



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

Policy No. DOC 5.1.1	Subject: <b>INMATE ASSIGNMENTS</b>
Chapter 5: OFFENDER PROGRAMS	Page 1 of 3 and attachment
Section 1: Work Programs	Effective Date: April 1, 1998
Signature: /s/ Mike Batista, Director	Revision Date: 06/28/2016

## **I. POLICY**

The Department of Corrections may provide inmates the opportunity for productive assignments in facilities or industries.

## **II. APPLICABILITY**

Secure care facilities Department-owned and contracted, as specified in the contract.

## **III. DEFINITIONS**

Administrator - The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Facility/Program - Refers to any division, prison, secure care correctional facility, correctional or training program, or community-based program under Department jurisdiction or contract. This term includes the facility building or residence, including property and land owned or leased and operated by the Department.

## **IV. DEPARTMENT DIRECTIVES**

### **A. Inmate Compensation**

1. Each facility/program will comply with the requirements set forth in this policy and may develop an inmate compensation procedure in compliance with this policy. Due to the unique nature of Montana Correctional Enterprises (MCE), the facility will maintain an inmate compensation procedure in compliance with the oversight of the Department's Management Team and not necessarily in accordance with this policy. Guidelines for youth correctional facilities and programs are outlined in section F of this policy.
2. Administrators shall be responsible for spending inmate compensation funding within the facility's annual budget allocation.
3. Administrators may or may not classify an assignment as compensable, if compensated the following provisions apply:
  - a. the rate is based on category according to the [Inmate Compensation Table](#) to ensure compensation is administered in an equitable and consistent manner throughout the Department;
  - b. the compensation rate will be based on shift completion rather than hourly unless otherwise specified in accordance with the Inmate Compensation Table
    - 1) work completed within four hours in a 24-hour period shall be compensated as a

Subject: **INMATE ASSIGNMENTS**

- half day;
- 2) work completed within more than four but less than eight hours in a 24-hour period shall be compensated as a whole day.
- c. compensation will not exceed more than a whole day (eight hours) in a 24-hour period regardless of number of inmate assignments or hours worked; and
- d. compensation periods shall:
  - 1) be consistent to allow the inmate to establish a financial plan;
  - 2) provide compensation beginning on the first day of assignment; and
  - 3) not allow retroactive compensation.

**B. Inmate Assignments**

1. The Director may authorize MCE to provide vocational education training and work programs for Department contracted facilities.
3. Facilities/programs will operate all assignments consistent with applicable federal, state, and local health and safety standards.
4. Assignments will coincide with the inmate's classification identified in *DOC Policy 4.2.1 Offender Classification System*; for inmates with special skills, reasonable effort will be made to secure assignments based on the security and safety needs of the facility/program.
5. The administrator will identify the assignment title, duties, and responsibilities for inmate assignments.
6. Assignments should afford inmates the opportunity to learn skills and develop habits and attitudes that will fit occupational needs upon release.
7. Under no circumstances may assignments:
  - a. exceed a standard forty hour work week, unless otherwise approved by an administrator, or designee;
  - b. allow inmates to serve food to other inmates housed in locked status;
  - c. include any duty that would place an inmate in a position to be in contact or in close proximity to confidential or security records without direct supervision; and
  - d. allow inmates to exercise control or authority over other inmates.
8. Assignment performance feedback may be conducted with criteria including, but not limited to:
  - a. grade reports for inmates in education and training assignments;
  - b. demonstrated skills and knowledge;
  - c. observed habits;
  - d. attitude toward fellow inmates and Department employees;
  - e. quality and quantity of tasks;
  - f. care and use of equipment;
  - g. learning ability and adaptability to new procedures; and
  - h. general comments from supervisor.

Policy No. DOC 5.1.1	Chapter 5: Offender Programs	Page 3 of 3
Subject: <b>INMATE ASSIGNMENTS</b>		

9. Assignment programs will accommodate inmates with disabilities in accordance with *DOC Policy 3.3.15 Americans with Disabilities Act (ADA) Offender Accommodations*.
10. The supervisor or individual requesting an inmate for assignment shall review the inmate's OMIS record for previously identified work restrictions, i.e. no lifting over fifteen pounds, restriction from heights, etc. If work restrictions are identified, the supervisor or individual requesting an inmate for assignment will consult with the DOC or facility ADA coordinator to determine whether a reasonable accommodation can be made in accordance with *DOC 3.3.15 Americans with Disabilities Act (ADA) Offender Accommodations*.

**C. Inmate Accident Compensation**

1. Inmates assigned to an inmate assignment are not eligible for worker's compensation.

**D. Special Housing**

1. Administrators may deem it necessary to assign inmates to special or designated housing areas related to their assignments.

**E. Private Industry Operations**

1. MCE may assign inmates to work in private sector industry programs pursuant to *53-30-132, MCA*.

**F. Youth Correctional Facilities/Programs**

1. Youth correctional facilities may establish an allowance system based upon an earned privilege program and/or a token economy system.
2. Youth Services Division will utilize designated inmate pay accounts for specific jobs which may only be used to allow youth to pay restitution. These jobs are not subject to the Inmate Compensation Table.

**V. CLOSING**

Questions concerning this policy should be directed to the administrator of the appropriate secure care facility.

**VI. REFERENCES**

- A. *53-1-203, MCA; 53-3-131, MCA; 53-30-132, MCA*
- B. *DOC Policies 3.3.15, Americans with Disabilities Act (ADA) Offender Accommodations; and 4.2.1, Offender Classification System*

**VII. ATTACHMENTS**

[Inmate Compensation Table](#)