STATE OF OHIO

DEPARTMENT OF REHABILITATION AND CORRECTION

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| SUBJECT: **Inmate Program and Work Assignments** | PAGE 1 OF 5 . |
| | NUMBER: 54-WRK-02 |
| RULE/CODE REFERENCE: 5120-3-06 | SUPERSEDES: 54-WRK-02 dated 04/26/14 |
| RELATED ACA STANDARDS: 4-4297; 4-4301; 4-4302; 4-4303; 2-CI-4A-02 | EFFECTIVE DATE: April 6, 2015 |
| | APPROVED: |

## I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

## II. PURPOSE

The purpose of this policy is to set forth policy and procedure governing program and work assignment reviews.

## III. APPLICABILITY

This policy applies to all personnel involved in the review of inmate program assignments.

## IV. DEFINITIONS

**Program/Work Assignment Committee** - A committee of at least two unit staff who are assigned the task of reviewing and placing inmates into program and work assignments.

**Program/Work Assignment Review** - The process for evaluating the needs, requirements, and program/work assignments of an inmate based on current needs and resources.

**Routine and Non-Routine Program/Work Assignments** -

1) Routine program/work assignments are those in which the inmate's work or program location do not change significantly (stays in same department or program – for instance, changes from one education program to another or changes shops within the maintenance department, promotions or mandated assignments to educational programs).

2) Non-routine program/work assignments are those in which the inmate's work or program location or circumstances change significantly (initial assignment from orientation, changes job/program locations within the prison, new job will be outside secure perimeter, or will allow wide access to locations in the institution).

**Sensitive Work Area** – Inmate program/work sites within the institution that are designated by the Deputy Warden that carries a potential risk. This area can be a small working station or a large

manufacturing area. The main principal of designation of a sensitive work area is it contains recognized serious hazards.

**Unit Staff –**

1) A team comprised of all staff assigned to the unit: Unit Manager, Correctional Counselor, Case Manager, Correction Officers and Unit Secretary, with the Unit Manager serving to provide leadership, direction, recognition, counseling and evaluation to the team members.

2) The unit staff is involved in making decisions or significant recommendations in all matters of consequence to inmates assigned to their unit within a shared vision for the unit, facility, and the Department.

## V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction to provide program/work assignments and reviews for all inmates at least annually.

## VI. PROCEDURES

A. Upon arrival at a reception center, inmates shall be evaluated and tested. Education, mental health, recovery services and classification specialists shall collect appropriate information through this assessment process. The inmate program/work assignments shall be "reception" status.

B. Upon arrival at a parent institution, inmate's program/work assignment shall be auto-filled in Dots Portal as "orientation" status. The parent institution has up to 14 calendar days to review the inmate's work history and program needs and assign a program or work assignment.

C. Whenever an inmate is being considered for a routine program/work assignment he/she is not required to appear before the program and work assignment committee. Routine assignments are to be processed by a designee of the committee and the action entered in the appropriate DRC records database. In these assignments, the unit staff must post the inmate's proposed assignment in a designated area in the dorm at least 48 hours in advance of the change in assignment. The posting must contain the following information: date of posting, the inmate's name, number, lock, current work/program assignment, new assignment, and effective date. If the inmate's report date is different from the effective date, then that shall also be registered on the posting. The posting shall also inform the inmate that he may speak to a representative of the committee and has a right to appeal the decision. The posting shall be maintained by the unit staff for one year from the date of the posting.

D. The Unit Management Chief or designee shall assign at least two unit staff members to comprise the Program and Work Assignment Committee. An inmate shall be brought before the Program/Work assignment committee for the following non-routine program/work assignments:

1. When the inmate has completed a program.

2. When the inmate has requested a program/work assignment change that is non-routine. This request must be in writing to the Program/Work Assignment Committee or the relevant program provider. Requests for changes may be submitted no more frequently than every 90 days.

3. When the inmate has failed to successfully complete the probation period (30 days) of a program/work assignment.

4. When the inmate has been requested by the program/work supervisor for a change or removal from the program based on the performance of the inmate.

5. When the inmate is found guilty of a rule infraction related to the inmate's program or the rule infraction does not permit the inmate to function in the program/work assignment or program/work assignment location.

6. When the inmate has not been reviewed within the past 12 months.

7. When the inmate is referred through the inmate disciplinary process (RIB, etc.).

8. When the new program/work assignment will raise security issues such as wide access to the institution or placement outside the secure perimeter.

E. Program/Work Assignment Committee Hearings:

During the Program/Work Assignment Committee hearings the committee shall:

1. Review the inmate's pre-institutional information, commitment, criteria, institutional adjustment, and behavior to determine his/her appropriate placement;
2. Review the inmate's security/supervision status, security threat group (STG) status and any information submitted by various institution staff;
3. Reassess the inmate's needs, re-evaluate placement, and recommend desirable modification, if applicable;
4. Review all pertinent information gathered from prior assessments including the reentry accountability plan, prison intake tool, and case management plan;
5. Review the length of time and performance of the inmate’s current placement to guard against over familiarity with staff and worksite that could create a security risk;
6. Review the institution’s racial balance; (effective August 15, 2014) racial balancing in departments shall be maintained within 10% of the institution’s racial balance unless permission is received or percentage is modified by the responsible Deputy Warden;
7. Document the committee's decision and all pertinent information in the appropriate database.

F. Notice of non-routine program/work assignment reviews shall be given to each inmate at least 48 hours in advance using the Classification and Reclassification Processing form (DRC2099). The notice may be waived in writing by the inmate. Inmates shall appear in person at all non-routine program/work hearings that may affect their program/work assignment unless prevented for security or other substantial reasons. Routine program/work assignment actions may not require

the inmate's presence, but the inmate must be notified of the proposed decision, date of change and right to appeal at least 48 hours in advance of the change.

G. Program/work supervisors may make referrals to the Program/Work Assignment Committee for non-routine program/work assignments for inmates. The committee shall review all requests and complete the assignment unless sufficient reasons exist to make an exception. OPI work supervisors shall ensure the number of inmates assigned to industry operations and their duties are consistent with the actual workload needs of the operating unit of each industry prior to submitting request to the Program/Work Assignment Committee.

H. Whenever an inmate is being considered for a program/work assignment in a sensitive area the Program/Work Assignment Committee shall complete the Sensitive Work Area/Job Assignment Screening Review (DRC2087).

1. The Security Chief and the Unit Management Chief shall have input on an inmate's placement in an assignment in sensitive areas of the institution.

2. The responsible Deputy Warden shall give final approval for an inmate to be assigned to a sensitive work area.

3. Inmates shall not be permitted to volunteer to switch job assignments or work temporarily in different job assignments within a designated sensitive work area.

4. Only with the prior written approval of the responsible Deputy Warden, Security Chief, or Unit Management Chief may an inmate's job assignment be changed. The approval shall be based on the needs of the institution and not upon the request of an inmate.

5. The work crew supervisor's request for the inmate worker's temporary assignment shall be in writing and shall state the reason(s) for the request, as well as, give the inmate(s) name and number, location of the assignment, work hours of the assignment, and date(s) of the assignment.

6. Unplanned or emergency assignment of inmate workers to temporary work assignments may be approved verbally by the Shift Commander. When approval is given, the employee approving the request shall submit a written report to the responsible Deputy Warden. This report shall list the reason(s) for the assignment, the name(s) and number(s) of the inmate(s) assigned, location of assignment, date(s) and times of the assignment and name(s) of the employees supervising the assignment.

7. Whenever an inmate has held a program/work assignment in a sensitive area for two consecutive years the program/work assignment committee shall complete a new Sensitive Work Area/Job Assignment Screening Review (DRC2087).

I. At the Program/Work Assignment Committee hearing, the inmate shall be advised of his/her new program/work assignment and his/her right to appeal the assignment.

J. A designated staff or member of the Program/Work Assignment Committee shall enter the assignment decision information in the appropriate DRC database during or immediately following the committee's action.

K. All appeals for reconsideration of assignment must be submitted in writing to the Unit Management Chief or designee within five days for consideration. The inmate may appeal the decision of the Unit Management Chief to the Bureau of Classification and Reception within five days of being notified of the decision. The appeal must specify the grounds clearly and in detail. The decision of the Bureau of Classification and Reception shall be final. Any decision made by the Unit Management Chief shall not be stayed pending the appeal.

L. Inmate Program/Work Inmate Evaluations

Work program supervisors shall prepare a performance evaluation of each inmate using the Inmate Evaluation Report (DRC2012) at the end of each probationary period and each year thereafter. A special Inmate Evaluation Report (DRC2012) shall be prepared for inmates being recommended for promotion or demotion. A copy of each Inmate Evaluation Report (DRC2012) shall be forwarded to the Work and Program Assignment Committee and retained in the inmate's electronic file.

1. Inmates working in Ohio Penal Industries shall receive performance evaluations at least quarterly.

2. Evaluations shall be reviewed with the inmate and a final evaluation prepared and placed in the inmate's file. A copy shall be given to the inmate.

**Related Department Forms:**

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| Classification and Reclassification Processing | DRC2099 |
| Inmate Evaluation Report | DRC2012 |
| Sensitive Work Area/Job Assignment Screening Review Form | DRC2087 |