

WEBER COUNTY CORRECTIONAL FACILITY

Volume

INMATE PROGRAMS AND ACTIVITIES

Chapter

JJ 05 - INMATE WORK PROCEDURES

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JJ 05/01.00 GENERAL

JJ 05/01.01 Purpose

JJ 05/01.02 Cross Reference

JJ 05/01.03 Definitions

JJ 05/02.00 FACILITY WORK ASSIGNMENTS - GENERAL

JJ 05/02.01 Policy

JJ 05/02.02 Rationale

JJ 05/02.03 Procedure: Creation and Termination of Work

JJ 05/02.04 Procedure: Inmate Work Coordinator (IWC)

JJ 05/02.05 Procedure: Utilizing Inmate Workers

JJ 05/03.00 APPLICATION PROCESS

JJ 05/03.01 Policy

JJ 05/03.02 Rationale

JJ 05/03.03 Procedure: Applications

JJ 05/03.04 Procedure: Announcements

JJ 05/04.00 SELECTION PROCESS

JJ 05/04.01 Policy

JJ 05/04.02 Rationale

JJ 05/04.03 Procedure: Inmate Work Supervisor

JJ 05/04.04 Procedure: Inmate Work Coordinator

JJ 05/04.05 Procedure: Medical Officer

JJ 05/05.00 INMATE WORK SUPERVISION

JJ 05/05.01 Policy

JJ 05/05.02 Rationale

JJ 05/05.03 Procedure: Time Keeping
JJ 05/05.04 Procedure: Inmate Records
JJ 05/05.05 Procedure: Staff Responsibility

JJ 05/06.00 SUSPENSION/TERMINATION

JJ 05/06.01 Policy
JJ 05/06.02 Rationale
JJ 05/06.03 Procedure: Suspension and Termination

JJ 05/01.00 **GENERAL**

JJ 05/01.01 **Purpose**

The purpose of this chapter is to provide policy, rationale, and procedure for the utilization of inmate labor.

JJ 05/01.02 **Cross References**

JD 01 - Inmate Code of Conduct
JD 02 - Inmate Classification
JD 06 - Inmate Disciplinary
JH 01 - Medical Custody Interface
JH 02 - Medical Co-Payment

UJS J05.00.00 - J05.03.03

Inmate Worker Post Orders

JJ 05/01.03 **Definitions**

excess hours	time worked beyond regularly scheduled hours in a particular compensation period
IFAO	Inmate Funds Accounting Office
inmate work	WCCF-granted privilege allowing inmate assignment through the approved selection process
Inmate Work Coordinator (IWC)	the officer assigned to coordinate inmate selection for work vacancies for the WCCF and oversee work programs
Inmate Work Supervisor (IWS)	the officer assigned to process inmate timekeeping records and supervise inmates working in specific positions
outside agency	any governmental agency located outside of Weber County, and not under the jurisdiction of any court within Weber County
PIN	Position Identification Number; the accounting code for the work being performed by the inmate
stipend	the rate of compensation given for each period of actual work
time sheet	a record of the number of hours worked each month by the

	inmate
UJS	Utah Jail Standards
WCCF	Weber County Correctional Facility
WCS	Weber County Sheriff
work-capable	all inmates not exempted by medical services who pose no threat to the safety, security, management, or control of the facility

JJ 05/02.00 **FACILITY WORK ASSIGNMENTS - GENERAL**

JJ 05/02.01 **Policy**

It is the policy of the WCCF that:

- A. there is no right to work and that working is to be considered a privilege;
- B. all pre-trial detainees and convicted prisoners will be expected to perform general housekeeping and sanitation duties such as cleaning their individual living areas;
- C. pre-trial detainees may volunteer to work in the jail, but should not be assigned to work involuntarily, with the EXCEPTION that pre-trial detainees shall be required to perform general housekeeping duties (i.e., cleaning individual living areas);
- D. convicted prisoners may be required to perform work on:
 - 1. jail works projects;
 - 2. public works projects; and
 - 3. general housekeeping duties (e.g., cleaning individual living areas);
- E. the Jail Commander/designee shall designate and appoint the Inmate Work Coordinator for the WCCF; and
- F. inmates with an active hold or detainer issued from an outside agency may be considered ineligible for work assignments.

JJ 05/02.02 **Rationale**

- A. Prisoners have no constitutional right to a particular job or any job at all.
- B. Since prisoners cannot expect free housekeeping services in the free world, they should not expect such services while incarcerated in jail.
- C. Forcing a prisoner to work may be considered punishment for purposes of the Fourteenth Amendment. Because pre-trial detainees have not been convicted, they cannot be punished.
- D. It is the intent of WCCF to encourage inmates to adapt a healthy lifestyle while confined.
- E. Jails are very difficult places to maintain sanitation and repair; however, with

aggressive utilization of prisoner labor, there is no reason why jails cannot be the best maintained building in the county.

F. Each work opportunity shall be defined indicating, but not limited to:

1. division of labor;
2. description of tasks to be performed;
3. days and hours to be worked;
4. hourly stipend for the work performed; and
5. qualifications required.

JJ 05/02.03 **Procedure: Creation and Termination of Work**

- A. In conjunction with the Inmate Work Coordinator, the Jail Commander/designee shall approve, in writing, all requests for the creation of new inmate work positions.
- B. If the facility desires to open a position by closing a previously funded inmate position and converting the budget to the new position, the IFAO shall close the old position and open the new position.
- C. The IFAO shall add new positions only after receiving written approval from the Jail Commander/designee;

JJ 05/02.04 **Procedure: Inmate Work Coordinator (IWC)**

- A. The Inmate Work Coordinator shall be designated by the WCCF Commander.
- B. The Inmate Work Coordinator shall:
 1. ensure that PINs and stipend rates are approved prior to authorizing the posting of any inmate work position;
 2. ensure that inmates performing work for the WCCF do not occupy more than a single PIN;
 3. ensure that the selection of inmates for work opportunities is fair and consistent with policy and procedures;
 4. periodically meet with site IWS's;
 5. coordinate inmate volunteer work projects and assignments with:

- a. housing unit operations sergeants;
 - b. volunteer work assignment supervisors; and/or
 - c. inmates volunteering for volunteer work projects;
6. ensure volunteer work is documented and distributed to:
- a. original to the inmate file; and
 - b. a copy to the inmate performing the work project; and
7. ensure that appropriate staff fill the volunteer work record out completely and accurately.

JJ 05/02.05 **Procedure: Utilizing Inmate Workers**

A. **Pre-Trial Detainees**

Pre-trial detainees shall be responsible to clean their individual living areas as well as common areas within their housing units. Pre-trial detainees may, as volunteers:

- 1. fill the housing units' mop buckets with cleaning solutions;
- 2. clean pod unit hallways, windows, etc.,
- 3. apply for other inmate worker positions as posted; and
- 4. assist with other tasks as needed.

B. **Convicted prisoners**

Convicted prisoners shall be responsible to clean their individual living areas as well as common areas within their housing units. Convicted prisoners may:

- 1. apply for inmate worker positions as posted; and
- 2. be compelled to perform:
 - a. work projects as determined by the WCCF Jail Commander or IWC;
 - b. public work projects; and
 - c. other tasks as directed by WCCF staff.

JJ 05/03.00 **APPLICATION PROCESS**

JJ 05/03.01 **Policy**

It is the policy of the WCCF that:

- A. all inmates of appropriate classification shall have an opportunity to be informed of vacant worker positions;
- B. all inmates housed at the jail who are work-capable shall be given equal opportunity for work within the framework of available job openings and the safety, security, and orderly management of the facility; and
- C. fair and equitable rules and regulations (e.g., selection and termination) shall be maintained.

JJ 05/03.02 **Rationale**

- A. Work programs for prisoners are desirable and should help to:
 - 1. reduce idle time;
 - 2. provide prisoners an opportunity to work;
 - 3. teach work ethic and develop work habits; and
 - 4. reduce maintenance, sanitation, food preparation, laundry, and other labor costs.
- B. Occasionally problems exist (e.g., language, educational barriers) which prohibit qualified inmates from applying for positions.

JJ 05/03.03 **Procedure: Applications**

- A. Inmate Worker Applications may be made available to WCCF Inmates by WCCF floor staff when Work Announcement's have been posted, and prior to announcement closing date.
- B. Applications received after the date and time of closure shall not be considered.
- C. Incomplete and/or non-legible applications shall be rejected.
- D. Inmates incapable of completing an application may obtain assistance from the floor officer, the IWC, or request assistance through the operations sergeant.
- E. Inmate work applications may be rejected for:

1. a history of alcohol abuse (Food Service applications);
 2. failure to meet minimum qualifications;
 3. providing false information on the application; and/or
 4. other reasons determined by the IWC.
- F. Inmates submitting incorrect or false information may be subject to disciplinary action, rejection of application, and/or termination of work position.

JJ 05/03.04 **Procedure: Announcements**

A. **Inmate Work Coordinator**

1. When the need to fill an open worker position occurs, the IWC shall complete an Inmate Work Announcement form to include:
 - a. position title,
 - b. work description,
 - c. required classification level,
 - d. the requirement for medical screening,
 - e. stipend and/or compensation,
 - f. application closing date,
 - g. days and hours of work,
 - h. method by which application is to be submitted.
2. The IWC shall post completed Work Announcement form in appropriate classification housing unit (s) for at least three calendar days.

B. **Inmate Responsibility**

When a position has become open, and a Work Announcement Form has been posted, interested inmates:

1. should obtain a Work Application Form from Housing Unit Officer;

2. should complete a new Work Application Form for each posted Work Announcement;
3. are responsible to clearly detail qualifications as required on application;
4. should submit completed Work Application Form as outlined on Work Announcement, and prior to posted closing date; and
5. forward the completed work application through the jail mail system.

JJ 05/04.01 **SELECTION PROCESS**

JJ 05/04.02 **Policy**

It is the policy of the WCCF that:

- A. all work-capable inmates who apply for and meet the work criteria and requirements, shall be considered for openings; and
- B. inmates will be cleared through the WCCF Medical Office as “fit for duty” prior to being selected as an inmate worker.

JJ 05/04.03 **Rationale**

- A. Fair and equitable rules and regulations shall be maintained:
 - 1. to meet the needs of the WCCF; and
 - 2. to provide opportunity for inmates to develop skills and work habits.
- B. It is the goal of the WCCF to:
 - 1. control the possible spread of infectious diseases with in the confinement facility; and
 - 2. not allow injured inmates to hold positions as workers so that those injuries would have an enhanced chance to heal.

JJ 05/04.03 **Procedure: Inmate Work Supervisor (IWS)**

The IWS shall notify the IWC of vacancies in Inmate Worker positions that affect the IWS post assignment.

JJ 05/04.04 **Procedure: Inmate Work Coordinator**

- A. The Inmate Work Coordinator shall:
 - 1. review applications and recommendations which have been forwarded by applicants;
 - 2. attempt to determine which inmate is best suited for the position by:
 - a. collecting and reviewing the applications to determine if the work qualifications have been satisfied;
 - b. obtaining input from other staff regarding the applicant’s

- abilities and qualifications; and
- c. review inmate records file to establish the inmate's willingness and ability to work;
- 3. select an inmate to fill the open position, based on the following criteria:
 - a. applicant's prior work record;
 - b. applicant's disciplinary record;
 - c. applicant's prior work experience;
 - d. proper level of classification;
 - e. other work related requirements; and
 - f. other information that is available that could affect the safety and/or security of the WCCF, its staff, inmates, and public;
- 4. refer approved worker candidates to the WCCF Medical Department for pre-selection screening, as selected applicants must satisfactorily pass a medical examination/screening prior to final selection;
- 5. provide notice of non-selection to applicants not selected to fulfill the posted position which may be accomplished by returning submitted application with non-selection indicated (with no requirement for specifying the reason for non-selection); and
- 6. forward a list of eligible applicants to the WCCF Inmate Management Committee for approval; or
- 7. re-post the position Work Announcement if determined that selection can not be made with applications submitted.
- B. Interviews are not mandatory, but the selection process shall be consistently and uniformly applied.
- C. At time of selection, and with the assistance of the IWC, shall complete the Personnel Action section of the submitted Inmate Work Application Form, and shall forward a copy for inclusion into the inmate's work record file.

The WCCF Medical Officer will:

- A. receive list of all worker applicants from the IWC;
- B. schedule all worker candidates for an upcoming sick call examination;
- C. provide physical examination, exempt from inmate co-pay, which includes but is not limited to:
 - 1. determining if a full range of motion is present;
 - 2. examining inmate for infections;
 - 3. examining inmate for contagious diseases;
 - 4. determining if hearing and vision abilities are within normal limits;
 - 5. any problems / illness which inmate reports;
- D. forward a notice of medical clearance to IWC on each inmate candidate who successfully completes the screening process; and
- E. forward a notice of medical non-clearance to IWC on each inmate candidate who is unsuccessful in completing the screening process.

JJ 05/05.00 **INMATE WORKER SUPERVISION**

JJ 05/05.01 **Policy**

It is the policy of the WCCF that:

- A. jail officials should make reasonable efforts to provide a safe work environment for prisoners;
- B. working prisoners should be supervised by Weber County staff (or staff contracted by Weber County) when they are involved in work projects;
- C. jail officials should be responsible to maintain accurate inmate work records;
- D. selected inmate work may be compensated by stipend; and
- E. selected inmate work crews consisting of inmates who are classified as Level 5 or 6 workers, may be supervised by staff from outside agencies upon approval of the Jail Commander.

JJ 05/05.02 **Rationale**

- A. Prisoners are committed to the care of jail officials.
- B. Trustees and other working prisoners should be carefully supervised to reasonably ensure safety and security.
- C. Prisoners' agendas and intentions will not be the same as those of jail officials. Close supervision is important to:
 - 1. facility safety;
 - 2. prevent escape;
 - 3. deter smuggling of contraband;
 - 4. discourage prisoner-on-prisoner violence; and
 - 5. deter other improper activities.

JJ 05/05.03 **Procedure : Time Keeping**

A. Timekeeping Procedures

1. On a daily basis, the IWS shall complete an Inmate Time Record specifying the inmate's name and correlating I.D. number, PIN, hours worked each day, and at the end of the month, the total hours worked that month.
2. After legibly signing the Inmate Time Record, the IWS shall turn it in to the IFAO no later than close of business on the third working day of the month following the month being reported.
3. IWS supervisor shall review the Inmate Time Record for accuracy, completeness, and excess hours prior to submitting it to the IWC.
4. The IWS supervisor shall submit the following information on overtime hours to the Jail Commander/designee authorizing compensation for excess hours worked:
 - a. an Inmate Time Record reflecting excess hours; and
 - b. a memorandum of justification for accrued excess hours.
5. After reviewing the Inmate Time Record and excess hours authorization, the IWS supervisor shall forward it to the IWC by the third working day of the month.
6. If the information provided by the IWS is inaccurate or insufficient, the IWC shall return the affected Inmate Time Record to the IWS.
7. Upon receipt of the refused Inmate Time Record, the IWS shall correct the information and return it immediately to the IWC.
8. Once completed and approved by the IWC, the Inmate Time Record shall be forwarded to the IFAO.
 - a. If receipt occurs after the final correction date for the current month, the information shall not be entered by the IFAO until the next regularly scheduled payday, unless authorized by the Jail Commander/designee for exigent circumstances.
 - b. The correction date is the fourth working day of the month.

B. Inmate Time Sheet Completion

1. Officers/staff supervising inmates shall maintain accurate records of

hours worked for each inmate.

2. IFAO shall rely on the accuracy and completeness of the information on the time sheet supplied by work supervisors.
3. Work supervisors' signatures shall be legible, and have their names legibly printed beneath their signatures.
4. The IWS shall ensure the completion of the time sheet, including:
 - a. Month of stipend;
 - b. Supervisor;
 - c. Inmate Name;
 - d. Inmate ID Number;
 - e. Work Code (PIN);
 - f. Number regular and excess hours worked by the inmate, on each day of the month, indicating '0' for no work performed on a certain day;
 - g. Total number of hours worked by the inmate for the month; and
 - h. Signature of staff members supervising the inmate and date the supervisor signed the time sheet.
5. Inmates shall not be compensated simultaneously for more than one position.
6. Inmate compensation shall be paid for actual hours worked.
7. Payment in advance for work is expressly forbidden.
8. Hours worked in excess of the regular shift shall have prior written approval of the IWC/designee.
9. Excess hours authorizations shall be attached to the appropriate Inmate Time Sheet.

JJ 05/05.04 **Procedure: Inmate Records**

A. **Maintenance of Inmate Employee Files**

1. Inmate work records and reports shall be filed in the inmate's permanent record and, should be protected from unauthorized intrusion.
2. Using the WCCF Computer system for the recording, tracking, work progress, etc., of the inmate workers and for statistical purposes shall be encouraged and implemented when possible.
3. An individual inmate work record file shall be maintained by the Inmate Work Supervisor. This record may include:
 - a. record of application for work;
 - b. inmate record of work history, selection/termination dates;
 - c. medical screening clearances and fitness issues;
 - d. performance evaluations (Inmate Work Reports);
 - e. inmate work agreement;
 - f. position announcement (description/qualifications); and
 - g. referrals of inmates for specialized training, educational needs, treatment, or work-related jail issues.
4. Inmate Work Supervisors shall be responsive to inmate workers' concerns about their work records.
5. Upon parole, transfer, or termination, the inmate work records shall be maintained in the inmate's file.

B. Records/Forms

The Records/Forms shall include:

1. PIN/Inmate Position Title authorization;
2. Inmate Work Announcement (list of work available, rate, opening/closing dates);
3. Work Agreement;
4. Inmate Work Evaluation;
5. Inmate Time Record; and

6. Inmate Work Application.

JJ 05/05.05 **Procedure: Staff Responsibility**

A. Inmate Work Supervisor

1. The Inmate Work Supervisor shall not delegate authority to an inmate to select, terminate, or maintain time records for other inmates.
2. If an Inmate Work Coordinator or Job Supervisor is not available to perform the selection, transfer, or termination process, the supervisor of the Inmate Job Supervisor shall assume or delegate this responsibility to another work supervisor.

B. Temporary Work

1. The IWC or IWS may temporarily assign an inmate to a vacant position if:
 - a. he has proper classification;
 - b. qualified inmates have not applied; and
 - c. the work assignment shall be discharged immediately.
2. Upon selecting an inmate on a temporary basis, the IWS shall:
 - a. complete the Personnel Action section of the Inmate Work Application form indicating that this is a temporary placement, and forward copies to the IWC and the Records Office for placement in the inmate's file; and
 - b. post the vacancy announcement until a permanent replacement is selected.
3. If the temporary placement is due to the suspension of the assigned inmate, the inmate receiving the temporary placement may remain in the position until:
 - a. the original inmate returns to the position; or
 - b. a permanent replacement is selected.

C. Transfers

1. The IWC or IWS has the right to transfer a working inmate from one assignment to another within the scope of supervision.

2. An inmate shall not receive compensation for more than one work assignment at a time.
3. Absent approval by the IWC or IWS, an inmate cannot transfer from one work position to another. The inmate must apply for open positions.

JJ 05/06.00 **SUSPENSION / TERMINATION**

JJ 05/06.01 **Policy**

It is the policy of the WCCF that:

- A. In the case of any event that threatens the safety, security, or management of the WCCF or any entity utilizing inmate labor, the inmate may be suspended by any staff member without warning; and
- B. an inmate may be terminated from work by the Jail Commander/designee and the position may be abolished at any time without prior notice.

JJ 05/06.02 **Rationale**

- A. Inmates not performing in a manner which best meets the operational goals of the facility should be removed from the position.
- B. The needs of the facility are subject to change, and the inmate work assignments should be arranged to meet these needs.

JJ 05/06.03 **Procedure: Suspension and Termination**

A. **Suspension**

- 1. An inmate working for the WCCF may be suspended for reasons including but not limited to:
 - a. reasons specified in the Work Agreement;
 - b. falsification of the work application;
 - c. falsification of timekeeping records;
 - d. failure or inability to meet the work requirements;
 - e. failure to report to work;
 - f. incidents involving the safety, security, management, or control of the WCCF and/or the Sheriffs Office;
 - g. incidents involving the safety of the general public;
 - h. disciplinary sanctions; or
 - i. insubordination or refusal to comply with verbal instructions

from supervisors.

2. All suspensions shall result in the inmate not receiving compensation for the period suspended, but suspension shall not automatically result in termination.
3. Upon agreement of the IWC and IWS and one other officer (as determined by the Lieutenant), the IWS may suspend an inmate worker without compensation for any of the reasons listed in this policy.
4. The staff member so suspending the inmate shall prepare a incident report and process it with a copy going to the IWC and IWS.
5. In case of deteriorating or below-standard quality of work, or in other non-urgent situations, the inmate worker's IWS may warn and/or re-train the inmate and document, such action before suspending the inmate.
6. All suspensions and reasons therefore shall be recorded by the IWS on the Personnel Action section of the Inmate Work Application form.
 - a. This form and all supporting documentation (i.e., disciplinary reports, documentation of warnings and/or training, witness statements) shall be forwarded to the IWC.
 - b. After reviewing the information, the IWC may terminate the suspended inmate by signing the Inmate Personnel Action form and notifying the IWS.

B. Termination

1. In the case of termination, the Personnel Action section of the Inmate Work Application form and all supporting documentation shall be placed in the inmate's Records File.
2. Any inmate not able to report to work as scheduled due to classification changes, disciplinary action, or any other reason not related to the inmate's work position shall be considered terminated effective the date not able to report.
3. The inmate's position shall not be held for the inmate to return to work nor shall the inmate be reinstated to the same position for a period of 60 days.
4. The inmate may apply for future work openings.
5. Inmates may be restricted from reporting to work for administrative

reasons including, but not limited to:

- a. transportation;
- b. medical/dental services; and/or
- c. testing.

C. Inmate Voluntary Termination

- 1. Working inmates shall submit written notice of intent to terminate work (stating reasons for terminating) to the Work Supervisor five calendar days prior to actual termination.
- 2. Failure to submit a written Termination of Work notice to the Work Supervisor five calendar days prior to actual termination may exclude the inmate worker for work consideration in all areas for a period of 60 days.

D. Refusal To Work

- 1. An inmate refusing to work shall be suspended from the work position.
- 2. An Inmate Misconduct Report shall be generated and, submitted to the proper authority.