

INCARCERATED PAY

Incarcerated Payroll Standards

The incarcerated payroll standards are set by Directive #4802 - Incarcerated Payroll Standards. The directive standardizes terminology in relation to incarcerated payroll and establishes the guidelines for payment of wages. This document is a resource for answering most questions pertaining to wages. It is recommended that all personnel involved in the programming of offender familiarize themselves with the contents of this directive.

Offender Pay Scale (non Industry)

Grade 1	Step 1	\$. 1000	Longevity step 2+ yrs.
	Step 2	\$. 1167	
	Step 3	\$. 1333	
Grade 2	Step 1	\$. 1583	
	Step 2	\$. 1750	
Grade 3	Step 1	\$. 2000	
	Step 2	\$. 2167	
Grade 4	Step 1	\$. 2416	
	Step 2	\$. 2583	
Grade 5	Step 1	\$. 3333	

Grade 5 is a flat rate of \$2.00 per day with no incremental steps. A facility can have one grade 5 for every 300 incarcerated individuals or fraction thereof. The appointment of individuals to a grade 5 position requires the approval of the Superintendent or their designee.

See appendix for the Industries Incarcerated Wage Plan and the Food Service Incentive Wage Program.

NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES
LISTING OF ALL TITLES BY DESCRIPTION

TITLE DESCRIPTION	TITLE CODE	TITLE GRADE
ABUSE/RISK PARTICIPANT	11739	2
ADMINISTRATIVE CLERK	11010	4
ADT-90DAY PARTICIPANT	11738	2
ADVANCED PARTICIPANT	11094	4
ALT SHOCK CASAT	11516	3
ALT SHOCK PARTICIPANT	11735	2
APPU/ASAT PARTICIPANT	11731	2
ASAT AIDE	11719	3
ASAT JS DTP PARTICIPANT	11757	2
ASAT PARTICIPANT	11718	2
AUTO BODY REPAIRER	11020	3
AUTO BODY REPAIRER II	11021	2
AUTO MECHANIC	11030	4
AUTO MECHANIC ASSISTANT	11040	3
AUTO MECHANIC HELPER	11050	2
BAGGER	11060	2
BAKER	11070	4
BAKER ASSISTANT	11080	3
BAKER HELPER	11090	2
BARBER	11100	4
BARBER ASSISTANT	11110	3
BARBER II	11117	2
BENCH CARPENTER	11120	3
BENCH CARPENTER HELPER	11120	2
BHU THERAPEUTIC PARTICIPANT	11150	2
BHU THERAPEUTIC PARTICIPANT I	11619	1
BHU/IDDT PHASE II	11629	2
BHU/IDDT PRE-TX PARTICIPANT	11624	2
BOILER OPERATOR	11140	4
BUP PARTICIPANT	11160	2
BUS /TRUCK DRIVER II	11560	2
BUS DRIVER	11151	2
BUTCHER ASSISTANT	11150	4
BUTCHER HELPER	11160	3
BUTCHER-ALL AROUND	11180	2
BUTCHER, MEAT	11170	4
BUZZ SAW OPERATOR	11190	4
CARPENTER	11200	4
CARPENTER ASSISTANT	11220	4
CARPENTER HELPER	11230	3
CASAT II OUTPATIENT TX NYC	11240	2
CASAT II OUTPATIENT UPSTATE/LI	11723	2
CERTIFICATION PARTICIPANT	11724	1
CHAINSAW OPERATOR	11918	3
CHIPPER	11270	3
CLERK	11290	4
CLERK, TYPIST	11300	1
CLOTHING ASSEMBLER (LAUNDRY)	11310	3
CO-EDITOR	11320	1
COMPUTER OPERATOR	11330	2
	11331	4

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TITLE DESCRIPTION	TITLE CODE	TITLE GRADE
CONST EQUIP OPER II	11341	2
CONSTRUCTION EQUIP. OPERATOR	11340	4
CONSTRUCTION WORKER I	11350	2
CONSTRUCTION WORKER II	11360	3
COOK	11370	4
COOK ASSISTANT	11380	3
COUNTER ATTENDANT	11390	2
CUSTODIAN I	11400	2
CUSTODIAN II	11406	3
CUT-OFF SAW OPERATOR	11407	4
DAIRY FARM WORKER	11405	4
DAIRY PROCESSOR	11410	3
DAIRY PROCESSOR HELPER	11420	3
DANV STUDENT	11430	2
DENTAL ASSISTANT	11920	2
DIGITAL LITERACY PARTICIPANT	11450	4
DINING ROOM ATTENDANT	11097	2
DISCHARGE THERAPEUTIC PARTIC.	11440	1
DOL HUMAN SERVICES APPRENTICE	11699	2
DRYER OPERATOR	11830	4
DUMP TRUCK DRIVER	11470	2
DWI OUTPATIENT TRMT	11460	4
DWI TRANSITION	11728	2
EDITOR	11727	2
ELECTRICIAN	11480	3
ELECTRICIAN ASSISTANT	11490	4
ELECTRICIAN HELPER	11500	3
EXPEDITER	11510	2
EXTRACTOR OPERATOR	11530	1
FALER	11540	3
FAMILY RE-ENTRY	11550	3
FARM WORKER (BEEF)	11829	3
FARM WORKER II	11580	3
FIREMAN HELPER	11570	4
FOOD ASSEMBLER	11590	4
FOREST WORKER II	11600	2
FOREST WORKER III	11608	2
FOREST WORKER IV	11609	3
GARBAGE COLLECTOR	11610	4
GARBAGE COLLECTOR DRIVER	11620	1
GARDEN MANAGER	11630	4
GENERAL CLERK	11640	4
GENERAL MECHANIC	11650	2
GENERAL MECHANIC ASSISTANT	11660	2
GENERAL MECHANIC II	11670	4
GLAZIER	11661	2
GLAZIER ASSISTANT	11680	4
GLAZIER ASSISTANT	11690	3
GROUNDS MAINT. LABORER II	11720	2
GROUNDS MAINTENANCE LABORER I	11710	1

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TITLE DESCRIPTION	TITLE CODE	TITLE GRADE
GROUPSKEEPER	11700	2
GROUP LDR ASST. (ANY ASSIGN)	11740	3
GROUP LEADER (ANY ASSIGN)	11730	4
GROUP LEADER-COUNTER ATTEND.	11750	4
GROUP LEADER-DINING ROOM	11760	4
GROUP LEADER-LAUNDRY	11770	4
HEAT & AC MECHANIC II	11781	2
HEATING & A/C MECHANIC	11780	4
HORSE HANDLER	11793	4
HORTICULTURAL WORKER	11790	3
HORTICULTURE WORKER II	11791	2
HOSPICE AIDE	11505	4
HOSPITAL ATTENDANCE ASSISTANT	11810	2
HOSPITAL ATTENDANT	11800	3
HOSPITAL PORTER	11820	2
ICP/IDT PARTICIPANT	11732	2
INCARCERATED MOBILITY ASST 1	11808	3
INCARCERATED MOBILITY ASST 2	11809	4
INCARCERATED PROGRAM ASSOCIATE	11917	4
INDUSTRIES WORKER I	02010	1
INDUSTRIES WORKER II	02020	2
INDUSTRIES WORKER III	02030	3
INDUSTRIES WORKER IV	02040	4
INDUSTRIES WORKER V	02050	5
INFANT CARE GIVER	11828	2
INTEGRATED DUAL DISORDER TX	11729	2
INTENSIVE ASAT PARTICIPANT	11219	2
INTERPRETER	11841	4
INTERPRETER AIDE	11840	3
INTERPRETER V	11842	5
KITCHEN HELPER	11850	2
LANDSCAPE LABORER	11860	2
LAUNDRY LABORER	11870	1
LAUNDRY OPERATOR	11880	2
LAUNDRY SORTER	11890	1
LAUNDRY WORKER	11900	3
LEGAL GENERAL CLERK	11910	3
LIMBER	11930	3
MACHINE WASHER (LAUNDRY)	11940	3
MACHINIST	11950	3
MACHINIST ASSISTANT	11960	4
MACHINIST II	11961	3
MAINTENANCE HELPER	11970	2
MAINTENANCE LABORER I	11980	2
MAINTENANCE LABORER II	11990	1
MAINTENANCE REPAIRER	11105	3
MAINTENANCE UTILITY WORKER	11101	2
MANGLER OPERATOR	11201	2
MASON	11301	4
MASON ASSISTANT	11401	3

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TITLE DESCRIPTION	TITLE CODE	TITLE GRADE
MASON HELPER	11402	2
MAT PARTICIPANT	11611	2
NURSE AIDE	11501	4
NURSERY SCHOOL ATTENDANT	11601	4
NURSES AIDE-P.S.U.	11701	4
OC INDUSTRIES I	02060	1
OC INDUSTRIES II	02070	2
OC INDUSTRIES III	02080	3
OC INDUSTRIES IV	02090	4
OC INDUSTRIES V	02100	5
OFFICE HELPER	11801	2
OHM SOP PARTICIPANT II	11621	2
OUTSIDE CLEARANCE I	11055	1
OUTSIDE CLEARANCE II	11051	2
OUTSIDE CLEARANCE III	11052	3
OUTSIDE CLEARANCE IV	11053	4
OUTSIDE CLEARANCE V	11054	5
PAINTER	11901	4
PAINTER ASSISTANT	11011	3
PAINTER HELPER	11111	2
PANTRY PERSON	11211	2
PAPER CUTTER	11311	3
PARALEGAL ASSISTANT	11411	4
PARTICIPANT I	11721	1
PARTICIPANT II	11717	2
PARTICIPANT III	11716	3
PEER SUPPORTER	11260	4
PELL STUDENT	11217	2
PHASE I TS	11831	1
PHASE II CBT	11837	2
PHASE II CBT FEMALE	11839	2
PHASE II CBT-MH	11843	2
PHASE II TS CORE	11832	2
PHASE III TS ADV ASSESSMENT	11833	2
PHASE IV TS TRANSITION	11834	4
PHASE 4 T/S VERA PROJECT	11835	4
PHOTOGRAPHER	11711	4
PLUMBER	11811	4
PLUMBER ASSISTANT	11911	3
PLUMBER HELPER	11012	2
POOL TABLE REPAIRMAN	11112	3
PORTER I	11212	1
PORTER II	11312	2
POULTRY FARM WORKER	11412	3
PRE-SOP PARTICIPANT	11722	1
PRINTER	11712	3
PROGRAM AIDE I	11812	3
PROGRAM AIDE II	11912	4
PROJECTIONIST	11013	4
PUBLIC ADDRESS SERVICER	11113	4

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TITLE DESCRIPTION	TITLE CODE	TITLE GRADE
PUBLIC ADDRESS SERVER ASST.	11213	3
PUPPY HANDLER/ALTERNATE	11795	2
RECREATION AIDE	11313	2
RECYCLING PORTER	11651	1
RECYCLING PORTER II	11652	2
REFRIGERATION MECH II	11418	2
REFRIGERATION MECHANIC	11413	4
REGIONAL REENTRY PARTICPNT III	11838	3
RMHU/IDDT	11634	2
RMHU/IDDT PRE-TX PARTICIPANT	11636	1
RMU/ASAT PARTICIPANT	11736	2
RU PARTICIPANT	11520	1
RTF ASSIGNMENT	11851	5
RTF COMM PROJECT PARTICIPANT	11847	5
RTF DISCIPLINARY	11849	1
RTF REFUSAL	11848	1
RTF THERAPEUTIC PARTICIPANT	11845	5
RTF TRANSITIONAL PARTICIPANT	11846	5
RUNNER	11513	2
SALVAGE LABORER	11817	3
SALVAGE LABORER II	11816	2
SALVAGE LABORER III	11916	3
SAWMILL WORKER INSIDE	11613	1
SAWMILL WORKER OUTSIDE	11713	2
SDU/ASAT PARTICIPANT	11734	2
SEWAGE-DISPOSAL WORKER	11813	3
SEWING MACHINE OPERATOR	11913	3
SEWING MACHINE OPERATOR ASST.	11114	2
SHEET SHAKER	11114	1
SHOCK PARTICIPANT	11250	3
SHU GTP PARTICIPANT	11626	2
SIGN-MAKER	11214	2
SIGN-MAKER, PAINTER	11314	2
SMALL ENGINE MECHANIC	11271	4
SMALL ENGINE MECHANIC II	11272	2
SNU/ASAT PARTICIPANT	11735	2
SOP PARTICIPANT II	11625	2
SPECIAL ASSIGNMENT	11098	5
SPECIAL EDUCATION	11096	2
STABLE ATTENDANT	11414	3
STEAM FITTER II	11518	2
STEAMFITTER	11514	4
STEAMFITTER ASSISTANT	11614	3
STORES LABORER I	11714	1
STORES LABORER II	11814	2
STUDENT	11099	2
STUDENT - CODE 42	11210	2
STUDENT-VOC LICENSE PROGRAM	11511	3
STUDENT-VOCATIONAL APPRENTICE	11512	3
SUB ABUSE THERAPEUTIC PART III	11612	3

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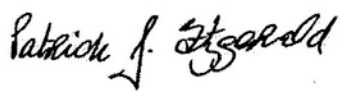
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TITLE DESCRIPTION	TITLE CODE	TITLE GRADE
SURVIVOR/CASAT PARTICIPANT	11725	3
TAILOR (ALTERATION)	11914	4
TARP	11836	2
TAXI DRIVER	11015	4
TBU THERAPEUTIC PARTICIPANT II	11628	2
TBU/IDDT	11633	2
TBU/IDDT PRE-TX PARTICIPANT	11635	1
TEACHER AIDE	11115	4
TECHNOLOGY PARTICIPANT	11095	2
THERAPEUTIC PARTICIPANT I	11615	1
THERAPEUTIC PARTICIPANT II	11616	2
THERAPEUTIC PARTICIPANT III	11617	3
THERAPEUTIC PARTICIPANT IV	11618	4
TINSMITH	11215	4
TOOL CLERK	11315	3
TOOL SHARPENER	11415	2
TR-ICP PARTICIPANT	11627	2
TRACTOR DRIVER	11515	4
TRACTOR SKIDDER	11517	4
TRAUMA PARTICIPANT	11726	2
TRI-SNU PARTICIPANT	11639	2
TRUCK DRIVER	11715	4
TYPESETTER	11815	4
UMPIRE	11915	3
VIDEO ASSISTANT	11017	3
VIDEO MAN	11016	4
WELDER	11116	4
WELDER ASSISTANT	11216	3
WELDER HELPER	11118	2
WINDOW CLEANER	11316	2
WOMENS PRISON ASSOC MENTORING	11844	2
WOOD SPLITTER	11416	3

 Corrections and Community Supervision Division of Correctional Industries Corcraft Policy and Procedure	TITLE INCARCERATED INDIVIDUAL (WORKER) WAGE PLAN		NO. 12002
			DATE 08/24/2021
SUPERSEDES Corcraft P&P #12002 Dated 10/11/2019 Corcraft P&P #12002 Dated 7/12/2017	DISTRIBUTION AB	PAGES PAGE 1 OF 10	DATE LAST REVISED 10/11/2019
REFERENCES (Include but are not limited to) DOCCS Directive #4002 Inmate Liaison Committee DOCCS Directive #4802 Inmate Payroll Standards DOCCS Form #3250 Inmate Progress Report	APPROVING AUTHORITY 		

I. **PURPOSE:** To provide the guidelines under which incarcerated individual workers will be paid while employed by Correctional Industries.

II. **PROCEDURE:**

A. **RATES OF PAY:**

1. All incarcerated individuals assigned to Correctional Industries will be paid in accordance with the following schedule of hourly rates:

Grade	Step 1	Step 2	Longevity Step 3 (2+ Yrs.)
Grade I	\$0.16	\$0.22	\$0.25
Grade II	\$0.26	\$0.29	\$0.32
Grade III	\$0.32	\$0.35	\$0.38
Grade IV	\$0.38	\$0.42	\$0.45
Grade V	\$0.65	-----	-----

It is the policy of Correctional Industries to pay incarcerated individual workers at a rate commensurate with their education level, skill, and complexity of the duties they perform. All jobs for incarcerated individuals within Correctional Industries should be classified and workers assigned to a specific job should be paid at the grade level allocation for that position. incarcerated individual workers occasionally may be required to work in a job allocated to a higher grade on a temporary basis at their lower assigned pay rate due to training, emergency or production requirements. To promote upward mobility within the industries workforce, and to encourage a greater skill and commitment equating to greater compensation, a maximum of 50% of the workforce shall be limited to Grade IV (all steps). Workers that have a minimum of four years working in Industries and cannot be promoted to a Grade IV level due to unavailability of an item, may be awarded this grade at the discretion of the **Industrial Superintendent** (or designee). The availability of higher-grade positions does not mandate that these positions are filled. Workers must be deserving and have the approval of

their immediate **Supervisor** as well as the **Industrial Superintendent** (or designee). There will be no restrictions on the number of incarcerated individual workers occupying Grades I, II and III's (all steps). The number of pay items in all grades in Industries connected to the facility *Master Job Organization Table (MJOT)* system as referenced in DOCCS Directive #4802 - "Inmate Payroll Standards", and as such there may be a limited number of positions in certain grades. This is to promote balance in programming and may require eligible incarcerated individual workers to wait until a higher-grade position is open.

2. A night shift differential will be paid to all incarcerated individuals working at least four work hours between 12 midnight and 6 AM. The normal Correctional Industries hourly rate will be increased by \$.05 per hour. Incarcerated individual workers employed on the night shift are eligible for the incentive bonus plan in addition to their hourly rate.
3. Minimum Education Requirements:
 - Grade I, II & III – A High School Diploma (verified), enrolled in a High School Equivalency (HSE) program and actively seeking a HSE diploma.
 - Grade IV & V - A verified High School Diploma or HSE diploma.

****In accordance with Departmental Educational Guidance and Policy, incarcerated individuals who are 65 years of age or older are exempt from the mandatory educational policy and the academic qualifications for pay Grades III, IV and V (may be employed into Industries without these requirements).**

- B. Work Hours: Each facility will make every effort to achieve a full 7-hour workday. Workers will not be mandated to work more than eight hours each day from Monday through Saturday, or on public holidays, nor will a worker be mandated to work more than 5 days in a 7-day period. Workers will not be paid for more than 16 hours per day, 7 days per week.

It is the responsibility of the facility employee or supervisor to review and approve the timecard for the incarcerated individual workers assigned to their area. The facility employee must sign the appropriate document indicating the hours worked. All hours worked, including holidays and weekends, are to be paid at the straight time rate. In the event of missing or broken time clocks, facility staff will annotate entry and exit times on the timecards of the workers (including call outs).

- C. Recording Hours Worked: All workers will be required to punch a timecard each time upon entering or leaving the program area. When time clocks are not operating, or do not exist, an accurate record of actual time worked must be maintained by facility staff for each worker. Facility staff will annotate on the worker's timecard or a timecard-equivalent (timesheet summary) any anomalies relating to punching

timecards such as "double punches", missed punches and reasons for call outs (see section H, 5).

The following is applicable to incarcerated individual workers from Hudson Correctional Facility.:

It shall be the responsibility of the appropriate "**Department Head**" or designated **Supervisor** of each incarcerated individual worker, to record the total number of hours (including all shifts), in the field corresponding to each day worked by the individual, on the weekly timesheet document. The entries on the weekly time record must accurately reflect the attendance and total hours worked for the week.

The daily attendance indicated for each incarcerated individual worker should correspond to the daily bus attendance record, or "bus list", provided by the **Corrections Officer** on duty. Detailed explanations for deviations must be provided within the "Notes" section found on the second page of the timesheet document.

The completed, signed timesheet must be submitted to the Fiscal Services Unit (FSU) at the beginning of business on Monday. When Central Office is closed on a state holiday, the completed timesheet is due at the beginning of business on the next business day.

- D. Advancement for Grades I-IV: An asterisk (*) appearing next to a worker's name on the wage timesheet will indicate that the worker is eligible for evaluation and possible advancement. Workers shall be reviewed every 56 days by their immediate **Supervisor**, or as indicated by a double asterisk (**) or the facility payroll.
1. Advancement within grades: Upon favorable review, workers may be advanced within grade by the **Industrial Training Supervisor** who completes, signs and submits Pay Rate Change Notice (#2766) with the appropriate payroll to the **Industrial Superintendent** for final approval. Advancement within grade is not automatic. It is dependent on favorable review on an incarcerated individual worker's performance. An asterisk (*) appearing next to a worker's name on the wage timesheet will indicate that the worker is eligible for evaluation and possible advancement.
 2. Longevity Step 3: Upon favorable review, workers with a minimum of two (2) years in the Industries program at their current facility may be paid Longevity Step 3. Advancement to this step must be recommended by the **Industrial Training Supervisor** who completes, signs and submits Pay Rate Change Notice (#2766) with the appropriate payroll to the **Industrial Superintendent** for final approval. Advancement to the Longevity Step 3 is not automatic. It is dependent on favorable review of a worker's performance.

3. Promotion from one grade to another: Workers may be promoted from one grade to another by submission of an Inmate Progress Report (Form #3250) by the **Industrial Training Supervisor** to the **Industrial Superintendent** for final review. Promotion is not automatic. It is dependent on favorable review of a worker's performance, a suitable job opening being available, the worker's ability to perform the duties of the position, and having the required educational level for that step.
- E. Advancement to Grade V: Grade V incarcerated individual workers supervise between 5 and 20 other workers in a production, quality control or business office function within the Industries operation. A maximum of 3% of the total industry workforce at each facility can be promoted to Grade V.

Minimum qualifications for appointment to Grade V are as follows:

- The appointee must have a satisfactory disciplinary record. There can be no industrial or facility disciplinary violation for the previous 18 months.
- The appointee must have completed a minimum of one (1) year service in the Industries Program at Grade IV, Step 2, in the same shop or work area where he/she will be promoted to Grade V (and should be able to train other workers on any function in the particular shop).
- The appointee must possess leadership ability and possess the necessary skills to be able to supervise 5-20 other workers, under direct supervision of the **Industrial Training Supervisor**.
- The appointee must possess a High School Diploma, a HSE diploma or higher education diploma.

Requests to appoint workers to Grade V must be submitted in writing by the **Industrial Superintendent** to the **Assistant Director of Operations** and the facility **Deputy Superintendent for Security** (or designee). This request must include a complete justification for the appointment.

Workers may not be appointed to Grade V until written approval from the **Assistant Director of Operations** and the facility **Deputy Superintendent for Security** (or designee) is received.

- F. Demotion: Incarcerated individual workers whose work performance falls below acceptable standards may be reduced in pay rate or grade level by following the same procedures used for advancement, except that demotions can be made at any time such action is warranted. Additionally, workers whose work performance is below acceptable standards may have his/her bonus pay reduced for that particular pay cycle, at the discretion of the **Industrial Superintendent** (or designee). The occasion

of a reduction in bonus pay must be accompanied by a formal counseling form being on file indicating the reasons for the reduction in bonus pay.

G. Workers Transferred:

1. From one facility to another: Workers transferred from one facility to another for any reason will be placed in an assignment position at a grade level determined appropriate by the **Industrial Superintendent** (or designee) of the receiving facility. Job assignment will be determined after consultation with the facility **Deputy Superintendent for Security** (or designee).
2. Within a facility: Workers will be referred to Industries by the Program Committee (please see DOCCS Directive #4002 - "Inmate Liaison Committee (ILC)"). Job assignments will be determined by the **Industrial Superintendent** (or designee). Internal shop move requests will only be considered for approval after consultation with the facility **Deputy Superintendent for Security** (or designee) and the **Industrial Superintendent**.

H. Absences:

1. Workers absence due to illness: Any worker placed in the hospital through no fault of his/her will continue to receive his/her current base rate for the remainder of the pay cycle after which he/she is categorized as "unemployed". Workers medically excused in their cells will be counted as "unemployed" and paid at the unemployed rate from the first day of absence. The worker must present a medical no work slip to be medically excused.
2. Holidays:
 - a. Legal Holidays: Workers will be paid their base rate of pay for all observed legal holidays without bonus. If workers are required to work in a production capacity on a holiday, they are eligible for participation in bonus plan.
 - b. Institution Holidays: Workers who do not work on "institution holidays" may be paid up to half of the daily flat rate, without bonus, at the discretion of the **Industrial Superintendent**. Workers who do work on "institution holidays" will be paid for total hours worked and any bonus achieved for the hours worked.
3. Shutdowns: During shutdowns for security reasons, including frisks, workers will not be paid. For all other shutdowns, incarcerated individual workers will be paid one half their base pay for each day or portion thereof that operations are shut down at the discretion of the **Industrial Superintendent** (or designee).

4. Keep Lock: Workers will not be paid for absences while being "keep locked" as a direct result of disciplinary or punitive actions. If "keep lock" charges are dismissed, incarcerated individual workers will be reimbursed for work time lost in "keep lock" at the unemployed rate (see below). If a worker was suspended or confined to his/her cell or to a Special Housing Unit (SHU) pursuant to a disciplinary hearing and subsequently found not guilty, or if the disciplinary hearing is subsequently reversed for procedural error, the worker will be reimbursed at the rate of Grade I Step 1 for a maximum of six hours per day, for only full workdays missed.

Workers will not be paid for any additional work tasks imposed as a result of a Tier 1 violation hearing in accordance with Part 252 of Chapter V of Title 7 (Violation Hearing) of NY Codes Rules and Regulations (NYCRR).

5. Workers will not be paid for absences resulting from call outs except for the Inmate Liaison Committee (ILC) Chairpersons (please see DOCCS Directive #4002 - "Inmate Liaison Committee (ILC)") who will be allowed up to four hours per week for time actually spent on liaison committee business.

The following call outs will be allowed from an Industries work assignment (non-paid). Facility staff will annotate on the timecard the reason for the call out to the list of standard reasons below (abbreviations). If a call out reason is not listed in the items below the **Supervisor** must write the full word reason for the absence.

- Medical or dental appointments (Med)
- Parole Board appearances (PB)
- Legal Visits (LV)
- Family Visits (FV)
- Religious Services (RS)
- Administrative (hearings, security interviews, etc.) (Admin)
- Pre-Release (REL)
- Others may be allowed at the discretion of the **Industrial Superintendent** such as:
 - Commissary (COMM)
 - Inmate Liaison Committee (ILC)
 - Non-Bonus Hours (NBH)

- Medical No Duty (MND)

- I. Excused Time: Excused time shall not be allowed. Except as specifically stated in Section VIII, E., workers will not be paid for absences from their work assignments.

- J. Incentive Bonus Plan:

1. Purpose: To provide additional compensation for incarcerated individual workers whose performance exceeds average standards. Simply stated, workers can increase their earnings by increasing their output. A bonus for work completed, if applied to a given shop, should be achievable if the amount of available work supports it. A bonus of 100% should be achieved with continuous effort for full days of work in a given pay cycle. Non-productive or indirect hours will not be considered or included in bonus payment calculations.
2. The feasibility of developing and implementing a bonus plan is the responsibility of the **Industrial Superintendent** (or designee) with the explicit approval of the **Director of Correctional Industries**.
3. Details of Plan: The average production standard is based on finished products produced per work hour. With the approval from the **Director of Correctional Industries**, the **Industrial Superintendent** will adapt one of the two (2) listed options to implement at the respective facility.

Option (a) – Points

All finished products produced will be assigned a point value upon creation of the Item Master. The point value, once established, will not be adjusted due to the selling price of the item. Any adjustment in the point value of an item can only be justified by a change in the labor value to produce the item. Simply stated if it takes longer to make a product it will have a higher point value, likewise if it takes less time to manufacture an item the point value may be less. This option must be approved by the **Director of Correctional Industries**.

Example:

250 bedside lockers x 4.4 points each = 1100 points

Divide the total point value earned by the number of hours actually worked in the week (productive hours), to determine the weekly multiplier (percentage).

Example:

1100 points

900 work hours = 122% weekly multiplier

This means that each incarcerated individual working in the particular shop will receive a 22% bonus over and above his/her base rate for the actual hours worked. **The weekly multiplier is limited to 200% (maximum 100% bonus).** If the weekly multiplier is 100% or less, the workers will be paid at their base rate of Pay (no bonus). If a shop produces a variety of products, a combination of the points for each item will be used to calculate the weekly multiplier. In any given shop, there must be a consistent correlation between labor hours and point value for all items produced by the shop, i.e. a consistent ratio of hours to points (items that take the same amount of time should have the same point value). The worker's base rate of pay times the actual number of productive hours worked times the weekly multiplier will total the worker's earnings for the week.

Example (from above):

1100 points

900 work hours = 122% weekly multiplier

Incarcerated individual worker making \$0.32/hour, with 35 hours on time card:

Example:

35 hours worked at \$0.32/hr. with 122% multiplier

35 hrs. * \$0.32 * 122% = \$13.66 net pay

Option (b) – Financial Goal Achievement

This option may be used when there are many unique products produced by a particular shop, such as custom work. Simply stated this method can be used to calculate incarcerated individual worker bonus based on exceeding the stated yearly financial objective of the shop. The achievement of 75% of the financial goal for the year (prorated weekly) will be the base line for earning of bonus pay. 100% bonus will be achieved for any week that the sales earnings for that particular week are 25% more than the weekly amount needed to achieve the financial goal. This option must be approved by the **Director of Correctional Industries**.

This plan is represented by the following linear diagram:

Production Achieved:	75%	80	85	90	95	100	105	110	115	120	125%
Bonus Paid:	0%	10	20	30	40	50	60	70	80	90	100%

Example:

Shop fiscal goal is set at \$4,000,000 for the year. If the shop generated production at a value of \$76,923 for a particular week, they would earn 50% for that particular week. If the same shop generated production at a value of \$96,153 they would earn 100% bonus for that particular week. To consistently earn 100%, bonus the shop will need to exceed the annual production amount by 25%, or in this scenario a total annual production of \$5M. Likewise, if the shop was to generate a production value of \$61,538 (80% of stated goal) for a particular week the weekly bonus would be 10%.

III. GENERAL INFORMATION:

- A. Hours worked by incarcerated individuals will be determined each week by the actual hours worked in the shop as indicated by punches on the worker's time card.
- B. Workers will not be paid for time out of the shops to attend meals in the mess hall.
- C. There will be no provisions in the Incentive Bonus Plan for excused time. Only the actual number of hours worked will be used to calculate the weekly multiplier.
- D. At the discretion of the **Industrial Superintendent** the weekly multiplier may be calculated on a shop-by-shop basis or for the entire factory as a whole unit.
- E. If there is a shortage of work because of lack of orders, material, or resources, the actual bonus paid will be limited to that amount actually earned. Bonus pay will **NOT** be authorized for worker availability. Additionally, any worker who is not doing his/her fair share of work may have his/her bonus decreased commensurate with his/her performance, based on the recommendation of the shop supervisor (or other supervisory staff), in writing, and approved by the **Industrial Superintendent** (or designee).
- F. All finished products or work in process (WIP) components rejected because of faulty workmanship or poor quality may lead to a reduction in points up to two times (2X) the point value, or market value (Option b), (of the finished products) being levied on the particular shop and this amount being deducted from the weekly total of points/value (in the calculation of the multiplier for that particular week), regardless of when the items were produced.
- G. Incarcerated individuals working in assignments (support staff) not directly related to a production shop, or working in a production shop manufacturing components for a finished product (but not the actual finished products), (e.g. business office, maintenance, mechanic work, shipping clerks, quality control or production control and porters) will be paid an incentive equal to the average of all production shop incentives combined (or the same as the entire factory if the one unit approach is used), or they may be paid according to the bonus of their assigned shop, at the

discretion of the **Industrial Superintendent** and endorsed by the **Director of Correctional Industries**. The weekly hours worked of support staff as referenced above, may not be included in the total hours worked for the shop in the bonus calculation, at the discretion of the **Industrial Superintendent** (or designee).

- H. The incentive bonus plan does not apply to workers on outside assignments who are being paid at the rate of up to \$1.00/hr. (see 1.B).
- I. Points and bonuses will not be 'banked' and carried over from week to week.
- J. Any issue not addressed by this policy will be at the discretion of the **Industrial Superintendent** (or designee), and if required, with the approval of the **Director of Correctional Industries**.
- K. The bonus plan for the Abatement Program workers will continue according to the details described in the memorandum dated 3/26/2006 and signed by the **Director of Correctional Industries**. Oversight and records for the weekly bonus calculation for Abatement staff will be maintained by the **Industrial Superintendent** (or designee).
- L. As practicable, each worker shall be provided with a weekly pay stub which will provide a summary of that worker's earnings for the week.

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:

~~\$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. Kosher Diet Procedures
- b. Alternative Entrée Procedures

GRADE RECORD DISPLAY

TITLE CODE - 00000

TYPE - REGULAR

DESCRIPTION - IDLE

GRADE - I

RATE1

RATE2

RATE3

DAILY RATE - 00 . 0000

00 . 0000

00 . 0000

.....DEPRESS PF1 KEY FOR MENU

GRADE RECORD DISPLAY

TITLE CODE - 00001

TYPE - REGULAR

DESCRIPTION - UNEMPLOYED/UNASSIGNED

GRADE - U

RATE1

RATE2

RATE3

DAILY RATE - 00 . 0750

00 . 0750

00 . 0750

.....DEPRESS PF1 KEY FOR MENU