



Corrections and  
Community Supervision

# Food Service Operations Manual

Directive #4310

OFFICE OF NUTRITIONAL SERVICES  
January 2022



**NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY  
SUPERVISION**

**FOOD SERVICE OPERATIONS MANUAL**

The food service supervisor has total responsibility for the management of the facility's food service operations. Any employee, uniformed or non-uniformed, entering or working in the food service area shall be subject to the rules, regulations, and procedures set forth by this manual.

**FOOD SERVICE SUPERVISOR**

For the purpose of this manual, food service supervisor shall be defined as the highest-ranking food service title.

**CHANGES TO THE MANUAL**

Addendums and deletions to the content of this manual shall be made exclusively by the Director of Nutritional Services as changes become necessary. Local adaptation to or departures from the provisions of this manual, shall be made only with the written approval of the Director of Nutritional Services.

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## **1. FOOD PROVISIONS**

**A. MENUS:** The Department of Corrections and Community Supervision (DOCCS) utilizes a standard statewide menu. A cycle menu has been developed for General Confinement and Shock Facilities. Each category of menu is accompanied by a standard portion list. Adherence to the standard, statewide menu, and portion list, assures nutritional adequacy. Menus are designed so that at least three meals (including two hot meals) are provided at regular mealtimes during each 24-hour period, with no more than 14 hours between the evening meal and breakfast meal. The menus are approved by the DOCCS registered dietitian. A memorandum of approval accompanies each set of menus. A copy of the dietetic registration verification for ACA is available on the Q drive.

Facility food service supervisors may exercise flexibility in the statewide menu only to the extent that food items may be moved to different meals within the same day. All other menu changes require approval from Central Office Nutritional Services. An email to the Regional Coordinator in this regard is required for documentation purposes. Incarcerated Individuals should be notified when there is a deviation from the standard statewide menu.

The decision to serve **brunch** on weekends and holidays rests with each facility. Brunch shall be a combination of the breakfast and lunch foods from the statewide menu. Food items may be moved to the evening meal if necessary but not omitted completely from the day's offerings. The brunch meal, as with other meals, is subject to the standard portion list. Therapeutic and Religious Diets will be served at normal meal times.

An alternative entrée is offered on the general confinement menu at most lunch and dinner meals (see Appendix I(b) for procedure).

- 1. Kosher Diet:** A kosher menu is available to incarcerated individuals who request kosher dietary consideration. Meal attendance is expected for participating incarcerated individuals. This meal shall be provided after validation and verification of religious need by the Director of Ministerial Services. (Refer to DOCCS Directive #4202, "Religious Programs and Practices"). See Appendix I(a) for Kosher Diet procedures.
- 2. Therapeutic:** DOCCS modified menu is designed to address therapeutic diet needs. The modified menu is based on the general statewide menu utilizing as many of the same food items as possible. Food items are changed when necessary for therapeutic or production purposes. The modified menu is offered to incarcerated individuals who have been prescribed a therapeutic diet per DOCCS policy outlined in Directive #4311, "Therapeutic Diet Manual."

3. **Administrative:** Emergency situations, such as a facility lockdown, may necessitate a change in menu, including religious and therapeutic menus, due to shortage of incarcerated individual labor in food service area and total in cell feeding. In emergency situations, refer to the Facility RED BOOK (Ready Emergency Data). Efforts shall be made to provide meals of the same type to meet religious and dietary needs.

Special Management Meals are available for administrative purposes pursuant to DOCCS Directive #4933, "Special Housing Units."

- B. MEAL SAMPLES:** The food service supervisor shall assure that a sample of all foods from each meal served, including modified, special and religious event meals, etc., are held under acceptable refrigeration temperatures for 48 hours to assist with the investigation of any cases of suspected food borne illness. These samples shall be secured to prevent pilferage. The sample shall consist of one (1) each or a half cup portion of each item served. These samples shall be taken at the beginning of each meal service and handled as you would any potentially hazardous food as outlined in the New York State Sanitary Code, Part 14, and Subpart 14-1.
- C. RECIPE FILE:** The standardized recipe file developed and provided by the Office of Nutritional Services is to be used by all facilities. Any changes or deviations from the recipe file must be approved by the Office of Nutritional Services. The file is located on the "N" drive.
- D. SPECIAL EVENTS:** The provision of food shall be carried out in accordance with Directive #4022, "Special Events Program."
- E. TRANSIT MEALS:** When notified, Nutritional Services will provide a transit meal for incarcerated individuals who will not be present for a regularly scheduled meal due to an outside trip. Notification must include type of meal (either regular or Kosher), and number of meals required. These meals shall be handled as you would any potentially hazardous food as outlined in the New York State Sanitary Code, Part 14 and Subpart 14-1.

The **regular transit breakfast** meal will consist of:

- 2 hard cooked eggs
- 4 slices of bread
- 2 margarine
- 1 individual juice (from food production center)
- 1 individual milk

The **regular transit lunch and dinner** meal will consist of:

- 2 sandwiches (minimum 2 ounces filling per sandwich); One meatless (cheese or peanut butter and jelly) and one meat. Each sandwich will be individually wrapped.
- 2 individual condiments (with meat and cheese sandwiches)
- 2 cookies
- 3 individual juices (from food production center)

This meal will also be provided when a dinner meal is needed after the kitchen has closed.

When requested, a Kosher transit meal will be provided. The meal will consist of food items taken from the Kosher menu.

The **breakfast transit meal for Kosher** will consist of:

- 2 hard cooked eggs
- 4 slices of bread
- 2 margarine
- 1 individual juice (from food production center)
- 1 individual milk

The **lunch transit meal for Kosher** will consist of:

- 1 package (4 oz.) sliced cheese
- 4 slices bread
- 2 individual condiments
- 1 individual pudding
- 3 individual juices

The **dinner transit meal for Kosher** will consist of:

- 1 package (4 oz.) luncheon meat
- 4 slices bread
- 2 individual condiments
- 1 individual applesauce
- 3 individual juices

**F. CONSUMPTION OF STATE FOOD:** Shall be in accordance with Directive #4312, "Consumption of State Food."

**G. EMERGENCY RESPONSES:** When C.E.R.T./C.I.U. teams are activated and deployed to a facility, the Command Center will ensure that the facility deploying the teams have notified their Food Service Supervisor and that staff is brought in to prepare a bag meal for each team member prior to the teams leaving the facility. This process may take up to 2 hours for staff to respond.

**The bag meal shall consist of:**

- 4 breakfast juices
- 1 piece of fresh fruit
- 2 sandwiches - (cold cuts, cheese, condiments, or peanut butter & jelly)
- 4 cookies

The Command Center will notify the Director of Nutritional Services who will work directly with the affected facilities' Food Service Supervisor's to coordinate any products needed to feed the C.E.R.T./C.I.U. teams, facility employees, and incarcerated individuals during the operation. In the event the Director of Nutritional Services is unavailable; the Command Center will contact the Nutritional Services Officer of the Day by contacting the Watch Commander at Mohawk Correctional Facility.

Once the Director of Nutritional Services is notified, appropriate staff will be called in to the Food Production Center to work with vendors to procure necessary items and begin loading the truck with food from the Food Production Center's existing inventory. Food being delivered for use in the 1<sup>st</sup> 24 hours, must not be frozen.

If the incident affects the Food Service area of the facility, it will be determined by the Command Center as to which nearby facility will be designated to provide these meals. The nearby facilities Food Service Administrator will work with Nutritional Services to coordinate any products needed to feed the C.E.R.T./C.I.U. teams, facility employees, and incarcerated individuals during the operation.

Affected Food Service Administrators shall begin planning the first meal using items from existing inventory. This meal shall be provided within 6 hours of the initial deployment of these teams. The remainder of the meals will follow the approved C.E.R.T./C.I.U. menu published by Nutritional Services.

In the event that these items are deployed outside the area of a correctional facility (i.e., Local Armory), the Command Center will designate a local correctional facility to provide round the clock food service staff coverage. Dependent upon the available cooking equipment at this satellite area, food service staff may prepare, cook, and serve meals on site or may have to bring already cooked food in. The meals will follow the approved C.E.R.T./C.I.U. menu published by Nutritional Services.

This plan shall be practiced annually in conjunction with the C.E.R.T./C.I.U. school deployment exercise.



## **2. PAR LEVEL REQUIREMENTS**

Requirements shall be established based on the statewide menu, portion chart, recipe, and the projected feeding counts.

Par levels must be approved by the regional coordinator before they are submitted to Central Office Nutritional Services.

## **3. COMMODITIES**

- A. ORDERING:** As with par level submissions, the statewide menu dictates the type and specification of food to be ordered. The food products will be in quantities to provide the feeding population requirements.

Discrepancies are to be coordinated through Central Office Nutritional Services.

- B. RECEIVING:** Receiving shall be done in accordance with Directive #4050, "Receiving Deliveries at Stores."

The food service supervisor and storehouse staff shall assure that commodities received have been inspected and approved for consumption when required by law and that any potentially hazardous foods have been stored and shipped in compliance with New York State Sanitary Code, Part 14, Subpart 14-1.

- C. STORAGE:** The operation of the storehouse is the responsibility of the storekeeper, but this does not relieve the food service supervisor of the responsibility of knowing what is on hand and assuring that the product is properly stored.

Commodities shall be appropriately stored (ambient, refrigerated, frozen) immediately after counts and weights are ascertained. Counting and weighing must be accomplished as quickly as possible. No product shall be permitted to remain in the staging area for any time longer than is absolutely necessary for pre-storage processing.

The temperature charts shall be maintained for ambient, refrigerated, and frozen storage. Temperatures shall be taken and recorded a minimum twice a day. When temperatures are found to be outside proper storage range, actions are to be taken to identify the problem and restore the temperature to the proper range. Inspection and temperatures shall be taken of product when the cooler and freezer temperatures are out of the proper storage range.

### **Proper storage temperatures for food:**

- Refrigerated goods: 45 degrees Fahrenheit or below
- Frozen goods: 0 degrees Fahrenheit or below
- Ambient goods: 45 degrees to 80 degrees Fahrenheit

All stock shall be dated upon receipt and rotated when stored to assure that first-in/first-out procedures are maintained.

*The same general procedures will be followed for the kitchen storage as with the storehouse.*

**4. REQUISITION ON STOREKEEPER FOR MERCHANDISE**

Requisitioning shall be done in accordance with Directive #4051, "Requisition of Supplies."

**5. INVENTORY CONTROL**

**A. PHYSICAL INVENTORIES:** Shall be taken in accordance with Directive #2945, "Inventory Control." An actual counting of all warehouse goods should be made every 28 days to maintain physical control, perform meaningful reconciliations, and to assist in setting reorder points. Inventories shall be recorded on the inventory tally sheets and submitted to the Office of Nutritional Services no later than Thursday following the close of the period.

In-out stock movement shall not be permitted when a physical inventory is being taken.

**B. PERPETUAL INVENTORY:** A perpetual inventory of storehouse food stock level and value shall be maintained according to Directive #2945, "Inventory Control."

It is the food service supervisor's responsibility to submit and monitor par level requirements. It is essential that he or she have reliable documentation to determine any shortages and to maintain the integrity of the cycle menu.

The food service supervisor shall ensure that a first-in/first-out system is employed by stores so that all stock is rotated.

**C. TRAFFIC AND KEY CONTROL:** Access to food storage, preparation, and service areas, shall be limited to assigned personnel and incarcerated individuals only.

No unauthorized staff shall be supplied with keys to any sensitive food storage area. Keys shall be controlled in accordance with Directive #4092, "Key Control."

**6. OPERATIONAL FORMS & RECORDS**

All forms and records shall be maintained on file for three (3) years. The Nutritional Services Operational forms which require detailed instruction, appear in this section. All forms can be obtained from the network drive-Nutritional Services "N" drive and <http://directives/main/forms.asp>.

**A. SATELLITE TEMPERATURE RECORDS:** Temperatures of outgoing food shall be taken by food service staff and recorded along with the time of departure from the kitchen area. The time that the food was served must be recorded by security in the satellite locations.

Food service staff should periodically review the time logs in the satellite areas to assure they comply with the New York State Sanitary Code, Part 14, Subpart 14-1.

The temperature of the food being served to work crews must be taken by security and recorded along with the time of the meal service.

**B. PERIOD COST ACCOUNTING SYSTEM – NS FOOD COST:**

1. This report is an official record of the costs incurred to feed the incarcerated individual population of the facility. The form requires the signature of the food service supervisor, deputy superintendent of administration, and the superintendent. A copy of the completed and signed summary page is to be kept on file. Internal audits are done at the direction of Central Office Nutritional Services.
2. Date necessary for input into the period cost accounting system:
  - a. The required information for the purpose of cost commodities is derived from invoices of food received from the food production center, produce, bread and milk vendors, and any other supplies of food items received within that 28-day period.
  - b. The count of the incarcerated individual population is the number of offenders in-house at the time of meal service. This count may change during the course of the day due to drafts, transfers, and other reasons. The in-house population count is available through the watch commander's office and should be verified before each meal period.
  - c. The actual feeding count of all incarcerated individuals who attend the meal. These counts are taken from Form #1533, "Meal Production and Leftover Worksheet."
  - d. All items purchased for incarcerated individual consumption must be accounted for.
  - e. A daily cost sheet will be prepared for each day of the week. A priced requisition or a computer-generated form must be done for each day of the period. A separate food supply requisition from storehouse should be made for each day of the week to ensure even distribution of costs.
  - f. Entire deliveries of items such as bread, milk, produce, and cook/chill that are received directly into food service shall be accounted for on the day of delivery.
  - g. Food items requisitioned from facility stores should only be in quantities sufficient to meet the needs of the eating population.

Excess inventory of food products should be reduced on the next requisition to keep in house inventories at a minimum.

**C. FORM #1530 – FOOD SERVICE SANITATION REPORT:**

1. The form is a self-inspection device, and the inspection is to be performed weekly by the food service supervisor or his designee.
2. The individual performing the inspection should have working knowledge of the daily food service operations and procedures which are followed to maintain the facility in a sanitary condition and in compliance with the New York State Sanitary Code, Part 14, Subpart 14-1.

**D. FORM #1533 – MEAL PRODUCTION & LEFTOVER WORKSHEET**

1. This form must be completed at each meal by food service staff and must be received and signed by the food service supervisor. This form will be maintained on file at the facility with related menus. If necessary, additional 1533's shall be used to record all items used including religious, therapeutic, bag lunches, and special events.
2. Amounts prepared, consumed, leftover, etc., can be recorded as pounds, gallons, full pan (with pan size), or portions. Portions must be recorded for leftover items, along with portion sizes. Food temperatures of potentially hazardous food are recorded at times of meal service according to New York State Sanitary Code, Part 14, Subpart 14-1.
3. Since a menu item can contain many commodities, (e.g., pizza), amounts will be after preparation amounts.
4. Be consistent with recorded amounts. The unit of measure recorded under amount prepared must remain the same unit of measure recorded under consumed, leftover, and waste.
5. Leftovers utilized from previous meals must be recorded exactly as they were recorded on the original form which recorded the leftover.
6. Leftovers used from previous meals should be included in the total amount prepared at the top of the form for the current meal with a notation in the remarks section under Leftover Utilized column that they are included in the amount prepared.
7. The total amount prepared should not exceed the quantity required for the forecast incarcerated individual attendance at the top of the form.
8. The forms should be numbered in sequence and filed accordingly. When utilizing leftovers from previous meals, reference the date and page number of the form which the leftover originated in the L.O. FROM DATE column.
9. A noon time leftover which is utilized at the night meal on the same day must be recorded on the noon meal and night meal form.
10. Documentation of health and cleanliness of staff and incarcerated individuals shall be recorded on this form each meal.
11. If computer generated forms are used, they must be accompanied by the hand-written backup documentation. If using computer generated forms, only the menu items may be auto filled.

**E. FORM #1541 – SHU, HOSPITAL, GROUNDS AND ALL OTHER SATELITTLE COUNTS:**

Locations: The place where the incarcerated individuals are counted and where the meals are to be sent.

Pre-Meal Count: The number of incarcerated individuals at the location, submitted to Food Service.

Pre-Meal Count By: The name of the individual who is responsible for the actual count submitted.

Additional Sent: The number of additional meals requested for the location.

Called By: The name of the individual who called food service and requested the additional meals.

Final Count: The number which is kept by the facility as the final count for this location for this meal.

**F. FORM #1542 – MESS HALL FEEDING COUNT:**

Mess Hall Locations: Identifications of mess hall, i.e., Main, #1, #2, A, B, C, D

Actual Count: Record of number of incarcerated individuals attending meal.

Signature & Title: The individual verifying the count.

**G. FORM #1544 – MEAL EVALUATION REPORT:**

1. The Meal Evaluation Report shall be completed by the staff designated by the superintendent to sample this meal.
2. Evaluations should be objective and not based upon personal preference, remarks, or hearsay.
3. The meal must be sampled either before or during the meal run. No meals are to be sampled after the meal run unless a legitimate reason to do so is recorded in the Food Service logbook. Only one sample is to be consumed at the location of the meal production.

**H. FORM #1545 – FOOD SERVICE QUESTIONNAIRE QUARTERLY REPORT:  
(suggestions and comments on menu items)**

1. This form must be completed with input from the Incarcerated Liaison Committee.  
(March, June, September, December)
2. Completed forms are to be forwarded to the Director of Nutritional Service and Regional Food Service Coordinator.

**I. FORM #1546 – HAND WASHING POLICY AND PROCEDURE FORM:**

1. A member of the food service staff will instruct and document incarcerated individuals on proper hand washing techniques.

**J. INCARCERATED INDIVIDUAL EMPLOYMENT FILE** – A folder containing all health clearance, hand washing, safety training, evaluations, etc. A folder shall be created for each incarcerated individual working in food service.

**7. FOOD SERVICE DAILY LOG**

A communication log shall be utilized by civilian personnel for information to be shared among staff on all shifts. The log shall be reviewed and signed by all food service staff at the beginning of their shift.

**8. SANITATION**

The New York State Sanitary Code, Part 14, Subpart 14-1, for food service establishments (Statutory Authority: Public Health Law, Section 225), shall be the standard for food service sanitary maintenance. In addition, New York City facilities shall follow NYC Health Code Article #81.

**A. SANITARY INSPECTIONS – DEPARTMENT OF HEALTH:** The New York State and City Departments of Health conducts sanitary inspections of food service areas. It is the facility’s responsibility to provide a copy of this inspection with a letter of corrective action for noted deficiencies to the Director of Nutritional Services and Regional Food Service Coordinator. Time frames should be estimated for deficiencies that cannot be immediately corrected. Funds should be requested when violations necessitate corrective measures which are beyond the fiscal capability of the facility.

**B. SANITARY INSPECTIONS – INTRA DEPARTMENTAL INSPECTIONS:** Periodic inspections shall be conducted by:

- a. Regional Coordinator for Correctional Food Service
- b. Food Service Supervisor

If either inspection uncovers a problem needing correction, the food service supervisor shall take appropriate action.

**C. SANITATION IN FOOD SERVICE:** Guidelines must be provided in the proper cleaning and care of equipment in food service areas. The food service supervisor is responsible for establishing and maintaining the following procedures:

- 1. A posted general cleaning schedule. The schedule must be monitored to accomplish the sanitation standards required under the New York State Sanitary Code, Part 14, New York City Health Code, Article 81 and Departmental Directive #3090, “General Housekeeping Manual.”
- 2. Effective procedures must be established and maintained pertaining to:
  - a. Type of construction
  - b. Availability of equipment
  - c. Use and care of equipment
  - d. Basic cleaning techniques

- e. Application of cleaning solution
  - f. Provision of basic training of staff
3. All food service areas must be monitored daily for adherence to proper sanitation practices.

**D. SANITARY STANDARDS – FOOD HANDLERS:**

1. All persons assigned or employed in the food service areas of a facility shall maintain high levels of cleanliness and conform to hygienic practices as outlined in the New York State Sanitary Code, Part 14, Subpart 14-1.70,1.71,1.72, and 1.73. In addition, New York City facilities shall follow NYC Health Code Article #81.
2. Incarcerated Individuals assigned to a food service or food handling position, including Satellite Areas must be cleared by the Facility Health Services Director or designated healthcare staff. (Directive #4300, “Health Services Policy Manual” and Health Services Policy Manual 1.11).

**E. MONITORING:**

The food service supervisor, in conjunction with the facility health services, shall ensure that all employees and incarcerated individuals assigned to work in food service areas are instructed in proper hygiene practices.

1. The food service supervisor shall monitor each day all staff and incarcerated individuals for health and cleanliness and not permit any person to continue in a food handling assignment in violations of policy and procedure set forth in this manual. Documentation of this shall be recorded on Form #1533, “Meal Production & Leftover Worksheet.”
2. Employees in charge of food preparation or service areas including in cell feeding, shall not permit any unsanitary practices.
3. Employees and incarcerated individuals assigned to work in food service areas or having food handling duties shall report any infections or health problems to the food service supervisor.
4. Staff shall instruct incarcerated individual food service workers in proper hand washing techniques and will then have them sign Form #1546, “Handwashing Policy and Procedure.” The form will be kept on file for ACA expected practice 5-ACI-5C-11 mandatory. Refer to Appendix I for a copy of the training form.

**F. TEMPERATURE PROBES AND SANITIZING SOLUTIONS:**

1. Temperature probes shall be of design as to be calibrated. To calibrate the probe, immerse in a glass of ice water for two minutes. The reading on the probe should be 32 degrees.
2. Sanitizing of the probes is to be done with the use of an alcohol swab or sanitation solution.
3. Temperature probes are to be controlled in accordance with Tool Control Directive #4390. In addition, Food Service Staff shall maintain a log indicating when and to whom the temperature probes are issued. Regional Food Service Coordinators will review and sign these logs on their site visits.

**G. USE OF SANITIZERS IN FOOD SERVICES:** Bleach or Quat Sanitizer may be used in food service areas as a sanitizing agent. All sanitizing procedures must comply with the New York State Sanitary Code, Part 14, Subpart 14-1, and DOCCS Directive #4067 "Hazardous Materials Program."

**Bleach Sanitizing:**

1. The bleach solution for immersion of pots, pans, and utensils must be a minimum of 50 parts per million in a water bath of at least 75 degrees Fahrenheit. Utensils or pans must stay in the solution for at least one minute. The bleach solution used to sanitize equipment in place must be a minimum of 100 parts per million.
2. All wet cleaning cloths must be stored in a bleach solution equivalent to a minimum of 100 parts per million.
3. In the absence of a mechanical dishwasher the 3-bay sink method (clean, rinse, and sanitize) may be used. The bleach used to sanitize must be a minimum of 50 parts per million in a warm water bath of at least 75 degrees Fahrenheit. Dinnerware must stay in the solution for at least one minute.

**Quat Sanitizing:**

1. If using Quat Sanitizer, follow the manufacturers recommendation for parts per million based on application.

**9. FOOD SERVICE DRESS CODE**

**A. CIVILIAN DRESS CODE:**

1. Food Service supervisors as per Directive #2106, "Personal Appearance and Dress-Non-Uniformed Personnel."
2. Head cooks and cooks:
  - Black Shirt or chef coat (3 sets annually to be provided by the Department)
  - Checkered pants (3 sets annually to be provided by the Department)
  - Ball cap or hair net. Clean; personally owned religious headwear may be worn.
  - Beard mask (when necessary)

**B. INCARCERATED INDIVIDUAL DRESS CODE: (State issued)**

1. White shirt
2. White pants
3. Work boots
4. Painter's style cap or paper hat or hairnet. Clean; personally owned religious headwear may be worn.
5. Beard mask (when necessary)



## **10. TRAINING:**

- A. STAFF:** All training shall be conducted in accordance with Directive #4064, "Facility Safety." Staff members who operate specialized equipment in food service shall receive appropriate training in the proper operation. The manufacturers operating manual or other established safety practices shall be followed for this training. The training shall be documented on Form #RTF – Report of Training Form.
- B. INCARCERATED INDIVIDUALS:** Shall be familiarized with, (and when appropriate), trained in all safety procedures as outlined in Directive #4064, "Facility Safety." The training shall be documented on Form #1574, "Record of Training."

## **11. INCARCERATED INDIVIDUAL FOOD SERVICE EMPLOYMENT GUIDELINES**

- A. RECORDING HOURS WORKED:** An accurate record of actual time worked must be maintained by facility for each incarcerated individual. Incarcerated individuals will only be paid for the hours that they worked.
- B. WORK HOURS:** Except during emergencies, incarcerated individuals will not be paid for more than 8 hours per day, 5 days per week, without the approval from the Deputy Superintendent for Programs or designee. ALL hours worked, including holiday and weekends, are to be paid at the straight time rate.
- C. ABSENCES:**
  - 1. Incarcerated individual absences due to illness: Any incarcerated individual placed in the hospital through no fault of his/her own, will continue to receive his/her current base rate for the remainder of the pay cycle. After which he/she will be assigned to the hospital patient payroll and paid at the unemployed rate. Offenders medically excused in their cells will be assigned to the medical services payroll and paid at the unemployment rate from the first day of absence.
  - 2. Holidays: Incarcerated individuals who do not work on holidays, legal or institutional, will NOT be paid.
  - 3. Shutdown: During shutdowns of operation for reasons such as frisks, lock-ins, etc., incarcerated individuals who do not work will NOT be paid.
  - 4. Disciplinary: Incarcerated individuals will NOT be paid for absences while under disciplinary confinement. If disciplinary charges are dismissed, incarcerated individuals will be reimbursed for work lost while confined at the unemployed rate.

An incarcerated individual will not be paid for any additional work task imposed as a result of tier 1 violation hearing in accordance with Directive #4932.

5. Callouts: An incarcerated individual will not be penalized in pay for any legitimate or necessary call-out during the program day. Such call outs are limited to the following:
  - a. Medical or dental appointment(s)
  - b. Parole Board appearance(s)
  - c. Legal Visits
  - d. Family Visits
  - e. Religious services (approved)

## **12. INCARCERATED INDIVIDUAL FOOD SERVICE RATES OF PAY**

- A. FOOD SERVICE NON – TRAINING:** All incarcerated individuals who are **NOT** enrolled in the food service training program will be paid as follows:  
**Industry Worker 1: Shop Codes 914 and 922:**

### **GRADE 1**

**Step 1** - \$0.16 per hour entry level. Must be enrolled in academic school or on a Required Program List (RPL).

**Step 2** - \$0.22 per hour after satisfactory evaluation, completing three (3) months unbroken service on the job and enrolled in academic or on an RPL.

**Step 3** - \$0.25 per hour after satisfactory evaluations and completing six (6) months of unbroken service on the job and enrolled in academic school or on an RPL.

**Transfers:** An incarcerated individual who is assigned to food service non-training transfers from one facility to another, should retain their hourly rate of pay from the transferring facility as long as there is an available position, no break in service, and no disciplinary problems.

### **THERE ARE NO FURTHER INCREASES IN PAY FOR THE ABOVE OFFENDERS**

- B. FOOD SERVICE TRAINING PROGRAM:** All incarcerated individuals who are enrolled in the food service training program will be paid as follows:

**Industry Worker 1 – Pre-Industry Training: Shop Code 913:**

### **GRADE 1**

**Step 1** - \$0.25 per hour during the 16 weeks of classroom and on the job training. Must be enrolled in academic school or on a RPL for Pre-HSE or HSE.

**Industry Worker 2 – Pre-Industry Training: Shop Code 919 and 921:  
GRADE 2**

**Step 1** - \$0.26 per hour after successful completion of the 16 weeks classroom and on the job training. Must be enrolled in Pre-HSE or on a RPL for Pre-HSE level academic programming.

**Step 2** - \$0.29 per hour after 90 days of unbroken service at \$0.26 per hour and a satisfactory evaluation. Must be enrolled in Pre-HSE or on a RPL for Pre-HSE level academic programming.

**Step 3** - \$0.32 per hour after two years of unbroken service at \$0.29 per hour and a satisfactory evaluation. Must be enrolled in Pre-HSE or on a RPL for Pre-HSE level academic programming.

**Industry Worker 3 – Industry Training: Shop Code 919 and 921:  
GRADE 3**

**Step 1** - \$0.32 per hour after successful completion of the 16 weeks classroom and on the job training. Must possess a High School Equivalency Diploma or enrolled in HSE with a minimum of 9.0 reading and math levels or on a RPL for HSE level academic programming.

**Step 2** - \$0.35 per hour after 90 days of unbroken service at \$0.32 per hour and a satisfactory evaluation(s). Must possess a High School Equivalency Diploma or enrolled in HSE with a minimum of 9.0 reading and math level or on a RPL for HSE level academic programming.

**Step 3** - \$0.38 per hours after two years of unbroken service at \$0.35 per hour and satisfactory evaluation(s). Must possess a High School Equivalency Diploma or enrolled in HSE with a minimum of 9.0 reading and math level or on a RPL for HSE level academic programming.

**Note:** All incarcerated individuals on an academic RPL must enroll in school when reached on the waiting list. Failure to do so will result in consequences associated with program refusals, inclusive of a reduction in pay grade and rate.

**THERE ARE NO FURTHER INCREASES IN PAY FOR THE ABOVE INCARCERATED INDIVIDUALS**

**Program Associates:** All incarcerated individuals must have completed 2 years of unbroken service and must possess a high school diploma or equivalency in order to be considered for a program associate.

**Industry Worker 4: Shop Code 919 and 921:**

**GRADE 4:**

**Step 1** - \$0.38 per hour initial pay as a program associate.

**Step 2** - \$0.42 per hour after 90 days of unbroken service and \$0.38 per hour and satisfactory evaluation(s)

**Step 3** - \$0.45 per hour after 2 years of unbroken service at \$0.42 per hour and satisfactory evaluation(s)

**THERE ARE NO FURTHER INCREASES IN PAY FOR THE ABOVE INCARCERATED INDIVIDUALS**

**PAY CODE 923 RESERVED FOR THE FOOD PRODUCTION CENTER ONLY**

**C. FOOD SERVICE TRAINING PROGRAM POLICY:** Incarcerated individuals may apply for the Food Service Training program as long as they are in a facility that is providing the program and they meet the following minimum qualifications:

1. At least 12 months to parole board
2. Medically cleared to work in food service
3. Must be 18 years of age
4. High School diploma or equivalent or enrolled in academic school (HSE, Pre-HSE), or on a RPL
5. An acceptable disciplinary record
6. Must pass a pre-entry examination

\*Incarcerated individuals will be required to perform all duties and tasks within food service.

\*Incarcerated individuals will sign a work agreement that will commit them to a minimum term of 12 months in the Food Service Program

**D. DEFINITIONS:**

1. **Program:** The Food Service Training program consists of a 12-month commitment including sixteen (16) weeks of classroom participation and on the job training followed by continual on the job training toward merit time eligibility and vocational completion. Incarcerated individual will be credited with 850 Food Service Pre-Training job title code at the completion of the 16 weeks of classroom sessions.
2. **Agreement:** A document signed by an offender that commits the offender to a minimum 12 months of continual training in the program and continues throughout their employment in the Food Service Training program.
3. **Certificate:** Awarded to show completion of the 12 months of combined classroom and on the job training section of the program and indicates the agreement is satisfied.

4. **Unbroken Service:** The incarcerated individual may not have an unexcused absence of 30 days or more unless transferred to a facility with no openings in food service and the offender is on the waiting list for food services.

Trained incarcerated individuals returning to our system after the release or a Community Supervision violation, will start at Industry Worker 1, step 1, rate of pay \$0.16. They are required to retake the Food Service Training Program to earn the trained incarcerated individual wages.

#### **E. REMOVAL FROM THE FOOD SERVICE TRAINING PROGRAM:**

The food service supervisor can make a written recommendation to the Program Committee at any time for the removal of an incarcerated individual from the Food Service Training Program.

1. If an incarcerated individual under agreement receives 30 days or more of disciplinary confinement as a sanction, they are automatically removed from the Food Service Training Program. If the incarcerated individual returns to food service, they will start at **Industry Worker 1, Step 1**, rate of pay \$0.16.
2. If an incarcerated individual under agreement receives 29 days or less of disciplinary confinement as a sanction, they may return to the Food Service Training Program at their previous rate of pay with the Food Service Supervisor's approval.
3. If an incarcerated individual has completed the 16-week training and receives the hourly rate of \$0.25 per hour or higher but fails to continue with the educational requirements, the incarcerated individual will be removed from the program. If they continue to work in food service, they will be placed in a "non-training" food service item at a rate of pay starting at **Grade 1, Step 1**, \$0.16 per hour.
4. Incarcerated individuals who are removed through no fault of their own, may be reinstated in the program and resume with the same wage held before leaving Food Service. Reinstatement will be at the discretion of the facility.

**F. TRANSFERS:** An incarcerated individual who is under agreement to a Food Service Training Program and transfers from one facility to another, should remain in food service at their current hourly rate of pay until the 12-month agreement obligation has been fulfilled, if there is an available position. Time spent on the waiting list for an available position will not be considered a break in service, nor will it count toward the fulfillment of the 12-month agreement.

**G. REINSTATEMENT IN THE PROGRAM:**

1. Incarcerated individuals under agreement on the Food Service Training Program will automatically be excused to attend Work Release, CASAT, ASAT, or similar mandatory programs. These incarcerated individuals will be exempt from the agreement and higher wages while attending these programs. If the incarcerated individual returns to a facility with no disciplinary problems, they may be reinstated in the program and resume with the same wages being earned before leaving food service.
2. Incarcerated individuals who have fulfilled the agreement and work a minimum of 12 months in the Food Service Program, may choose to leave the Food Service Program or if they are removed for disciplinary reasons and wish to return, will start at #0.25 per hour in the 913-shop code. After 90 days have lapsed and with the approval of the food service supervisor, the incarcerated individual may be promoted to Industry Worker, Grade 3, Step 1, \$0.32 per hour.
3. Incarcerated individuals who are removed through no fault of their own, can be reinstated in the program and resume with the same wage held before leaving Food Service. Reinstatement will be at the discretion of the facility.

**H. PROGRAM ASSOCIATES:** After completion of 2 years of unbroken service, and with the recommendation of the food service supervisor, an incarcerated individual may be recommended for the position of Program Associate. This position will be utilized as a teacher's aide by the food service supervisor in the instruction of the program. The individual **MUST** have a High School Diploma or equivalency verified by this Department and shows an ability to work well with his/her peers.

Program associates transferring from one facility to another are not automatically program associates at the receiving facility. If the program associated items are filled, the transferring incarcerated individual will go on a waiting list to become a program associate. If there is no program at the facility, no incarcerated individual will be paid at the associate level. Pay will be Grade 3, Step 3, at \$0.38 per hour and will remain there until the incarcerated individual becomes a program associate again.

**Only a maximum of 2 program associates may be employed at each facility having the Food Service Training Program**

**It is the responsibility of the food service supervisor to ensure incarcerated individuals are being paid in accordance with these guidelines**

**I. INCARCERATED INDIVIDUAL REFUSAL TO ACCEPT MANDATORY PROGRAMMING:**

In accordance with New York State Correction Law 171 and the Department of Corrections and Community Supervision Policy and Procedures and Standards for Programming Incarcerated individuals, all medically cleared incarcerated individuals are expected to accept a program which is offered by the Program Committee Chairperson.

Incarcerated individuals who refuse program assignments shall be subject to administrative action. Refusal to participate in a mandatory program, such as school or a therapeutic program, shall result in reduction in pay and/or pay grade. For example: an incarcerated individual who is refusing mandatory programs and is currently assigned as a non-industrial food service worker at a rate of \$0.25 per hour, would immediately have a change of hourly rate to \$0.16 per hour. Furthermore, an incarcerated individual who is currently participating in or has completed the Food Service Training and subsequently refuses a mandatory program, he/she cannot remain in the Food Service Training Program. If facility needs dictate the incarcerated individual's assignment to a non-training food service item, they must remain at **Grade 1, Step 1**, pay of \$0.16 per hour.

**13. APPENDIX I**

- a. Koshier Diet Procedures
- b. Alternative Entrée Procedures

The Kosher Diet Procedures will be closely monitored by the Regional Food Service Coordinators and Ministerial Program Coordinators for full compliance. A copy of this procedure is to be posted in your Kosher preparation area. The incarcerated individual preparing the diet shall be trained in the Kosher Diet program procedures outlined below. This training shall be documented on Form #1574 Record of Training.

**KOSHER DIET PROGRAM PROCEDURES**

1. The Kosher meals shall be served on disposable dinnerware and with disposable flatware.
2. A secure area shall be designated for the storage of Kosher food products purchased for the Kosher diet program.
3. A separate, secure, locked area shall be designated for the storage of equipment used exclusively for the Kosher diet program.
4. All food products purchased for the Kosher diet program shall be Kosher and approved by Ministerial Services and Nutritional Services.
5. Meat and dairy product **shall not** be served at the same meal.
  - Meat products are beef, poultry, and their by-products. All pork and its by-products are prohibited.
  - Dairy products are milk, cheese, and their by-products. Fish may be served with dairy products.
6. Utensils and cutting boards shall be washed and sanitized by using the dishwasher units. Prior to loading with the designated items, the dishwasher tanks must be cleaned, sanitized, and fresh water and detergent added. Run the utensils and cutting boards through the cycle and store in the designated area.



## **KOSHER DIET FOOD GUIDELINES – continued**

### **Food Production Center Items (Macaroni, Potato, Individual Juices, Individual Cheese, and Hot Meals)**

These items are produced under the Rabbinical supervision of the Orthodox Union.

#### **Milk 1%**

Only provide 8 oz. carton milk – **use of portioned bulk milk is not acceptable.**

#### **Cold Cereal**

Use a variety of cereals. Only individual packages of cereal will be acceptable.

#### **Bread**

Purchased for the Kosher diet program will be Kosher “parve.”

#### **Lettuce**

Prepared salad mix can be used – pour directly from bag to dinnerware. Reseal bag and store leftover in Kosher food area for future use.

#### **Fruits**

Use a variety of fresh fruits from the General Population menu.

#### **Margarine**

Margarine to be used only when stated on the menu and must be Kosher.

#### **Hot Water**

Always provide sufficient hot water for preparation of hot cereal, coffee, etc. Water needs to be heated in a separate unit for Kosher only or a microwave. – **The normal kitchen kettle is not acceptable.**

Coordinate all purchasing of products with your representative from Central Office Nutritional Services. Ensure that fresh fruit and fresh vegetables are used and rotate inventory of all products. The Regional Coordinator for Correctional Food Services and Ministerial Program Coordinator will be monitoring and reporting any non-compliance to the Director of Nutritional Services. If you have any questions or concerns, contact your Regional Coordinator for Correctional Food Services. If for any reason your facility is unable to comply with the procedural instructions on the Food Guidelines sheet, let your Regional Coordinator for Correctional Food Services know immediately.

### **KOSHER DIET EQUIPMENT LIST**

(1) Solid Spoon

(1) Cutting Board

(1) Toolbox – (for transporting knife)

Electric Coffee Urn for Hot Water as Needed

(1) Vegetable Peeler

(1) Paring Knife or disposable knife

(1) Can Opener

**ALTERNATIVE ENTRÉE PROCEDURES**

It is Department of Corrections and Community Supervision's policy to serve an alternative entrée in a manner that will accommodate the various religious and personal dietary practices observed by the incarcerated individual populations. Every effort must be made to assure separation between the alternative and regular meals.

1. The alternative entrée shall be separated from the regular entrée to minimize or eliminate the possibility of cross-contamination. This may be accomplished by placing a physical barrier between the two, by placing the two apart from each other on the serving line, or by any other acceptable means.
2. At serving time, designate a clean and separate utensil to be used for serving the alternative entrée. The designated utensil cannot touch other foods. Likewise, utensils from other food dishes cannot touch the alternative entrée.
3. A single designated server shall serve the alternative entrée.
4. Any Coordinating Chaplain shall have access to the food service area to observe the food service procedures. Any issues identified should be addressed through the facility administration in a separate communication.
5. Equipment and utensils use for the alternative entrée will be sanitized in compliance with the New York State Sanitary Code, Part 14, Subpart 14-1.

The Food Service Supervisor will conduct and document regular in-service training to review their facility-specific alternative procedures with all food service staff. Regional Coordinators will review training records during their regular site visits to assure adherence to this policy.