

 <p style="text-align: center;">Massachusetts Department of Correction</p> <h1 style="text-align: center;">POLICY</h1>	Effective Date 12/15/2023	Responsible Division Policy Development and Compliance Unit
	Annual Review Date 11/16/2023	
Policy Name 103 DOC 450 INSTITUTION WORK ASSIGNMENT	M.G.L. Reference: M.G.L., Chapter 124, § 1 (c) and (q); M.G.L., Chapter 127, §§ 48, 48A, 83 and 83A.	
	DOC Policy Reference: 103 DOC 122; 103 CMR 405; 103 DOC 408; 103 CMR 411; 103 DOC 478; 103 DOC 610; 103 DOC 620; 103 DOC 631; 103 DOC 650; 103 DOC 756	
	ACA/PREA Standards: 5-ACI-7A-01; 5-ACI-7A-02; 5-ACI-7A-03; 5-ACI-7A-04; 5-ACI-7A-06; 5-ACI-7A-13; 2-CO-5A-01	
Attachments Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Inmate Library Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Applicability: Staff/Inmates
Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Location: Department Central Policy File Each Institution's Policy File
<p>PURPOSE: The purpose of 103 DOC 450 is to establish Department of Correction ("Department") policy for work assignments in all Department institutions. Providing institutional work assignments for as many inmates confined in correctional institutions as possible, is desirable to promote sound habits, maintain the institution, and minimize idleness.</p> <p>RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY: Director of the Policy Development and Compliance Unit Superintendents</p> <p>CANCELLATION: 103 DOC 450 cancels all previous Department policy statements, bulletins, directives, orders, notices, rules and regulations regarding institution work assignments which are inconsistent with this policy.</p> <p>SEVERABILITY CLAUSE: If any part of 103 DOC 450 is for any reason held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.</p> <p>AVAILABILITY: A copy of this policy may be made available in other formats in accordance with 103 DOC 408, <i>Reasonable Accommodations for Inmates</i>.</p>		

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INSTITUTION WORK ASSIGNMENT PROCEDURE**A. General**

Each Superintendent or designee shall develop a Work Assignment Procedure that provides work opportunities for inmates not participating in the institution's Industry Program. Work opportunities shall include, but not be limited to, assignments to food service and the laundry, as well as general maintenance and operations. These work assignments should afford inmates an opportunity to learn job skills and develop good work habits and attitudes that they can apply to jobs after they are released. Where ample work opportunities exist, efforts shall be made to structure the inmate's workday to approximate the workday in the community. Assignments to these positions shall be made by an institution classification board or by a Work Assignment Officer. Inmate skills, abilities, security clearance and work histories should be the criteria utilized in matching inmates with institution work assignments. Superintendents may create unpaid/volunteer inmate work assignments, however, job descriptions must differ from those in similar paid positions (e.g., a paid general maintenance position may be on call twenty-four (24) hours a day, whereby a volunteer position may not be). The unpaid/volunteer inmate work assignments may be eligible for earned good time credits in accordance with 103 CMR 411, *Deduction from Sentence*. Each inmate shall be supplied with the necessary training, tools, clothing and other equipment to properly undertake their work assignment duties.

The Shattuck Correctional Hospital Unit shall be exempt from developing a work assignment procedure as all work assignments are under the direction of the Department of Public Health.

B. Contents of the Institution Work Assignment Procedure

1. Work Assignment Descriptions: Each Institution Work Assignment shall have a written Work Assignment Description that briefly states the duties to be performed, the staff job title responsible for supervision, the hours, and the pay scale. In addition, each Work Assignment Description shall list any training required pursuant to 103 DOC 450.06. An inmate accepting a Work Assignment shall receive the written Work Assignment Description, which shall include space for the supervisor and the inmate to place their initials. By placing their initials on the Work Assignment Description, the supervisor acknowledges that all training outlined in 103 DOC 450.06 has been provided, and the inmate acknowledges that they have read and understand the Work Assignment Description and have received all training required by 103 DOC 450.06. All signed Work Assignment Descriptions shall be kept on file by the Institution Work Assignment Officer.

2. Pay Scale: In those instances where inmates are compensated, the work assignment procedure shall reflect an organized system of compensation. The amounts paid shall be based on the criteria outlined in 103 CMR 405, *Inmate Funds*. Any exceptions to the pay scales outlined in 103 CMR 405.07, shall require prior written approval from the Commissioner, including any unpaid/volunteer position created by Superintendents, regardless of whether an inmate is eligible for earned good time credits. All such written requests for approval shall be submitted through the Director of Support Services.

Appropriate institution staff shall complete inmate payrolls via the Inmate Management System (IMS) Trust Fund Accounting module. Staff shall utilize the Attendance and Discharge Query to verify attendance.

C. Inmates with Disabilities

For inmates with disabilities, the work assignment procedure shall have adequate work opportunities commensurate with their abilities, which may require reasonable accommodations to allow the inmate the opportunity to perform the essential functions of the work assignment. The provision of reasonable accommodations for inmates with disabilities shall be made in accordance with 103 DOC 408, *Reasonable Accommodations for Inmates*.

No inmate shall be denied the opportunity to participate in work solely due to having a disability.

450.02

DUTIES OF THE WORK ASSIGNMENT OFFICER

Using the IMS database, institution Work Assignment Officers or other institution staff shall:

- A. Document job information in the IMS Create Job Assignment screen. Additionally, any staff approvals required prior to assignment shall be entered in this screen. They shall be entered in the order that the staff screening/approval occurs, and the Work Assignment Officer shall be entered as the last approval required.
- B. Note classification board recommendations and decisions regarding institution work assignments in the “Others” field on the Classification Recommendations/Results screen.
- C. Request or refer inmate for work assignments via an entry in the Screen Inmate for Work screen.

- D. Utilize the Available Assignments Query to search the database for available jobs.
- E. Begin the screening process by utilizing the Screen Inmate for Work screen. Add inmate requesting jobs to the list to be screened. Identify inmate in the various stages of the work approval/assignment process and review a prospective inmate work history to begin the screening process.
- F. Utilize the Select Inmate for Review screen to identify the specific job to screen an inmate for, and if applicable to the job, generate notifications to staff required to approve an inmate the job prior to actual assignment.
- G. For staff required to approve inmate for certain jobs such as Inner Perimeter Security (IPS) or medical (for food handler clearance), review the Notifications screen on a regular basis to identify inmates requiring approval. Staff shall then utilize the Review and Assign Inmate screen to review pertinent information such as the last disciplinary report received, education, skills, etc., and enter their decision. Once all approvals are entered, the Work Assignment Officer shall ensure that all applicable fields are completed and shall utilize this screen to assign the inmate to the job.
- H. Review the Notifications screen on a regular basis to identify inmate whose assignments are due to end (e.g., for rotations) and take appropriate action.
- I. Require the Work Assignment Officer to subsequently complete the Credit Approval screen for all inmate workers to assign earned good time credits, if warranted.
- J. Require designated staff to discharge inmate from work assignments via the “Discharge Job” button on the Screen Inmate for Work screen.

450.03

DUTIES OF THE WORK SUPERVISOR

- A. Evaluations: Staff shall evaluate inmate job performance at least monthly to determine the inmate conduct on the job and to assign earned good time credits, if warranted. The institution classification board or the Work Assignment Officer may, at any time, evaluate an inmate performance and reassign the inmate for documented poor performance, or to accommodate institution needs.

An inmate who refuses a direct order to complete duties agreed upon in a work assignment may be given a disciplinary report for refusing a direct order. A disciplinary report is not required to terminate an inmate for a work assignment.

- B. The work supervisors shall complete the Program/Work Attendance screen daily and evaluate inmate job performance monthly by completing the

Performance Rating screen. Staff shall ensure that all applicable fields are completed on these screens.

450.04

INMATE WORK RESTRICTIONS

- A. Each Superintendent shall assess their institution to determine those work locations not appropriate for assigning Security Risk Level A inmates to work in accordance with 103 DOC 527 *Security Risk Inmates*. Identified locations shall be listed within an institution specific procedure for the 103 DOC 450.
- B. Inmates shall not be involved in institution operational functions including, but not be limited to, typing correspondence; maintaining logbooks; tracking payroll; operating computers (unless consistent with 103 DOC 756, *Information Technology Systems*); and other similar tasks.
- C. Inmate diagnosed with mental illness or developmental disabilities shall be subject to the recommendations of the mental health clinicians as outlined in 103 DOC 650, *Mental Health Services*.
- D. Inmate diagnosed with a communicable disease shall be restricted from certain work assignments as outlined in 103 DOC 631, *Communicable Diseases*.
- E. All inmate working in food services shall be subject to the medical screening and monitoring practices outlined in 103 DOC 620, *Special Health Care Practices*.
- F. Any inmate performing a Work Assignment (e.g., runner, library clerk, maintenance, etc.) requiring entry into a BAU must submit to an unclothed search prior to entering and leaving the BAU. Inmate workers entering a BAU shall be required to change into a jumpsuit while in the unit (any color except red). Superintendents shall outline within the institutional procedures any other specialized units that this process may apply to.

450.05

ROTATION OF THE INMATE WORKFORCE

Each Superintendent shall assess their institution to determine those work locations where, at minimum, an annual rotation of the inmate workforce is appropriate to prevent familiarity. These identified locations shall be listed within the specific procedure for the 103 DOC 450.

These areas shall include but not be limited to the following:

- BAU
- Visiting Room

- Health Services Unit
- Administrative Areas
- Property Office

Work assignments which are done in conjunction with a vocational/educational program (i.e. Culinary Arts, Barber Program, Companionship Program) shall be exempt from the above rotation requirements.

450.06

TRAINING

- A. Each Superintendent shall ensure that all inmates who may, as a part of their Work Assignment, be operating any power tools or equipment have documented training in the safe and correct operation of the tools and/or equipment. This training shall be documented on the inmate Work Assignment Description and maintained by the Work Assignment Officer.
- B. Each Superintendent shall ensure that only those inmates who are trained by qualified medical personnel in proper methods of biohazard cleaning, shall clean biohazardous or infectious waste as referenced in 103 DOC 610, *Clinical Contract Personnel and the Role of DOC Health Services*. A list of inmates trained in biohazard cleaning shall be maintained by the Environmental Health and Safety Officer (EHSO) of the institution as well as the Work Assignment Officer.
- C. Any inmate given a Work Assignment as a general library or law library clerk shall be trained in accordance with 103 CMR 478, *Library Services*.
- D. Any inmate authorized to operate farm vehicles shall be trained in accordance with 103 DOC 122, *Vehicle Usage and Control*.