



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/FIELD
OFFENDER MANUAL

REVISION DATE
1/1/16

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POLICY

TITLE
WORK PROGRAMS FOR OFFENDERS

REVIEW/REVISION HISTORY:

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SUMMARY OF REVISION/REVIEW:

Added WAC reference
 IV.C.2. - Adjusted referral process
 IV.D.1.b. and F. - Added exception for dog/cat programs

APPROVED:

Signature on file

DAN PACHOLKE, Secretary
 Department of Corrections

12/23/15

 Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 51](#); [RCW 72.09](#); [RCW 72.60.102](#); [WAC 137-80](#); [ACA 4-4448](#); [ACA 4-4449](#); [ACA 4-4451](#); [ACA 4-4452](#); [ACA 4-4453](#); [ACA 4-4454](#); [ACA 4-4456](#); [ACA 4-4459](#); [ACA 4-4460](#); [ACA 4-4461](#); [DOC 300.380 Classification and Custody Facility Plan Review](#); [DOC 600.020 Offender-Paid Health Care](#); [DOC 700.100 Class III Offender Employment and Compensation](#); [DOC 700.400 Class IV Off-Site Work Crew](#); [DOC 710.400 Correctional Industries Class II Employment](#)

POLICY:

- I. Work programs in Prisons will comply with RCW 72.09.100, which outlines the areas of authority, responsibility, and accountability for the program. [4-4456]
- II. The facility will provide a variety of work assignments that afford offenders an opportunity to learn job skills and develop good work habits and attitudes they can apply to jobs after they are released. [4-4451]
- III. Any offender in a Class I, II, or IV work program as defined in RCW 72.09.100 is eligible to apply for industrial insurance benefits as provided by RCW 51 and RCW 72.60.102.
- IV. Work programs are privileges and may be restricted based on offender risk, behavior, and/or other factors reviewed by multidisciplinary screening committees or Facility Risk Management Teams (FRMTs) per RCW 72.09 and DOC 300.380 Classification and Custody Facility Plan Review.

DIRECTIVE:

- I. General Requirements
 - A. Employment opportunities will be provided to offenders in Correctional Industries, facility maintenance, operations, public works, or community projects. [4-4452]
 - B. The advice and assistance of labor, business, community colleges, and industrial organizations will be used to assist work programs in providing skills relevant to the job market. [4-4453]
 - C. [4-4461] Offenders will be compensated for work performed. Compensation will be distributed according to written guidelines and include:
 1. Monetary compensations,
 2. Special housing,
 3. Extra privileges, and
 4. Earned time credits.

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II. Work Programs

- A. Class I work programs will be operated and managed by the Correctional Industries Board of Directors per RCW 72.09.100.
- B. Class II work programs will be state-owned and operated businesses. They will be designed primarily to reduce the costs for goods and services for tax supported agencies and non-profit organizations and will comply with DOC 710.400 Correctional Industries Class II Employment.
- C. Class III work programs will be operated by the Department. They will be designed and managed to provide basic work training and experience to offenders so they will be able to better qualify for work within Correctional Industries and the community and will comply with DOC 700.100 Class III Offender Employment and Compensation.
- D. Class IV work programs will be operated by the Department and will be designed and managed to provide services in the offender's resident community at a reduced cost. Outside work crews must not displace public employees. The services will be provided to public agencies or non-profit organizations, and will comply with DOC 700.400 Class IV Off-Site Work Crew.
- E. Class V work programs will be subject to supervision by the Department and will be designed and managed to enable an offender placed on community supervision to work off all or part of a community restitution order as ordered by the sentencing court or the Department.

III. Correctional Industries Responsibilities

- A. Each operating industries unit will:
 1. Be designed, implemented, and maintained in accordance with generally accepted accounting principles. [4-4460]
 2. Have a written quality control procedure that provides for raw material, in-process, and final product inspection. [4-4459]
- B. Correctional Industries staff will cooperate with the Superintendent of each facility having an industries program(s) to:
 1. Provide effective operation of the programs,
 2. Maintain safety and security,
 3. Comply with applicable policies and procedures, and
 4. Maintain records of offender participation and accomplishments.

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- C. Correctional Industries will provide a list (e.g., catalogs, website) containing the descriptions of all articles and supplies manufactured and produced in state correctional facilities. Copies of the list will be sent to the Department of Enterprise Services and to all departments, institutions, and agencies of the state of Washington. Copies are made available to all potential customers.

IV. Facility Responsibilities

- A. [4-4449] All able bodied offenders are expected to participate in work assignments, education programs, and/or programs ordered by the sentencing court or paroling authority or required by statute. Failure to participate in programs may result in administrative action.
- B. [4-4448] Each facility will develop and maintain a written plan for full-time program assignments for all offenders in the general population. The plan should provide for employment for all eligible offenders and set annual offender job targets for the facility.
1. Offenders serving Life Without Parole (LWOP) must receive approval from the Superintendent/designee to work within Correctional Industries.
 - a. The percentage of LWOP offenders assigned to Correctional Industries will not exceed the percentage of LWOP offenders assigned to general population at the facility.
- C. Employment Screening and Referrals
1. Offenders will be referred for employment based on the Offender Needs Assessment.
 2. The Counselor will only make employment referrals for positions approved for the offender per the Incoming Transport/Job Screening checklist in Offender Management Network Information (OMNI).
 - a. Employment screenings will expire 2 years after multidisciplinary FRMT approval.
 - b. Only the most recent employment screening will be considered for employment referrals.
 3. If an offender engages in behaviors of a sexual and/or violent nature, a multidisciplinary FRMT will be convened to update any previously approved employment referrals.

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- a. The Counselor will initiate a new DOC 02-373 Job Screening Checklist before the current employment screening expires.

D. Continuous Employment

- 1. Continuous employment in the same industries shop or facility program area will be limited to:

- a. 7 years for Correctional Industries positions,
- b. 2 years for Class III and IV positions, with the exception of dog/cat program positions, and
 - 1) The Superintendent may approve one extension of up to 2 additional years for these positions.
- c. One year for positions with limited visibility or staff presence.

- 2. The offender must wait at least 2 years before holding a position in the industries shop or facility program area again.

E. The Superintendent will be responsible for establishing the work hour availability for offenders.

- 1. To the extent possible, schedules will maximize the availability of offenders during the workday and minimize interruptions in production. The offender workday will approximate the workday in the community. [4-4454]
- 2. Offender programming schedules will be considered when establishing work schedules.

F. Offenders will not be used to voluntarily perform work duties in established employment positions, with the exception of dog/cat program positions.

G. Superintendents will give preference to the purchase of Correctional Industries goods and services.

V. Workers' Compensation Coverage for Offenders

- A. Offenders in Class III or V work programs are not eligible for industrial insurance benefits.
- B. For all other work programs, when an incident occurs which results in a work-related injury to an offender while working:

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1. The offender will:
 - a. Complete and submit DOC 03-133 Accident/Injury Report to his/her supervisor.
 - b. Seek medical care for the injury through Department health care staff or the local emergency room/clinic.
 - 1) Labor and Industries (L&I) benefits may be applied for by:
 - a) Informing the health care provider the injury was work-related, and
 - b) Completing L&I F242-130-000 Report of Industrial Injury or Occupational Disease.
 - c. Comply with the health care provider's treatment recommendations.
2. The facility health services staff, upon offender notification the injury was work-related, will:
 - a. Provide the offender L&I F242-130-000 Report of Industrial Injury or Occupational Disease and instruct him/her to immediately complete the Worker Information section and return to health services staff.
 - 1) The offender will retain the Worker's copy.
 - b. Complete the Health Care Provider Information section of the L&I F242-130-000 Report of Industrial Injury or Occupational Disease and mail or fax the completed form to L&I per the instructions and timeframes.
 - 1) The health services staff will retain the Provider's copy for the offender health record.
 - c. Coordinate offender care.
 - d. Identify facility contacts to coordinate with L&I for scheduling Independent Medical Examinations for offenders.
3. The Risk Management Department will:
 - a. Maintain the offender claim file.
 - b. Refer L&I to the appropriate Health Services contacts.

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- c. Monitor Board of Industrial Insurance Appeals hearings related to Department employed offender claims.
- C. When there is a request for offsite medical services related to an L&I claim:
 - 1. The Department will pay for transportation/custody for offsite care related to an L&I claim prior to incarceration if the care being rendered meets the Offender Health Plan definition of medical necessity.
 - 2. The Department will not pay for transportation/custody for offsite care under an L&I claim activated prior to incarceration if the care does not meet medical necessity criteria in the Offender Health Plan. In that case, the offender may pay for the transportation/custody care under DOC 600.020 Offender Paid Health Care.
 - 3. The Department will pay transportation/custody costs for offsite care under an L&I claim originating from work-related injury/illness when the Department is considered the employer.
 - a. When DNR is considered the employer, offsite care under an L&I claim originating from work-related injury/illness should be processed by DNR and L&I with cooperation from the Department. However, the Department will not be responsible for transportation/custody costs unless the care being rendered meets the Offender Health Plan definition of medical necessity.
 - 4. Appointment time and date will be coordinated with the Department Trip Scheduler and noted on the weekly Offsite Service Log sent to the Medical Disbursement Unit to ensure that L&I is billed.
- D. When there is a request for an L&I authorized Independent Medical Examination:
 - 1. Facility health service staff will assist L&I in coordinating and scheduling space and access within the facility to accommodate the required Independent Medical Examination.
 - a. The L&I Occupational Nurse Consultant or designee is responsible for identifying and scheduling an Independent Medical Examination provider willing to travel to the facility.
 - b. Independent Medical Examination providers will be subject to a criminal history background check prior to arrival.

DEFINITIONS:

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Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

[DOC 03-133 Accident/Injury Report](#)