

# RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE



**POLICY NUMBER:**  
21.01-3 DOC

**EFFECTIVE DATE:**  
12/17/12

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**SUPERCEDES:**  
21.01-2 DOC

**DIRECTOR:**

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**SECTION:**  
WORK AND CORRECTIONAL  
INDUSTRIES

**SUBJECT:**  
INMATE EMPLOYMENT: SELECTION,  
TRAINING AND SUPERVISION OF  
INMATE WORKERS

**AUTHORITY:** Rhode Island General Laws (RIGL's) § 42-56-10 (22), Powers of the director; § 42-56-22, Inmate pay

**REFERENCES:** ACA Standard #'s 4-4277, Equal Opportunities for Inmates; 4-4322, Health and Hygiene for Food Service Workers; 4-4393, Offender Assistants; 4-4452, Inmate Employment Opportunities; 4-4454, Inmate Workday; 4-4455, Work, Health, Safety Standards; 4-4461, Inmate Compensation; Rhode Island Department of Corrections (RIDOC) Policy #'s 5.04-2 DOC, Computation and Recording of Inmate Time, to Include Good Time Earned and Time Forfeited; 6.02-2 DOC, Control and Use of Rhode Island Department of Corrections' (RIDOC'S) Computers and Networks; 9.14-6 DOC, Detecting Contraband on or in the Possession of Inmates/Detainees (Including Frisk, Strip, and Body Cavity Searches); 9.25-3 DOC CONFIDENTIAL Key Control Plan; 9.26-2 DOC, CONFIDENTIAL Tool and Substance Control Plan; 9.34-4 DOC, Security Risk Group (SRG) Inmates - CONFIDENTIAL; 10.19-2 DOC, Personal Protective Equipment; 10.27-2 DOC, Inmate Assault on Correctional Worker; 11.01-5 DOC, Code of Inmate Discipline; 15.07 DOC, Work Release; 16.10-3 DOC, Health Protection - Food Services; 18.14B-2 DOC, Food Services Screening - Inmate Workers; 18.21-2 DOC, Use of Inmates in the Medical Unit; 18.22 DOC, Inmates and Visitors with Special Needs; 21.02-2 DOC, Inmate Pay; RIGL § 42-56-22, Inmate labor

**INMATE / PUBLIC ACCESS?** X YES

**AVAILABLE IN SPANISH?** X YES

I. **PURPOSE:**

To specify the Rhode Island Department of Corrections' (RIDOC's) policy and procedures regarding the selection, training and supervision of inmate workers.

II. **POLICY:**

- A. This policy is followed at all facilities and pertains only to institutional job assignments, Minimum Security Inmate Work Crews and Correctional Industries' jobs. It does not affect those inmates who hold jobs outside the institution as part of the Work Release Program (see 15.07 DOC, Work Release Eligibility, or a successive policy).
- B. RIDOC does not discriminate on the basis of race, color, creed, religion, age, ethnicity, sex, national origin, veteran status, marital status, sexual orientation, gender identity, or the presence of a sensory, mental or physical disability, or other status protected by law and provides reasonable accommodations for inmates with identifiable physical disabilities when selecting inmates for work assignments.
- C. RIDOC seeks to foster an environment for inmate workers that reflects the workday in the community as closely as possible. Every reasonable effort is made to minimize the number and duration of workday interruptions.
- D. Each correctional facility, excluding the Intake Service Center (ISC), organizes and maintains a program to involve inmates in maintenance work assignments with Maintenance Unit personnel.

III. **PROCEDURES:**

A. **Selection: Job Assignment Procedures**

1. **Minimum Security Inmate Work Crews: Selection Criteria**

In order to ensure public safety, Minimum Security inmates are placed in varying categories of job assignments with varying degrees of RIDOC supervision based on an assessment of the potential risk that the individual inmate represents to the public.

2. Minimum Security Inmates Assigned to Correctional Industries' Outside Work Details
  - a. Inmate workers assigned to Correctional Industries' outside work details are selected in accordance with item III.A.1, Minimum Custody Inmate Worker Crews: Selection Criteria.
  - b. The Associate Director of Correctional Industries may refuse to accept any inmate s/he feels is inappropriate for the assigned job by documenting reasons and obtaining approval of the Assistant Director of Rehabilitative Services.
  
3. Inmate Workers within Assigned Facilities
  - a. Job assignments are made by the facility's Assignment Officer (or, in the case of Minimum Security, the Inmate Job Assignment Officer, hereinafter referred to as the "Assignment Officer") in consultation with the Correctional Industries General Supervisor for all Correctional Industries (IND) jobs. In the case of Minimum Security, Correctional Officers in charge of work crews are consulted.
  - b. The Assignment Officer reserves the right to make assignments consistent with the health and welfare of the individual inmate, including compliance with his/her individual program plan (case plan).
    - (1) The Assignment Officer considers all available information, including the supervisor's recommendation, when selecting an inmate worker to fill a vacancy (i.e., institutional record, skills, job site, seniority, etc.). Case plan compliance is a prerequisite for filling any job, including a Correctional Industries job.
    - (2) The Assignment Officer also refers to policy 10.19-2 DOC, Personal Protective Equipment, or a successive policy, for information/criteria regarding positions requiring the use of respiratory protection, when applicable.
    - (3) The Assignment Officer is also responsible for reviewing the inmate's disciplinary record, SRG level and any other

information which may identify the inmate as a risk or threat to security [see policy 9.34-4 DOC, Security Risk Group (SRG) Inmates -- CONFIDENTIAL, or a successive policy, for SRG issues].

- (4) The Assignment Officer may also contact counselors before assigning an inmate to a job to see if the inmate is participating in appropriate programs.
- c. The Assignment Officer may subject an inmate to a 30-day waiting period before said officer considers any request for a change of job assignment.

4. Maintenance Unit Work Assignments

- a. Inmate workers are assigned to the Maintenance Unit based upon skill.
- b. All inmate assignments are made by the Maintenance Superintendent and/or Maintenance Supervisor in concert with the Warden or designee.
- c. Maintenance Unit personnel are responsible for determining specific duties of inmate workers assigned to their areas of responsibility.

5. Correctional Industries Inmate Workers Assigned to Secure Facility Shops

- a. Inmate Request for Employment: An inmate may request a Correctional Industries' position by submitting a request for employment form (see sample at Attachment 1) to the facility's Industries Lieutenant.

- (1) Facility-specific requests for employment forms should contain the following information:
  - (a) Inmate's name/ID number;
  - (b) Cell/bunk;

- (c) Application date;
  - (d) Job requested;
  - (e) Skills/experience.
- (2) Wardens/designees ensure facility-specific requests for industries employment forms are available to inmates within cell blocks/mods.

b. Inmate Worker Ineligibility

The Industries Lieutenant will determine inmate worker ineligibility after consultation with the Shop Supervisor and/or the Industries Manager.

Due to the work requirements (i.e., skills, abilities, work habits, etc.) and materials (i.e., tools, paints, chemicals, etc.) necessary to meet the needs of fulfilling Correctional Industries' orders, an inmate who falls into any of the following categories is not considered or assigned to Correctional Industries' jobs if s/she:

- (1) Refuses to comply with a case plan;
- (2) Is identified as Security Risk Group (SRG) levels 1 or 2;
- (3) Has a record of escape(s) and/or attempted escape(s) from a secure facility;
- (4) Has a record of assaults against correctional workers;
- (5) Has a consistent record of assaults against other inmates;
- (6) Has been disciplined within two (2) months of submitting a request for employment forms or has a history of unacceptable institutional adjustment (i.e., chronic disciplinary history, history of smuggling contraband, history of inciting or attempting to incite others, etc.).

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**NOTE:** In instances where the inmate was booked for minor infractions eligibility is determined on a case-by-case basis with approval from the Warden and ADIO.

6. Assignment Limitations

- a. Inmate workers cannot be assigned to work more than one (1) job simultaneously (e.g., daytime Industries' shop worker and nighttime porter).
- b. Inmates can be ordered to work when needed (e.g., flood, plumbing leak, snow removal). Inmates need not be paid for every assigned task.
- c. Inmate workers must be paid in accordance with the procedures found in policy 21.02-2 DOC, Inmate Pay, or a successive policy.

7. No Contact Orders (NCOs)

Minimum Security Inmates with NCOs may work outside the facility under the direct supervision of a correctional officer. If the NCO involves a business, the inmate may work outside the facility in a position that is not directly supervised by a correctional officer.

B. Inmate Workers

1. Work Rules/Discipline

Inmate workers are expected to perform the duties required of their assigned jobs and are subject to disciplinary action, dismissal and/or reassignment for the following reasons:

**NOTE:** For procedures regarding discipline and pay rate, see policy 21.02-2 DOC, Inmate Pay, or a successive policy.

- a. Non-compliance with case plan;
- b. Disregard, neglect or refusal to work;
- c. Excessive absences from work assignments;

- d. Willfully disfiguring, damaging or destroying state property;
- e. Consistent display of improper or inappropriate behavior towards staff or co-workers while at work;
- f. Removal from normal "A" status by the Classification Board;
- g. Lack of aptitude or inability to perform specific job-related tasks;
- h. Disciplined for infraction(s) related to specific jobs;
- i. Willfully interfering with the inmate work crew's duties.
- j. In addition, inmate workers are subject to disciplinary action for committing any infraction(s) specified in policy 11.01-5 DOC, Code of Inmate Discipline, or a successive policy, including but not limited to:
  - (1) Willfully disfiguring, damaging, and/or destroying any part of the facility or any materials, tools, machinery, and/or any state property;
  - (2) Using any authorized equipment or machinery contrary to instructions or posted safety standards;
  - (3) Using any equipment or machinery that is not specifically authorized;
  - (4) Swearing, cursing, using any vulgar, abusive, insolent, or any other improper language toward staff or visitors;
  - (5) Loitering or being in an area longer than necessary to accomplish an authorized task;
  - (6) Any action that, in the opinion of the Warden or designee, is a risk to safety and/or security.

2. Role of Inmate Workers

The operation of the Adult Correctional Institutions (ACI) depends heavily on inmate labor, but it must be absolutely clear as to the role of inmate workers.

- a. Inmates must never be put in a position where they have authority over staff. Any staff person has authority over any inmate.
- b. Inmates must not be placed in positions where they supervise other inmates.
- c. Inmates must never have keys in their possession.

**NOTE:** In limited instances, an inmate may be approved to handle non-security keys (e.g., paper towel dispensers). However, this approval must be in writing and obtained through the facility's assigned Deputy Warden. In administrative areas, the unit/program managers are responsible for this function.

- d. Inmates must never be given special privileges based on their work assignments.
- e. An inmate's behavior is a factor considered in deciding his/her continued employment.
- f. Inmate workers are subject to the rules and regulations of the facility/building to which they are assigned, i.e., searches, restrictions, personal property, etc.
- g. Staff is not to give items to nor receive items from inmates, other than those items necessary to perform their specific job duties. This prohibition includes food and snacks.
- h. Inmate workers should never be in staff offices unless they are directly supervised.
- i. Inmates are not allowed to loiter in staff areas (i.e., unless they are specifically involved in some activity that requires their presence, they should leave such areas).
- j. Inmates must not be placed in jobs where they have access to employee personnel records or files.
- k. Consistent with policy 18.21-1 DOC, Use of Inmates in the Medical Unit, or a successive policy, inmates are prohibited from performing



any functions in Health Care Services except those duties which are considered janitorial and then only under the supervision of a RIDOC employee.

1. Inmates are allowed computer access to process and enter non-sensitive data. Inmates perform these tasks on computers that are not connected to the RIDOC network. In addition, no inmate may have access to the Internet. Please refer to 6.02-1 DOC, Control and Use of Rhode Island Department of Corrections' (RIDOC's) Computers and Networks, or a successive policy.

3. Responsibilities of Inmate Workers

- a. Report to work and maintain positive work habits while employed.
- b. Use all equipment, tools, and materials needed to perform work assignments properly and safely. Do what is necessary to ensure workplace safety and health.
- c. Notify and verify any lateness or absences from work assignments.
- d. Must at all times, stay in their assigned shops or areas and must notify their supervisors and receive institutional passes for legitimate vacating of their assigned areas.
- e. Wear required personal protective equipment; there are no exceptions.

C. Supervision

1. Minimum Security inmate work crews are supervised by:
  - a. Correctional Officers;
  - b. Rhode Island Department of Corrections (RIDOC) employees who are not correctional officers ("non-Correctional Officer Employees") and who have received appropriate training; and/or
  - c. Rhode Island State employees who have received appropriate training.

- d. Civilians who have received appropriate training.
- 2. Inmate workers within the facilities are supervised by:
  - a. Correctional Officers;
  - b. RIDOC employees who are not correctional officers (“non-Correctional Officer Employees”) and who have received appropriate training; and/or
  - c. Civilians who have received appropriate training.

3. Supervisor Orientation and Training

All RIDOC non-Correctional Officer employees and civilians who supervise Minimum Security inmate work crews are required to attend four (4) hours of orientation and entrance-level training, and four (4) hours of annual training in security and supervision of inmates in the community.

- a. All training is provided by men’s and women’s Minimum Security’s staffs.
- b. Men’s and women’s Minimum Security’s staffs are responsible for developing and maintaining (i.e., revising as necessary) a handbook addressing inmate supervision rules and regulations. Copies of said handbook are distributed to managers, who, in turn, distribute them to affected supervisors.

4. Responsibilities of Supervisors

- a. All Departmental employees who supervise inmates at various job assignments maintain a current and accurate list of inmate job slots within the shops or work areas under their responsibility. Each job has a title and specifications of the work/duties to be performed.
- b. Each supervisor maintains a current and accurate record pertaining to each inmate employee to include:
  - (1) Starting date of employment;
  - (2) Daily attendance record.

- c. Supervisors are responsible for taking appropriate action when any inmate employee is not reporting to work, reporting late, not performing his/her assignments, and/or is displaying any other negative characteristics and reporting said action to the Assignment Officer.

The Assignment Officer reports any terminations, whether voluntary or involuntary, to the facility/unit/program manager or designee.

- d. Supervisors are responsible for the maintenance, storage and distribution of all equipment, tools and materials assigned to their respective shops and for notifying their immediate supervisors and appropriate security staff of any discrepancies. All tools shall be accounted for before supervisors or inmates are allowed to leave shops or work areas.
- e. Supervisors are responsible for reviewing shop policies and procedures, shop and equipment safety and basic job requirements with all new inmate employees.
- f. Facility/unit/program managers or their designees ensure that completed copies of inmate work related injury reports are sent to the Associate Director of Health Care Services by the end of each month.
- g. If necessary, Health Care Services staff enters a notation for a work related injury and/or illness in the affected inmate's electronic medical record (EMR).

5. Maintenance Unit Inmate Workers

- a. The Associate Director of the Maintenance Unit or designee is responsible for ensuring that all employees are familiar with policies regarding tool and key control, inmate supervision, emergency plans and security practices of the Maintenance Unit.
- b. Maintenance Unit personnel are responsible for training and supervising inmate workers assigned to assist them with unit duties.
- c. Maintenance Unit personnel are responsible for maintaining strict compliance with policy 9.26-2 DOC, Tool and Substance Control Plan – CONFIDENTIAL, or a successive policy.

- d. Areas of work are limited only by the ability of the site supervisor to comply with proper safety and security precautions.
  - (1) Safety precautions are dictated by the Occupational Safety and Health Administration (OSHA) standards.
  - (2) Proper security precautions are dictated by the security level of the facility in which the inmate is working.
  - (3) Precautions must be taken to prevent escapes, manufacture and/or theft of weapons, and sabotage of life safety and security systems.
- e. Inmates involved in maintenance projects and all employment that requires inter-facility transfers are strip-searched prior to and after being allowed access to the facility [see policy 9.14-6 DOC, Detecting Contraband on or in the Possession of Inmates/Detainees (Including Frisk, Strip, and Body Cavity Searches), or a successive policy].

6. Correctional Industries

All correctional industries workers are strip-searched before leaving their assigned work areas.

7. Medical Screen – Food Service – Kitchen

- a. All inmates being considered for kitchen or food service work are referred by the Assignment Officer to Health Care Services where they are screened and approved medically prior to assignments, consistent with policy 18.14B-2 DOC, Food Services Screening – Inmate Workers, or a successive policy. (Also see policy 16.10-3 DOC, Health Protection – Food Services, or a successive policy.)
- b. In accordance with policy 18.14B-2 DOC, or a successive policy, inmate kitchen and food service workers are re-screened every six (6) months thereafter.
- c. A Kitchen Worker Clearing Form (18.14B-2 DOC, Attachment 1) is then completed and scanned into the inmate's medical record. The

Assignment Officer receives a copy of page 2 and forwards it to the facility Steward for filing in his/her office.