

	State of Indiana Indiana Department of Correction	Effective Date	Page 1 of	Number
		5/15/2023	15	02-01-106
<p><b>POLICY AND ADMINISTRATIVE PROCEDURE</b>  <b>Manual of Policies and Procedures</b></p>				

<p>Title</p> <p><b>WORK ASSIGNMENTS AND PAY SCHEDULES</b></p>
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<p>Legal References (Includes but is not limited to)</p> <p>IC 11-8-2-5(A)(8)  IC 11-10-6-1 through IC 11-10-6-3  IC 11-10-7-1 through IC 11-10-7-5  IC 11-10-8-1 through IC 11-10-8-6</p>	<p>Related Policies/Procedures (Includes but is not limited to)</p> <p>00-02-201  01-01-101  01-04-101  02-01-110  02-02-102  04-01-104</p>	<p>Replaces:</p> <p>02-01-106 (Eff. Date 6-1-2017 / ED # 17-22)</p>
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I. PURPOSE:

The purpose of this policy and administrative procedure is to establish pay schedules and procedures for work assignments for incarcerated individuals. This policy does not pertain to Indiana Correctional Industries or incarcerated individuals assigned to a Work Release program, as these programs have separate policies, procedures and pay schedules.

II. POLICY STATEMENT:

The Department of Correction shall develop and maintain assignments and wage schedules that:

- Promote a positive incarcerated individuals work ethic.
- Prepare an incarcerated individual for release to the community; and,
- Provide a continuum of educational services and work opportunities that assist in the management of a facility and provide a linkage to work assignments.

The Department shall provide a variety of assignments for incarcerated individuals to enhance reading, writing, communication, social, life skills, good work habits, and positive work attitudes. The Department shall develop a comprehensive incarcerated individual assignment strategy that establishes as an objective, the opportunity for each Incarcerated individual to participate in appropriate educational programs, self-improvement programs, facility operations, and/or work assignments.

The incarcerated individual job training/work assignment strategy shall encourage

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 2	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

incarcerated individuals to develop skills necessary for meaningful employment post-release through a comprehensive Case Plan that ultimately prepares them for release to the community.

Eligible incarcerated individuals are to receive an assignment that meets the needs of their Case Plan, consistent with a variety of factors including, but not limited to, the following:

- A. Public safety and other security concerns.
- B. The individual needs of an incarcerated individual.
- C. Availability of departmental resources.
- D. Prior work experience and training of an incarcerated individual.
- E. Eligibility requirements for a specific assignment.
- F. Needs of the Department; and,
- G. Institutional conduct of the incarcerated individual.

The Department shall develop schedules that consist of at least five calendar days per week of organized activities, to establish a discipline and ethic that will promote successful community Re-Entry.

### III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **ABSENCES:** When an incarcerated individual is away from their scheduled work assignment for more than half the assignment time.
- B. **ADMINISTRATIVE HOLD:** A temporary assignment made by a facility based upon a safety and security assessment due to an unusual or traumatic circumstance that could adversely affect an incarcerated individual's behavior or judgment (e.g., news concerning the death of a loved one, notification of a pending criminal charge or internal investigation). An Administrative Hold decision is not to extend longer than seven (7) calendar days.
- C. **ADMINISTRATIVE IDLE:** A classification assignment made by a facility in which an incarcerated individual is not assigned to a treatment or self-help program, educational program, or a work assignment, even though the incarcerated individual may be eligible through no fault of their own based upon the operational and security needs of a facility.

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 3	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

- D. **ADMISSIONS / ORIENTATION:** A temporary assignment that provides a department facility the ability to classify, determine program needs and inform the Incarcerated individual about the facility’s rules, procedures, and operations.
- E. **ASSIGNMENT:** The placement of an incarcerated individual by an authorized staff person or committee into an Incarcerated individual self-help program, education curriculum, or other work assignment.
- F. **ASSIGNMENT AREA:** A program or work location in which an incarcerated individual may be placed by an authorized staff person or committee.
- G. **BACK PAY:** Wages not received for days present in the assigned work assignment. Lost wages due to absences from an assigned work assignment when a not guilty decision is received from the Disciplinary hearing Board.
- H. **CERTIFIED:** A wage assignment based on documented education and/or specialized training in the assigned work assignment.
- I. **CLASSIFICATION:** The systematic assignment of incarcerated individuals into groups based on the needs of the incarcerated individual, the facility, the public and the existing resources from the date of commitment to discharge. Classification includes security, custody, and program assignments.
- J. **DEATH ROW:** A specialized housing assignment for an incarcerated individual who is committed to the Department by an Indiana court with a sentence of death.
- K. **DISCIPLINARY HEARING HOLD (formerly Conduct Adjustment Board):** A status designated by a Warden to temporarily hold or restrict an incarcerated individual’s access to a treatment or self-help program, or a work assignment pending a disciplinary hearing.
- L. **HOLD PENDING INVESTIGATION:** A status similar to administrative restrictive housing; a temporary assignment pending the outcome of an investigation as ordered by the Warden.
- M. **IDLE:** A classification status in which an incarcerated individual does not have an assignment in a treatment or self-help program, educational program, or a work assignment due to the incarcerated individual’s refusal to participate, previous termination from a work assignment, or due to

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 4	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

incarcerated individual's ineligibility for a work assignment because of their conduct.

- N. **INCARCERATED INDIVIDUAL:** An adult or juvenile person committed to a department of correction (federal, state, or local) and housed or supervised in a facility either operated by the department of correction or with which the department of correction has a contract, including an adult or juvenile under parole supervision; under probation supervision following a commitment to a department of correction; in a minimum security assignment, including an assignment to a community transition program.
- O. **INCARCERATED INDIVIDUAL WITH DISABILITY:** Any incarcerated individual encumbered with impairments or disabilities, as confirmed by Health Services staff, and noted by Classification staff, due to physical or mental limitations, including learning disabilities confirmed by the facility's Education Services which may impact the incarcerated individual's ability to perform certain work or program assignments.
- P. **INFIRMARY/HOSPITAL PATIENT:** A status assigned when an incarcerated individual is admitted to a facility infirmary.
- Q. **JOINT PRIVATE BUSINESS PARTNERSHIP:** A business arrangement approved by the Commissioner that provides employment for adult incarcerated individuals with a private business on the grounds of a correctional facility, in which the incarcerated individual is paid a wage comparable for the job, as paid in the community.
- R. **MEDICAL IDLE:** A long-term medical status in which the incarcerated individual has been ordered by a medical doctor not to work or participate in other facility activities, programs, or assignments.
- S. **MEDICAL LAY-IN:** A temporary status prescribed by a Health Care professional for a brief period of time.
- T. **NON-CERTIFIED:** A wage assignment based on no documented education achievement, certification attainment, and/or specialized training in the assigned work assignment.
- U. **OUT TO COURT, OUT TO A COMMUNITY HOSPITAL, OUT TO JAIL, OUT TO TEMPORARY LEAVE AND SICK CALL:** These are all assignments that explain why an incarcerated individual is not working or participating in self-help or treatment programs, education, or work assignments.

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 5	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

- V. SHOP LAY-IN: A status that is used when production at a work assignment is down or when a supervisor, work foreman educational instructor, or self-improvement coordinator is unavailable.
- W. SKILL LEVEL DESIGNATION: The degree of education, work experience or demonstrated knowledge needed by an incarcerated individual to perform a particular assignment. The skill level designation forms the basis of the assignment and the wage rate. (See Attachment 1)
- X. STATE WAGES: The incentive provided to an incarcerated individual to participate and successfully perform an assignment or to remain in a work assignment eligible classification until another assignment can be made.
- Y. WORK ASSIGNMENT DAY: The typical number of hours to complete the daily assignment, program, or education.

IV. CRITERIA FOR ASSIGNMENT:

Except for incarcerated individuals sentenced to death or committed without the possibility of parole, or an initial sentence of less than six (6) months the development of an incarcerated individual’s Case Plan shall begin on the date they are received within the Department. Any incarcerated individual assignment is to be based upon the following:

- A. Public safety.
- B. Facility security and management.
- C. The identified risk level and needs of an incarcerated individual as indicated in the intake and admission assessment and contained in their Case Plan; and,
- D. Availability of departmental resources.

Incarcerated individuals shall be expected to participate in any assignments as instructed by staff. Failure to participate in program assignments may impact the incarcerated individual’s State wages and other assignments and may result in disciplinary action. Certain assignments may be mandatory (e.g., SOMM programming) and the failure of the incarcerated individual to participate in this programming shall result in a disciplinary action in accordance with the administrative procedure for Policy 02-04-101, “The Disciplinary Code for Incarcerated Adults.”

V. PHILOSOPHY OF ASSIGNMENTS:

Any incarcerated individual assignment is to complement the security and operation of a facility as well as approximate the conditions and expectations that

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 6	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

exist in the community for a similar activity. An incarcerated individual assignment is to provide the competency, skill development, self-discipline and self-confidence for an incarcerated individual that will assist in their successful Re-Entry.

An assignment is a privilege that may be taken away based upon the decision of staff and consistent with disciplinary and classification policies and administrative procedures. Classification decisions are to use the incarcerated individual's Case Plan as a blueprint for assignment provided resources are available and the incarcerated individual is eligible for a specific assignment. Ideally, an incarcerated individual is to participate in work, facility operations, self-improvement, and educational assignment activities daily but no more than 5 days per week.

VI. ESTABLISHMENT OF AN COMPREHENSIVE FACILITY WORK ASSIGNMENT PLAN:

It is the responsibility of the Warden or designee to develop a Comprehensive Assignment Plan for the facility. The plan is to identify the number of incarcerated individuals assigned to the facility and provide a breakdown of incarcerated individuals that will be assigned to each of the following:

- Self-improvement programs.
- Education; or
- Facility works assignments.

For purpose of this policy and administrative procedure, it is expected that each eligible incarcerated individual shall be assigned to perform activities in one of these assignment areas daily but no more than 5 days per week.

The Comprehensive Assignment Plan shall consist of the following information:

- A. A brief overview of the facility by security classification, number of incarcerated individuals, rated bed capacity, operational capacity, and staff, by departments.
- B The number of incarcerated individuals assigned to the facility by classification assignment:
  1. Admission and Orientation.
  2. Administrative Restrictive Status.
  3. Disciplinary Restrictive Status.
  4. Protective Custody.
  5. Education.
  6. Facility operations.

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 7	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

- 7. Self-improvement programs; and,
  - 8. Indiana Correctional Industries work assignment
- C. The number of eligible incarcerated individuals who are not assigned to a work assignment.
  - D. Systemic issues that must be resolved on a departmental basis by the Commissioner or Executive Staff.

The assigned Executive Director of Adult Facilities or Executive Director of Youth Services shall review the plan prior to submission to the Deputy Commissioner. It is the responsibility of these staff to ensure that the plan is completed in accordance with this policy and administrative procedure and that the plan is submitted in a timely manner.

**VII. ASSIGNMENT OF INCARCERATED INDIVIDUALS:**

Incarcerated individual assignments shall be made based upon the safety and security of the facility and the public, the needs of the facility and the eligible incarcerated individual's verifiable skills and experience. Administrative decisions and the provision of access to programs and assignments shall be made without regard to an incarcerated individual's race, religion, national origin, sex, disability, or political views. The Warden shall ensure that each eligible incarcerated individual is provided an equal opportunity to request an assignment.

All incarcerated individual work assignments shall be posted so that all incarcerated individuals will be aware of the assignment and instructed how they may apply for the assignment. The specific work assignment job description shall be used for this posting. When an incarcerated individual is assigned to a work assignment, they shall review the work assignment description for that assignment with the assignment supervisor. The incarcerated individual shall sign a copy of the work assignment description indicating that they understand the requirements of the work assignment. A copy of the work assignment description with the incarcerated individual's signature shall be filed in their facility packet. and the incarcerated individual shall be given a copy of the work assignment description.

**VIII. SUPERVISION OF INCARCERATED INDIVIDUALS:**

Staff shall ensure that all incarcerated individuals at work assignments are properly supervised. Incarcerated individuals who are assigned to a work assignment within the secured perimeter of a facility shall be under the direct supervision of staff at all times. Staff shall be required to maintain visual or auditory contact with incarcerated individuals in these work assignments at all times. Staff may be permitted to observe incarcerated individuals through glass windows or doors if

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 8	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

necessary and shall, at least every 30 minutes, visually observe the incarcerated individuals in the work assignment.

Incarcerated individuals who are assigned to an Out-Custody work assignment shall be supervised in accordance with Policy and Administrative Procedure 02-01-117, “Outside Work Crews.”

**At no time shall an incarcerated individual, or group of incarcerated individuals, be given control or authority over other incarcerated individuals.**

Incarcerated individuals who are assigned tools at their work assignments shall be supervised as directed in the administrative procedure for Policy 02-03-107, “Tool Control.”

IX. ESTABLISHMENT OF A UNIFORM WAGE SCALE:

Each incarcerated individual shall be paid in accordance with this policy and administrative procedure. Establishment of an incarcerated individual wage scale is the joint responsibility of the Deputy Commissioners and the Chief Financial Officer. The Commissioner is the sole authority to approve any wage scale proposal prior to submission to the Director of the State Budget Agency. Changes to the incarcerated individual wage scale shall be communicated minimally sixty (60) calendar days prior to the effective date of the change. The incarcerated individual wage scale is to include the range scale for all assignments managed by the Department, including:

- A. Food Service (Certified/Non-Certified)
- B. Maintenance (Certified/Non-Certified)
- C. Operations (Certified/Non-Certified)
- D. Health Care/Infirmary (Certified/Non-Certified)
- E. Unit Team (Certified/Non-Certified)
- F. Programs (Certified/Non-Certified)
- G. Recreation (Certified/Non-Certified)
- H. Education (Certified/Non-Certified)
- I. Special Pay

The wage scale shall be made an attachment to this policy and administrative procedure (See Attachment).

X. SPECIAL STATE WAGES CONSIDERATIONS:

Incarcerated individuals assigned to certain types of assignments may or may not be paid State wages depending upon the assignment of the incarcerated individual. The following indicates various types of assignments that incarcerated individuals



<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 9	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

may be given and the pay status of the assignment:

- A. Incarcerated individuals assigned to Admissions/Orientation status, or a Department Intake Unit shall receive no pay until they have been classified and made available for a work assignment.
- B. An incarcerated individual classified to an Administrative Idle status, but who is otherwise work assignment eligible, shall receive no pay
- C. An incarcerated individual assigned to Disciplinary Hearing Hold status shall not receive State pay.
- D. An incarcerated individual placed in a Hold Pending Investigation status shall receive no State wages.
- E. An incarcerated individual who has been classified to Idle status shall receive no State wages.
- F. An incarcerated individual who has been classified to Medical Idle Status shall receive state wages.
- G. An incarcerated individual, who is on Shop, Lay-In status shall receive no State wages while in this status.
- H. An incarcerated individual who goes to sick call rather than to a work or program assignment may receive lost wages. If the incarcerated individual can return to the assignment, they shall be eligible for State wages when half or more of the assigned work assignment is worked.
- I. When a facility implements any level of lockdown as indicated in the administrative procedure for Policy 02-03-109, "Lockdowns," all State wages shall be suspended, except for incarcerated individuals who are permitted to continue to participate in a work or program assignment during the lockdown. Following a lockdown, State wages shall commence as an incarcerated individual is released from lockdown status and returned to a former work or program assignment. An incarcerated individual shall be paid at the same State pay rate as before the lockdown if the incarcerated individual still meets all work or program assignment eligibility criteria.
- J. If an incarcerated individual is assigned to Administrative Hold, Restrictive Status for Administrative reasons, or Disciplinary Hearing Hold status pending a disciplinary hearing and the incarcerated individual is subsequently found "not guilty," the case is dismissed, or the case overturned on appeal, the incarcerated individual shall be reimbursed for

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 10	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

lost State wages at either the State wage rate paid to the incarcerated individual prior to being placed in the “no pay” status, or at the lowest State pay rate for which the incarcerated individual is eligible. These incarcerated individuals shall be eligible for reimbursement of State wages lost in accordance with the administrative procedure for Policy 02-04-101. The reimbursed wages shall be for the period of time from the date when the incarcerated individual was removed from an assignment for which they were receiving State wages until the date that the disciplinary hearing was actually held or when they become job eligible.

The Disciplinary Hearing Body/Hearing Officer shall advise the Supervisor of Classification in these cases and the incarcerated individual shall be returned to the previous assignment eligibility status as soon as possible and shall be given priority for a work assignment. (NOTE: Generally, an incarcerated individual should not be removed from an assignment pending a disciplinary hearing unless they present a clear threat to the safety and security of the facility. Additionally, an incarcerated individual shall not be determined to be ineligible for a work assignment simply because they have been charged with a violation of the Disciplinary Code or is pending investigation unless their presence in the population and/or at the work assignment presents a clear threat to the safety and security of the public or the facility. A finding of guilt of a Class A or B violation shall not necessarily make an incarcerated individual ineligible for a work assignment unless the finding of guilt clearly shows that they are a threat to the safety and security of the facility or others.)

**XI. REIMBURSEMENT OF LOST WAGES (NOT INCLUDING WORK RELEASE):**

A. An incarcerated individual otherwise eligible for State wages:

- Who is released from pre-hearing restrictive status housing without being charged;
- Whose charge is being dismissed.
- Who is found not guilty; or,
- Whose guilty finding is overturned on appeal or by a court;

shall have those State wages, for which they are eligible, reimbursed for the period of time from their removal from the work assignment due to the alleged disciplinary violation until the date of the disciplinary hearing. Such pay will be at the rate of State wages paid to the incarcerated individual prior to being removed from their work assignment or at the lowest rate of

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 11	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

State wages for which they are eligible, if previously assigned to an ICI work assignment in accordance with the Operating Standard. The Disciplinary Hearing Officer shall advise the Supervisor of Classification in these cases and the incarcerated individual shall be returned to the previous assignment eligibility status as soon as possible and shall be given priority for a work assignment.

- B. Incarcerated individuals who are removed from a work/program assignment based on a poor work performance, may be eligible for reimbursement of lost wages if the classification decision is overturned on appeal. Incarcerated individuals may be eligible for reimbursement for the period of time from the incarcerated individual’s suspension from work to the date they were removed from the work/program assignment. Such pay will be at the rate of State wages paid to the incarcerated individual prior to being suspended from their work assignment or at the lowest rate of State wages for which the incarcerated individual is eligible, if previously assigned to an ICI work assignment in accordance with the incarcerated individual Employment Operating Standard. The Supervisor of Classification shall notify the incarcerated individual’s Case Management staff in these cases and the incarcerated individual shall be returned to the previous assignment eligibility status as soon as possible and shall be given priority for a work assignment.

Requests for reimbursement of lost wages due to days worked and no pay received, or a conduct report dismissed, found not guilty, or overturned by a court, must be submitted within 90 days. The 90 days will begin from the date of dismissal, date found not guilty or date overturned by a court.

**XII. ATTENDANCE:**

- A. Incarcerated individuals are required to be at their assigned work assignments on time each day.
- B. Absences:
1. Three unexcused absences within one year will result in immediate dismissal from a work assignment.
  2. The following absences are excused:
    - a. Non-routine medical;
    - b. Parole/attorney visit;
    - c. Facility initiated actions (i.e., lockdowns, weather, etc.);

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 12	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

- d. Absence as a result of disciplinary action with a final not guilty determination; and,
- e. Absence approved by a work assignment Supervisor.

All other absences are unexcused and will result in disciplinary action, up to and including dismissal from a work assignment.

**XIII. ACTIVITY SCHEDULE:**

Work and activity hours within a facility shall approximate the hours and the conditions that exist for that activity typically found within a community consistent with facility safety and security.

Activity schedules shall be governed by the following basic principles:

- A. Second and/or third shifts, rotating schedules and evening activities are acceptable means to increase activities for incarcerated individuals.
- B. Normal activity schedules shall allow incarcerated individuals to have two (2) days off for each seven (7) day period.
- C. Incarcerated individuals assigned to a work assignment on a call-out basis on weekends and holidays shall receive wages commensurate with the daily rate of pay. Payment shall not be made if an incarcerated individual is not called out for work.
- D. At the discretion of the Warden or designee, incarcerated individuals who are assigned on a call-out basis may be paid for the time worked, or the incarcerated individual may have their schedule adjusted to align with facility operations.
- E. It is the responsibility of each supervisor to accurately input present or absent in the Delta System for the incarcerated individual.

**XIV. WARDEN RESPONSIBILITIES:**

The Warden is ultimately responsible for the management of the facility. The Warden may delegate any of the following responsibilities related to incarcerated individual assignment:

- A. The development of complete rosters for each incarcerated individual assignment activity.

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 13	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

- B. The development of each incarcerated individual assignment, including the recommended skill level, education and experience required for the assignment within the facility and a written work assignment description for each assignment.
  - C. All proposals to establish or delete an incarcerated individual assignment.
  - D. Development of a systematic method to place incarcerated individuals in assignments in the facility through the Classification system, including posting all assignments for viewing by the population, the receipt of requests from incarcerated individuals concerning an interest in a specific assignment, the screening of incarcerated individuals based upon established eligibility criteria, arranging and conducting interviews for assignments, receipt of Health Services clearance for specific assignments and the receipt and review of all incarcerated individual performance evaluations (NOTE: Incarcerated individual requests for assignments to programs or work assignments are to go through their Unit Management Team to ensure that the incarcerated individual qualifies for the assignment and that the assignment complies with their Case Plan);
  - E. Maintenance of monthly pay records for each assignment, other than Work assignment with Indiana Correctional Industries, based upon the pay presented in Attachment 1.
  - F. Assignment of appropriate pay to each incarcerated individual except for those employed by Indiana Correctional Industries.
- XV. RECORD-KEEPING:
- A. The forms used to post and record individual assignments shall be in accordance with the administrative procedure for Policy 02-01-110, “Incarcerated Individual Accountability”.
  - B. Incarcerated individual assignment descriptions shall contain the following:
    - 1. Skill level designation.
    - 2. Necessity for Health Services clearance.
    - 3. Educational requirements.
    - 4. Experience requirements; and,
    - 5. Complete description of the assignment to be accomplished.
  - C. Assignment postings shall be placed in common areas available to all non-restrictive status housing incarcerated individuals, as well as provided to all Unit Teams. The description may be used for this purpose, or as a vacancy

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 14	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

list, provided the brief description is stated in addition to the skill level, age, education requirements, experience requirements, the necessity for Health Services clearance, and if applicable, the normal hours for the assignment per week. The incarcerated individual may bid on a specific work assignment for which they feel qualified or may be assigned to a specific activity based upon the needs of the facility and the decision of staff.

- D. All procedures and forms specified in the administrative procedure for Policy 01-04-101, “Adult Classification” shall be used in the classification of incarcerated individuals to an assignment and in the evaluation of their performance. Placement in an assignment shall be consistent with the administrative procedure for Policy 01-04-101.
- E. Supervisors shall maintain and certify incarcerated individuals hours worked within the Delta Payroll system. The hours worked shall be submitted within the Delta Payroll system in accordance with administrative procedures and the facility's operational procedures.
- F. Daily record keeping concerning the hours in which the incarcerated individual participated in an assignment may be maintained in Delta payroll system. State Form 27369, “Duty Roster,” The supervisor of the assignment area is responsible for the accuracy of this daily record keeping process.
- G. The incarcerated individual is to be paid for each day that they present to work, not to exceed five paid working days in a 7-day period, for a minimum of half the assigned work shift. However, the incarcerated individual shall be paid for any previous or subsequent hours that are worked.

**XVI. WORK RELEASE/COMMUNITY RE-ENTRY:**

Incarcerated individuals classified to a Work Release/Community Re-Entry Center program shall not be provided State wages. These individuals are expected to obtain and retain work assignment at a pay rate commensurate with other employees that perform comparable work in the community. In no circumstance shall an incarcerated individual be paid less than the minimum wage indicated by federal and State guidelines. Incarcerated individuals participating in a Work Release/Community Re-Entry Center program or are not exempt from participating in housekeeping, food service, facility maintenance or other assignments.

Incarcerated individuals assigned to a Work Release/Community Re-Entry Center as a “Special Assignment” shall be provided State pay wages in accordance with the attached pay grades.

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedure</b>			
Number 02-01-106	Effective Date 5/15/2023	Page 15	Total Pages 15
Title <b>WORK ASSIGNMENTS AND PAY SCHEDULE</b>			

XVII. AUDITS:

Annually, each Warden shall conduct an audit of incarcerated individual assignments within the management control of the Warden. This audit shall be conducted in June of each year, and a report of the findings shall be forwarded to the assigned Executive Director of Adult Facilities or Executive Director of Youth Services for review and approval. The Executive Director shall advise the Deputy Commissioner of Operations of this report and any concerns or issues in need of consideration. The audit is to determine whether the assignments are appropriate or whether new assignments should be established. This determination shall be made after consultation with the Deputy Commissioner of Re-Entry and Programs concerning educational offerings.

It is the responsibility of the Deputy Commissioner of Operations or designee to prepare a review and summary of the wage scale on a biennial basis. The review and summary shall be prepared by June 30 of each year ending in an even number and shall be submitted to the Commissioner for final determination.

XVIII. APPLICABILITY:

This policy and administrative procedure is applicable to all Department facilities in which incarcerated individuals are housed, including adult and Division of Youth Services facilities. Intake units shall not be required to pay an incarcerated individual in those units unless the incarcerated individual is permanently assigned to the unit and they are assigned to complete specific responsibilities associated with a particular incarcerated individual assignment.

\_\_\_\_\_  
signature on file  
Christina Reagle  
Commissioner

\_\_\_\_\_  
Date