

 <p style="text-align: center;"><b>ADMINISTRATIVE RULES</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTIONS</b></p>	<b>Section Number:</b>	<b>Page Number:</b>
	<b>1201</b>	<b>1 of 9</b>
	<b>Board Approval Date:</b>	
	<b>8/18/87</b>	
	<b>Supersedes:</b>	<b>Dated:</b>
<b>1201</b>	<b>1/16/84</b>	
<b>Reference:</b>	<b>Effective Date:</b>	
	<b>9/18/87</b>	
<b>SUBJECT: Inmate Labor by Contractual Agreement and Volunteer Services</b>		

**I. POLICY:**

Act 814 or 1983 - to permit the Department of Correction to make contractual arrangements for use of inmate labor by the following prioritized list:

- (a) Other state departments and agencies
- (b) Counties, cities, and school districts
- (c) Civic organizations, and other non-profit organizations, and private citizens; including, but not limited to, those responsible for the preservation of natural resources or other public works. The Department of Correction may provide volunteer services for community service organizations, i.e., Lions Club, Rotary Club, Jaycees, Jaycettes, etc.

**II. EXPLANATION:**

- A. Activities such as this will be performed in a manner so as to create goodwill between the Department of Correction and the public and be of rehabilitative value to the inmates.
- B. Contractual Inmate Labor:
  - 1. It is not intended to result in the displacement of currently employed citizens or to create a condition which would preclude the establishment or continuation of full-time free work jobs. Inmate work crews will not be utilized to displace contract labor(ers), subcontractor(s), bids or estimated projects or any similar related type construction and/or maintenance projects.
  - 2. All requests for contractual inmate labor shall be referred to the appropriate Assistant Director. The Warden/Center Supervisor making the referral shall provide the Assistant Director with all necessary information on the appropriate form F-1201-1. The Assistant Director will make a recommendation and forward all documentation to the Director for approval/disapproval.

3. The Department may, upon approval by the Director, enter into a contractual arrangement for inmate labor with the requesting party. Acceptable parties are enumerated under this policy statement.

C. Inmate Volunteer Services:

1. The Department may enter into an agreement with community service organizations for inmates.
2. The formula for the use of work release inmates on volunteer projects in the county in which work release unit/center is located will be as follows: two hours times the unit/center Work Release inmate population equals the total number of hours of volunteer work allowed a month per unit/center.
3. When a request for inmate volunteer services is received, the Warden/Center Supervisor will be responsible for completing the Inmate Volunteer Services Request/Authorization Form F-102-2 and forwarding it to the appropriate Assistant Director for approval/disapproval. The Assistant Director will make a recommendation and forward all documentation to the Director for approval/disapproval.
4. The Warden/Center Supervisor may contact the appropriate Assistant Director for telephone approval/disapproval concerning inmate volunteer service requests when time does not allow for written requests to be made. The Assistant Director is responsible for notifying the Director of all requests and action taken.

The Warden/Center Supervisor is responsible for providing the Assistant Director with written documentation following the telephone approval/disapproval. The Assistant Director will complete the appropriate section of the form and forward all documentation to the Director F-1201-2.

III. PROCEDURES TO BE FOLLOWED UPON APPROVAL OF REQUESTS:

A. Contractual Inmate Labor:

1. Will be authorized only after the Arkansas Department of Correction and the requesting party enter into a contractual agreement. Items to be considered are expenses for providing inmates, staff, vehicles, equipment, meals, and other related expenses. To offset costs incurred by the Department, a minimum rate will be charged per hour per inmate, as established by the Board of Correction, with one-half of the hourly rate being deposited in the inmate's account, with the other half being received by the department. The Director has the authority to negotiate fees and services, depending upon the circumstances of each request. The financial agreement and/or subsequent amendments will be filed at the next Board of Correction meeting.
2. Contractual inmate labor will be provided only within the scope of the specific project authorized by the Director. Prior approval must be

obtained from the Director before the initial project can be expanded or before additional projects can be started.

3. Working hours will be determined by the Warden/Center Supervisor with consideration being given to security and inmate safety. Work hours should be scheduled on weekdays.
4. The project should in no way conflict with an inmate's regular job if employed for pay by a private employer. All inmates utilized in this program will have signed a statement (Form F-1201-3) that they volunteered for the program.
5. The requesting party shall provide necessary tools, materials, equipment, transportation and meals in instances where deemed appropriate by the Director.
6. The supervision of work assignments will be provided by the requesting party. Security of inmates will be the responsibility of the Department. Work assignments requiring a minimum of six (6) inmates are preferred.
7. All financial agreements will be coordinated with the Business Division.

B. Inmate Volunteer Services:

1. Will be provided only within the scope of the project authorized. Prior approval must be obtained from the Director before the initial project can be expanded or before additional projects can be started.
2. Working hours will be determined by the Warden/ Center Supervisor with consideration being given to security, inmate safety, and weekend activities.
3. It is the responsibility of the Warden/Center Supervisor to ensure that inmates involved in these projects are volunteers, and a signed statement is on file, and that volunteer work does not conflict with the inmates' free world employment or institutional assignments.
4. The requesting party may provide necessary tools, materials, equipment, transportation, and meals as approved by the Warden/Center Supervisor.
5. Security and supervision of inmate(s) will be the responsibility of the requesting party unless other arrangements are approved by the Warden/Center Supervisor.
6. Wardens/Center Supervisors are responsible for maintaining accurate records on the number of hours of volunteer work each inmate performs and that volunteer work at work release centers is done according to the prescribed formula.
7. Wardens/Center Supervisors shall be responsible for submitting a monthly report on inmate volunteer service projects and number of hours worked to the public information officer and is to be included in the monthly report to the Board of Correction.

IV. IMPLEMENTATION:

- A. Each Warden/Center Supervisor is responsible for developing a Standard Operating Procedure (SOP) to ensure implementation of this Administrative Rule. Each Warden/Center Supervisor will provide the Assistant Directors and Director with copies of the SOP.
- B. None of the above state programs/projects are in any way to be used to replace all free world labor, sublet, nor to work through/for a second party.
- C. If a project receives or is receiving media attraction, then the Unit Warden/Center Supervisor is to notify the public information officer.

AR1201

**CONTRACTUAL INMATE LABOR AGREEMENT**

DATE: \_\_\_\_\_

REQUESTING UNIT/CENTER: \_\_\_\_\_

REQUESTING PARTY: \_\_\_\_\_ POSITION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

NATURE OF PROJECT (detailed explanation): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LOCATION OF PROJECT: \_\_\_\_\_

LENGTH OF PROJECT: \_\_\_\_\_

BEGINNING DATE \_\_\_\_\_ ENDING DATE: \_\_\_\_\_

DAILY WORK HOURS: \_\_\_\_\_ a.m./p.m. TO \_\_\_\_\_ a.m./p.m. HOURLY RATE \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TELEPHONE NO.: \_\_\_\_\_

PERSON TO SUPERVISE INMATES: \_\_\_\_\_ POSITION: \_\_\_\_\_

THE FOLLOWING WILL BE PROVIDED BY WHOM (REQUESTING PARTY OR ADC):

TRANSPORTATION: \_\_\_\_\_

MEALS: \_\_\_\_\_

TOOLS: \_\_\_\_\_

MATERIALS: \_\_\_\_\_

EQUIPMENT: \_\_\_\_\_

OTHER INCIDENTAL EXPENSES (specify \_\_\_\_\_)

NUMBER OF INMATES AUTHORIZED: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF REQUESTING PARTY

Approved \_\_\_  
Disapproved \_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
WARDEN/CENTER SUPERVISOR

Approved \_\_\_  
Disapproved \_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
BUSINESS ADMINISTRATOR

Approved \_\_\_  
Disapproved \_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
ASSISTANT DIRECTOR

Approved \_\_\_  
Disapproved \_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
DIRECTOR

INMATE VOLUNTEER SERVICES REQUEST/AUTHORIZATION

DATE: \_\_\_\_\_

REQUESTING UNIT/CENTER: \_\_\_\_\_

REQUESTING PARTY: \_\_\_\_\_ POSITION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

NATURE OF PROJECT (detailed explanation): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LOCATION OF PROJECT: \_\_\_\_\_

LENGTH OF PROJECT: \_\_\_\_\_

BEGINNING DATE: \_\_\_\_\_ ENDING DATE: \_\_\_\_\_

DAILY WORK HOURS: \_\_\_\_ a.m./p.m. TO \_\_\_\_ a.m./p.m. Hourly Rate \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TELEPHONE NO: \_\_\_\_\_

PERSON TO SUPERVISE INMATES: \_\_\_\_\_ POSITION: \_\_\_\_\_

THE FOLLOWING WILL BE PROVIDED BY WHOM (REQUESTING PARTY OR  
ADC):

TRANSPORTATION: \_\_\_\_\_

MEALS: \_\_\_\_\_

TOOLS: \_\_\_\_\_

MATERIALS: \_\_\_\_\_

EQUIPMENT: \_\_\_\_\_

OTHER INCIDENTAL EXPENSES (Specify \_\_\_\_\_)

NUMBER OF INMATES AUTHORIZED: \_\_\_\_\_

DATE: \_\_\_\_\_  
SIGNATURE OF REQUESTING PARTY

Approved \_\_\_\_  
Disapproved \_\_\_\_

DATE: \_\_\_\_\_  
WARDEN/CENTER SUPERVISOR

Approved \_\_\_\_  
Disapproved \_\_\_\_

DATE: \_\_\_\_\_  
ASSISTANT DIRECTOR

Approved \_\_\_\_  
Disapproved \_\_\_\_

DATE: \_\_\_\_\_  
DIRECTOR

ATT1201/2

**INMATE VOLUNTEER STATEMENT**

I, Inmate \_\_\_\_\_, ADC # \_\_\_\_\_, do  
hereby volunteer to participate in programs and projects as outlined in AR-1201.

These programs and projects include Contractual Inmate Labor and/or Inmate  
Volunteer Services.

I hereby agree to waive any liability which may be incurred by performing volunteer  
services and/or contractual labor and agree to hold the Department of Correction harmless  
for any injury or damage which I might sustain.

I also consent to be photographed, which may include filming or any kind, while  
participating in these programs and projects, and further release and save harmless the  
Department of Correction, its agents and servants, from any and all claims of damage for  
libel, slander, invasion of the right of privacy, or any other claim based on the use of said  
photographs or film.

This statement of my act of volunteering, waiver of liability, consent to being  
photographed, and release is given freely and voluntarily without any promises, threats or  
duress.

DATED: \_\_\_\_\_

SIGNED: \_\_\_\_\_

ADC#: \_\_\_\_\_

UNIT OF ASSIGNMENT: \_\_\_\_\_

WITNESSED BY: \_\_\_\_\_

TITLE & UNIT: \_\_\_\_\_

ATT1201/3

MEMORANDUM

TO: All Concerned

FROM: A. L. Lockhart, Director

RE: Hourly Wage/Contractual Inmate Labor

DATE: April 6, 1988

Attached is a copy of Chapter XXXII Board of Correction Rules and Rules that was adopted by the Board on August 18, 1987.

Please distribute copies to your staff and instruct them to attach this policy to the copy of AR 1201 maintained in their Administrative Rules Manual.

ALL:MW6pc7

Attachment



STATE OF ARKANSAS  
BOARD OF CORRECTION  
RULES  
CHAPTER XXXII

Effective August 18, 1987, the Board of Correction established the minimum wage pursuant to AR 1201 would be \$2.50 per hour, per inmate.

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WOODSON D. WALKER  
CHAIRMAN  
BOARD OF CORRECTION

MW6pc6