or interacting with offenders during work hours.

FIRE AND SAFETY SPECIALIST - An institutional staff member who monitors and oversees fire and safety programs within an institution.

HAZARDOUS ENVIRONMENTS - Work areas identified in Safety Procedures that, by the very nature of the work being performed, are considered to be unsafe and/or unhealthful unless specific safeguards and/or work practices are implemented to control the unsafe condition.

ON-SITE DRIVERS ID CARD - The card or license that provides evidence of the inmate's authorization to drive.

ON-SITE DRIVER - An inmate authorized to operate a state vehicle on state property.

PHYSICAL PLANT SUPERVISOR - The highest-ranking member of an institution's maintenance staff, e.g., the Physical Plant Manager.

PROGRAM ADMINISTRATOR - A Warden or an employee assigned by the Warden, or if ACI is involved, by the WBE Administrator, who is responsible for administering the provisions of a contracted inmate work program.

PROJECT SUPERVISOR - The staff member who is directly responsible for and in charge of an inmate work activity.

REGIONAL OPERATIONS MANAGER - A manager of operations within a specific geographic area who reports to the ACI General Manager.

SAFETY PROCEDURES - Regulated and/or established safety guidelines for work to be performed using institutional resources. The Department has adopted, but is not limited to, the following standards for safety relating to inmate workers:

- Occupational Safety and Health Standards for General Industry.
- OSHA Safety and Health Standards for the Construction Industry.
- National Fire Code, and by reference the National Fire Protection Association Codes.

SELF IMPROVEMENT PROGRAMS – Provided during non-work hours to inmates in accordance with the inmate's individualized Corrections Plan.

SPECIAL RECOGNITION AWARD - A presentation of ten dollars to an inmate's account, in recognition of an outstanding meritorious contribution to ACI.

TRAINEE - A position at ACI to which inmates are assigned for the express purpose of developing skills in a particular area of expertise.

WORK – Work assignments to include WIPP, ACI, IGA, and ISA.

PROGRAMS – Literacy, and GED preparation, Work Based Education (WBE) course, sex offender education and treatment, substance abuse treatment, and other formal programs documented in AIMS.

Charles L. Ryan
Director

ATTACHMENTS
Attachment A – WIPP Pay Scale
Attachment B – ACI Pay Scale

FORMS LIST
903-2 – ACI-Rules and Conditions of Employment
FORM DELETED
903-7 – On-Site Inmate Driver Checklist
903-8 – Inmate Employment and Work Skills History
903-9 – Screening Report for New Arrivals
903-12 – Inmate Training Curriculum

CROSS REFERENCE INDEX

Department Order #404, Fire Safety and Loss Control
Department Order #405, Vehicles/Vehicle Maintenance
Department Order #809, Earned Incentive Program
Department Order #910, Inmate Education and Resource Center Services
Department Order #1104, Inmate Medical Records

AUTHORITY

A.R.S. 11-952, Intergovernmental Agreements and Contracts
A.R.S. 28-403, Interstate Agreements; Commercial Vehicle Registration
A.R.S. 28-1381, Driving or Actual Physical Control While Under the Influence
A.R.S. 31-233, Order for Removal; Purposes; Duration; Failure to Return; Classification
A.R.S. 31-229, Functional Literacy Program; Evaluation; Certificate; Exemptions; Wages; Definition

A.R.S. 31-251, Hard Labor Required of Prisoners
A.R.S. 31-252, Use of Prisoners in Public Works; Cooperative Prisoner Labor System
A.R.S. 31-254, Compensation for Labor Performed
A.R.S. 31-255, Alcohol Abuse Treatment Fund
A.R.S. 32-321.7, Services Performed by and for Persons in the Custody of the State Department of Corrections
A.R.S. 41-1623, Powers and Duties of Director
A.R.S. 41-1624.01, Contracts; Services to State Agencies and Others; Lease of Real Property
A.A.C. R17-5-202, Motor Carrier Safety; Incorporation of Federal Regulations: Application

ATTACHMENT A
DEPARTMENT ORDER 903

WIPP PAY SCALE

Table 1: Basic Pay Scale – WIPP

Work Skill Levels	Not Met F Lit	Phase I		Phase II		Phase III	
		Base Pay	Max	Base Bay	Max	Base Pay	Max
Unskilled	.10	.15	.25	.20	.30	.25	.40
Semi-skilled	.10	.15	.25	.25	.35	.30	.45
Skilled	.10	.15	.25	.30	.40	.35	.50

Table 2: Incentive Pay Modifications to Basic Pay Scale – WIPP & ACI

Pay Modification Criteria	All Phases
* Completed GED	+.05
** Refused or Removed from a program	Base pay only (per phase I)
Evaluation Ratings (work and/or program) – Exceeds (overall) for 6 consecutive months (and no Unsatisfactory rating in the past 12 months)	+.05*
Evaluation Ratings (work and/or program) – Unsatisfactory (one or more) during past 90 days	Base pay 90 days

*** If inmate has not met functional literacy standard, inmate is ineligible for a pay modification increase.**
**** Does not apply for a refusal or removal that was from a program with a code beginning with D, X, or Z (e.g. XEDM).**

ATTACHMENT B

DEPARTMENT ORDER 903

ACI PAY SCALE

Table 3: Basic Pay Scale – ACI

	Phase I		Phase II		Phase III	
Work Skill Levels	Base Pay	Max	Base Pay	Max	Base Pay	Max
Unskilled	.20	.50	.30	.60	.40	.70
Semi-skilled	.25	.55	.35	.65	.45	.75
Skilled	.30	.60	.40	.70	.50	.80

Table 4: Incentive Pay Modifications to Basic Pay Scale – WIPP & ACI

Pay Modification Criteria	All Phases
*Completed GED	+.05
**Refused or Removed from a program	Base pay only
Evaluation Ratings (work and/or program) – Exceeds (overall) for 6 consecutive months (and no Unsatisfactory rating in the past 12 months).	+.05*
Evaluation Ratings (work and/or program) – Unsatisfactory (one or more) during past 90 days	Base pay 90 days

*** If inmate has not met functional literacy standard, inmate is ineligible for a pay modification increase.**
**** Does not apply for a refusal or removal that was from a program with a code beginning with D, X, or Z (e.g. XEDM)**