



INMATE WORKER PROGRAM

POLICY.

It is the policy of the Deschutes County Sheriff's Office – Adult Jail (AJ) to have an inmate worker program to provide inmates with the opportunity to work so inmates may learn job skills, develop work habits, and have less idle time. In addition, this policy will allow the AJ to reduce labor costs.

PURPOSE.

The purpose of this policy is to establish procedures for the inmate worker program. The procedures in this policy do not give inmates any rights or liberty interests they do not already have by law.

OREGON JAIL STANDARDS:

- A-107 Compliance with ADA
- C-104 Function of Classification
- E-112 Tool & Material Control
- E-303 Basis for Conducting Searches
- H-205 Use of Inmates in Jail Maintenance
- I-401 Inmate Work Programs
- I-402 Pretrial Detainees
- I-403 Convicted Inmates
- I-404 Compensation for Inmates
- I-405 Work Credit
- I-406 Worker Safety
- I-407 Supervision

REFERENCES:

- ORS 169.120, Credit for Work
- ORS 169.170, Assignment of County Prisoners to Public Work
- ORS 169.190, Transfer of Prisoners to Another County For Public Work
- ORS 169.210, Contracts for Private Employment of Prisoners; Agencies having Power to Work Prisoners
- ORS 169.320, Control over Prisoners; Work by Prisoners

DEFINITIONS.

Work Center (WC). A minimum security facility near the AJ which houses sentenced inmates. Inmates at the WC may participate in the inmate worker program, work crew program, and/or available treatment programs.

Inmate Work Crew. A group of sentenced inmates assigned to a work detail for a public entity or community service project, supervised by a deputy.

Programs Deputy. A deputy assigned programs related duties. The programs deputy(s) assists in scheduling and coordinating programs, including the inmate worker program.

Programs Supervisor. The supervisor who is responsible for programs at the AJ or WC. They also supervise the programs deputies.

PROCEDURES.

SECTION A: RESTRICTIONS ON OR REQUIREMENTS FOR WORK

A-1. Inmates do not have a right to be inmate workers. However, when eligible, inmates are encourage to submit a request to work. Assignment to an inmate worker position is a privilege revocable at any time.

All inmates will participate in routine, daily cleaning of personal and shared living areas of the facility where they are incarcerated. This cleaning is not considered inmate worker duty.

A-2. Pretrial detainees and inmates serving parole and probation sanctions may hold inmate worker positions only on a voluntary basis, without any form of compensation. However, regardless of whether or not they volunteer for worker positions, both will participate in general housekeeping duties such as cleaning their individual living areas.

A-3. Members may assign convicted inmates to facility and public work projects, programs, general sanitation and housekeeping duties involuntarily.

SECTION B: INMATE WORKER PROGRAM

B-1. Inmate worker program assignments may include the following:

- a. Kitchen workers.
- b. Sanitation workers (janitorial and cleaning of either facility).
- c. Laundry workers.
- d. Clothing repair/sewing.
- e. Grounds maintenance (outside).
- f. Car wash detail.
- g. Work crews or other discretionary work projects as authorized by a supervisor.
- h. Equipment work (assisting the Building Maintenance Unit (BMU) or Automotive Unit).
- i. Maintenance work, such as painting or deep cleaning.

B-2. The programs supervisor may recommend new inmate worker positions. Members that see the potential usefulness of an inmate worker in a specific area should contact the programs supervisor.

- B-3.** Eligible inmate workers may receive work credit as compensation for work performed. Inmates enrolled in programs other than the inmate worker program will learn life skills that will benefit themselves and the community. Inmates enrolled in programs other than the inmate worker program will also be required to perform routine work assignments, so they may earn inmate worker credit.

Inmate workers will be reviewed at least twice monthly and proper work time credit will be subtracted from their sentences per *ORS 169.120*. Work time credit is recorded in the Jail Management System (JMS) under the Calculate Release by Charge screen. In addition, the inmate will sign the *Work Credit Adjustment Form No. 614*, acknowledging the adjustment. Inmate workers may receive extra privileges, such as extra recreation yard and/or expanded commissary privileges. The Deschutes County Sheriff's Office will not provide monetary compensation for an inmate worker or enter into any contract with an inmate for monetary compensation.

- B-4.** Being an inmate worker is a privilege earned by good conduct. Inmates must meet the following conditions for consideration for inmate worker status:
- a. Be eligible for General Population.
 - b. Sentenced inmates will have priority. Presentenced inmates who volunteer must have non-violent, B felony or lower charges.
 - c. Demonstrate responsible and cooperative behavior while in the AJ.
 - d. Demonstrate appropriate behavior, (*i.e.* no formal disciplinary action for 21 days and/or no written warnings for a period of 7 days.)
 - e. A programs deputy will assess treatment program candidates to determine eligibility.
 - f. Inmates will complete a *Programs Application Form No. 623* to be eligible for the inmate worker program.
- B-5.** Maximum, or high-risk inmates, are **not eligible**.
- B-6.** Any deputy may recommend an inmate for inmate worker status based on their performance and behavior while in the AJ. Judges and probation/parole officers may recommend an inmate attend available treatment programs.
- B-7.** The Medical Unit must complete a health assessment on inmates for any inmate worker assignment. The Medical Unit will forward a copy of the medical clearance to the programs deputy. An inmate will not be assigned to worker duties without this clearance. The Medical Unit will communicate assessment information using *Inmate Worker Medical Authorization Form No. 628*.
- B-8.** The programs supervisor or designee:
- a. Will interview inmates to evaluate their skills, goals, and limitations before selecting the inmate as an inmate worker. The programs supervisor will place an inmate in a position that will best meet their abilities and needs, and the needs of the facility.

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- b. Will not discriminate because of sex, race, religion, disability or national origin when selecting inmate workers. Disabled inmates may request reasonable accommodation to assist them in performing the essential functions of a position, in compliance with the *Americans with Disabilities Act*. Members are not required to create an inmate worker position for a disabled inmate if the position was not already in existence.
 - c. Will maintain a list of all inmates approved to be inmate workers. The list will contain the names, job assignment, and work schedule for the inmates. The programs supervisor will, whenever possible, designate some inmates as alternates to enable shift supervisors to fill vacancies in positions at times when the programs supervisor is not available.
 - d. Will manage and track inmate work assignments, health appraisals, work evaluations and inmate worker agreements.
 - e. Will approve inmate worker time and coordinate all termination and reassignment actions. The decision to remove an inmate worker from worker status is at the discretion of a supervisor. A deputy may remove an inmate from worker status for cause. The deputy will complete an Incident Report in (JMS) and forward it to the programs supervisor or deputy immediately.

The programs supervisor will generate an accurate time computation when an inmate's work status starts, terminates or changes. A shift supervisor will complete an updated time computation in the absence of the programs supervisor. (**Note: Failure to complete the updated time calculation may result in inaccurate release dates.**) Reasons to terminate an inmate from worker status or reassign the inmate are as follows:

1. Rule violation.
2. Change to a higher classification level.
3. Having an injury or illness that would result in substantial time off (more than three consecutive days unless approved by a supervisor or an AJ nurse).
4. Refusal to work or behavioral problems while working.
5. Inability to perform required job duties.
6. Inability to work required work schedule because of programs or other activities.
7. Behavioral problems during recommended activities or refusal to participate recommend activities.
8. Termination from recommended program activities due to behavioral problems.
9. Refusal to submit to a search.
10. For the safety, security, good order, or operational requirements of the AJ.
11. Noncompliance or other actions disruptive to the treatment program.

SECTION C: ORIENTATION AND TRAINING

- C-1.** The programs supervisor or designee will give all inmates an initial orientation before beginning their work duties. The orientation will include an explanation of the *Inmate*

Worker Agreement Form No. 604, rules, procedures, expected behavior and consequences for inappropriate behavior. An inmate worker must demonstrate an understanding of and sign the *Inmate Worker Agreement Form No. 604* before beginning their work assignment.

- C-2.** Inmates must successfully complete training specific to their work assignments before beginning their work duties. The programs supervisor or designee will facilitate the training of the inmates. Inmate workers are trained to report injuries and unsafe work environment concerns. Inmates will not train other inmates.
- C-3.** Inmates may complete training on more than one job assignment if they might be assigned to more than one worker role.
- C-4.** Inmate worker training and on the job experience will replicate current job market demand whenever possible. After completion of orientation and initial training, inmate workers will sign one of the following:
- *Food Handler Education Form No. 635*
 - *Inmate Worker Health and Safety Orientation Form No. 636*
 - *Sanitation Orientation and Training Form No. 637*
 - *Laundry Worker Orientation and Training Form No. 638*
- C-5.** Inmate workers may be provided with additional routine safety training to include:
- a. Sanitation
 - b. Safety Procedures
 - c. Cardio Pulmonary Resuscitation (CPR)

SECTION D: SUPERVISION

- D-1.** Depending on an inmate worker's assignment, members will supervise them to make sure they are handling work instruments properly, performing their job satisfactorily, and correcting them when necessary. Those supervising inmate workers must not leave the workers alone for extended periods for both safety and security reasons. They must check on inmates routinely and randomly whenever inmate workers are not under constant supervision. Supervision may include direct or indirect supervision by the programs supervisor, programs deputy, specific work supervisors, AJ deputies, AJ supervisors, contracted food service members, BMU members or Automotive Unit.
- D-2.** Deputies will conduct hourly checks on inmates assigned to the kitchen and laundry. This will be in addition to video surveillance. Deputies will conduct random checks of the inmate work stations and log in JMS.
- D-3.** Deputies must not compromise safety or security while supervising a work crew. The number of deputies an inmate work crew will need depends on where the work is taking place; the type of work; the type of tools, materials, and equipment accessible to the

inmates; and the complexity of the work being performed. Male and female inmates may not be on the same work crew.

- D-4.** While working within the AJ, members will not allow an inmate worker of one sex to go into the living area of the opposite sex or be in the proximity of inmates of the opposite sex, except to serve meals, pick up trays or other work activity as approved and constantly supervised by deputies.
- D-5.** One inmate may not supervise another inmate or have authority over them.
- D-6.** Members will provide a safe and healthy work environment for inmate workers that complies with federal, state, and local work health and safety laws, codes and standards. Members must not be deliberately indifferent to the health and safety of working inmates. Deschutes County Sheriff's Office does not provide workers' compensation coverage for inmates.
- D-7.** The programs supervisor, programs deputy or work crew deputy will give a general health and safety orientation to inmates before they begin their work assignment. Each supervisor, for specific work assignment, will explain the health and safety requirements of the position during an inmate's initial assignment and as changes to the assignment occur.
- D-8.** The programs supervisor, programs deputy or a specific work supervisor will post information about the safe operation of equipment or use of chemicals in appropriate areas.
- D-9.** All inmate workers will successfully complete the health and safety aspects of training, specific to their work assignment, before beginning work duties.
- D-10.** The programs supervisor will review quarterly the health and safety requirements of their specific inmate worker training plan.
- D-11.** The deputy supervising any inmate injured on the job to any degree, will seek the appropriate medical care and follow up. The inmate will not be billed for the medical treatment. The deputy must complete an incident report in JMS before the end of their shift. This report should be forwarded to the programs supervisor and the Safety Committee for review. The deputy will also complete an Inmate Injury/Accident Report and forward this report through the chain of command to the Sheriff.

SECTION E: WORK REQUIREMENTS

- E-1.** Inmate workers will follow all AJ rules. In addition, supervisors of inmate workers will develop specific rules of conduct for the inmate worker positions in their areas. Supervisors, or assigned members, will brief inmate workers on the rules upon their initial assignment to their duties. General rules of conduct include:

- a. Inmate workers will not use their work assignment to their own advantage, to gain favors, or to pressure other inmates.
 - b. Inmate workers will perform their work assignments to the best of their abilities without complaint or argument. If they cannot perform, they must report to their supervisor.
 - c. Inmate workers will not talk to other inmates, outside of the inmate's housing area, unless it is in the performance of their assigned work duties.
 - d. Inmate workers must submit to searches of their person or property whenever a deputy requests.
 - e. Inmate workers will follow instructions and maintain a proper working relationship with all members, including the contracted food service provider.
 - f. Inmate workers will be respectful of the rights and needs of other inmate workers.
 - g. Inmate workers will maintain a clean and sanitary personal appearance and maintain a clean dorm area.
 - h. Inmate workers will be showered and ready to work at the designated time.
 - i. Inmate workers will eat what is served to the general inmate population.
- E-2.** The programs supervisor will work with AJ and project supervisors (such as for government agencies with which we have contracted work crews) in setting inmate worker schedules. Inmate workers do not determine their own schedules. Deputies will check worker schedules so they know who to allow out to work and when. The WC supervisor or designee will set the schedules of inmate workers according to need and post schedules for the WC.
- E-3.** An inmate's workday should approximate the workday in the community. However, regularly scheduled days off are not guaranteed. Deputies will send inmate workers to their work assignments according to the work schedule unless the programs deputy, programs supervisor or shift supervisor approves otherwise. Inmate workers will work their entire shift. A work crew supervisor, programs deputy, supervisor, or an AJ nurse may request time off for an inmate if there is a valid reason.
- E-4.** Inmate workers may not refuse to work, unless clear justification exists to support their refusal. Inmate workers refusing to work will be promptly removed from the inmate worker program and may face disciplinary action for poor work performance. See AJ Policy [CD-6-3, Rules and Discipline](#).
- E-5.** The Medical Unit will evaluate any inmate who is unable to report to work or who left work due to an illness or injury prior to returning to work. If the inmate was on duty, the inmate must report to the Medical Unit before returning to the dorm, if possible.
- E-6.** Inmate workers may not have social visits or conduct personal business during work shifts. When feasible, members will let inmate workers leave work for an attorney visit, court, recommended program, legal issue, medical issue, or other reason in the interest of

the AJ. The inmate must return to work promptly after the event. A deputy may request a temporary replacement worker if the inmate will be absent for an extended period.

- E-7.** Inmate workers wear distinctive clothing that is clearly labeled with the facility name or, “Inmate Worker.” The WC supervisor will maintain a collection of work related clothing (i.e. jackets, gloves and boots). Inmates assigned to outside work crews may also be issued a bright vest and cap labeled, “Inmate Worker.”

SECTION F: FACILITY SECURITY AND INMATE WORKERS

- F-1.** Inmates will only use tools and materials under the direction and supervision of a deputy or other authorized member.
- F-2.** Deputies supervising inmate workers will perform routine and random pat down and unclothed searches.
- F-3.** Deputies must not place inmate workers in positions that would provide them with knowledge of facility security systems or equipment.
- F-4.** Only the following people may escort inmate workers outside the security perimeter:
- a. Deputies and supervisors.
 - b. Building Maintenance Unit and Automotive Unit members (on campus only).
 - c. Other Sheriff’s Office members, as approved by the Captain.

FORMS USED:

- Inmate Worker Agreement Form No. 604
- Inmate Work Credit Adjustment Form No. 614
- Inmate Programs Application Form No. 623
- Inmate Worker Medical Authorization Form No. 628
- Inmate Worker Injury/Accident Report
- Food Handler Education Form No. 635
- Inmate Worker Health and Safety Orientation Form No. 636
- Sanitation Orientation and Training Form. No. 637
- Laundry Orientation and Training Form No. 638