

STANDARD 5.6

VOLUNTARY WORK PROGRAM

I. POLICY

Where allowed by the facility, detainees may participate in a work program to earn money. While working, detainees shall have basic Occupational Safety and Health Administration (OSHA) protections.

II. STANDARDS AND PROCEDURES

A. Voluntary Work Program

Where available, detainees may participate voluntarily in any facility work program.

The detainee's classification level will determine the type of work assignment for which he or she is eligible.

B. Voluntary Special Details

Detainees may volunteer for temporary work details that occasionally arise. The work, which generally lasts from several hours to several days, can involve digging trenches, removing topsoil, and other labor-intensive work. High custody detainees will not, under any circumstances, work outside the secure outer perimeter.

C. Detainee Selection

The facility shall develop site-specific rules for selecting work detail volunteers.

D. Discrimination in Hiring Detainee Workers

Detainees shall not be denied voluntary work opportunities on the basis of such factors as a detainee's race, religion, national origin, color, gender, sex, sexual orientation, age, or disability.

E. Detainees with Disabilities

The facility shall allow, where possible, detainees with disabilities to participate in the voluntary work program in appropriate work assignments. Consistent with the procedures outlined in Standard 4.7 "Disability Identification, Assessment, and Accommodation," the facility shall provide reasonable accommodations and modifications to its policies, practices, and/or procedures to ensure that detainees with disabilities have an equal opportunity to access, participate in, and benefit from the voluntary work programs.

F. Hours of Work

Detainees participating in the voluntary work program are required to work according to a fixed schedule of no more than 8 hours daily and 40 hours weekly.

G. Work Restrictions

The facility may restrict the number of work details permitted a detainee during one day.

H. Compensation

Detainees shall receive monetary compensation of not less than \$1.00 per day for work completed in accordance with the facility's standard policy. Detainees will be paid owed wages prior to transfer or release.

I. Removal of Detainee from Work Detail

A detainee may be removed from a work detail for cause. Upon removing a detainee from a work detail, the facility shall place a written justification in the detainee's detention file or in a retrievable electronic record.

J. Detainee Responsibility

The facility will establish procedures for informing detainee volunteers about on-the-job responsibilities and reporting procedures.

Detainees will use safety equipment and other precautions in accordance with the work supervisor's instructions.

K. Detainee Training and Safety

All detention facilities shall comply with all applicable health and safety regulations and standards.

The facility shall ensure that all department heads develop appropriate training for all detainee workers.

1. Upon the detainee's assignment to a job or detail, the supervisor shall provide thorough instructions regarding safe work methods and, if relevant, hazardous materials. The detainee shall undertake no assignment before signing a voluntary work program agreement. Among other things, by signing the agreement the detainee confirms he or she has received and understood training about the assigned job from the supervisor. This agreement will be placed in the detainee's detention file or retrievable electronic record.

2. Medical staff will ensure detainees are medically screened and certified before undertaking a food service assignment.
3. The facility will provide detainees with safety equipment that meets OSHA and other standards associated with the task performed.

L. Detainee Injury and Reporting Procedures

The facility shall implement procedures for immediately and appropriately responding to on-the-job injuries, including immediate notification of ICE/ERO.