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November 29, 2017

Senator David Sanders, Co-Chair
 Arkansas Legislative Council
 Administrative Rules and Regulations Subcommittee
Via Email

Representative Kim Hammer, Co-Chair
 Arkansas Legislative Council
 Administrative Rules and Regulations Subcommittee
Via Email

Dear Co-Chairs,

Please consider this letter, and the accompanying attachments, as the Department of Correction's quarterly report on new and revised administrative regulations, directives, and memoranda issued in the quarter. Submitted along with this letter are the following administrative directives:

AD #	AD Title	Superseded AD #	Effective Date	Summary
17-12	Procedures for the Development of Administrative Regulations, Directives and Memoranda	14-29	05/26/17 Omitted from Previous Report	The policy was amended to ensure compliance with Executive Order 15-02 and Act 1258 of 2015. Changes were made to the general policy development procedures; and to the specific procedures for developing administrative directives and administrative regulations.
17-04	Electronic Equipment and Systems	16-15	06/01/17 Omitted from Previous Report	This policy was amended to provide clarification of personal information technology equipment and devices not allowed inside ADC facilities.
17-17	Publications	14-22	06/30/17 Omitted from Previous Report	This policy was amended to provide clarification to the current procedures related to the receipt of publications by inmates.

AD #	AD Title	Superseded AD #	Effective Date	Summary
17-18	Catastrophic Leave Bank Program	13-29	07/01/17	This policy was amended to revise the procedures to the ADC's Catastrophic Leave Bank Program following changes to state law and guidance from the Department of Finance and Administration's Office of Personnel Management (DFA-OPM).
17-20	Act 309 Program	15-03	07/10/17	This policy was amended to allow ACT 309 Program participants to assist certain non-profit organizations in the County where they are housed. Participating inmates will be under direct supervision at all times. Meritorious Furloughs for ACT 309 Program participants were also addressed.
17-21	Employment	16-02	07/01/17	This policy was amended to update the procedures for ADC's employment processes regarding filling vacant positions; selecting qualified applicants for interview/hire; and the proper use of ADC's point systems for eligible applicants with job related experience, veteran's status, etc. The updates contain changes made by DFA-OPM and the new pay plan.
17-22	Inmate Visitation	16-30	07/30/17	This policy was amended to (1) establish a system for visits between incarcerated parent and their minor children in the custody of the Department of Human Services – Division of Children and Family Services, consistent with the provisions of Act 993 of 2017, and (2) prohibit the recording or photographing of a video visit.
17-23	Inmate Correspondence	16-28	08/21/17	This policy was amended to limit general correspondence to three pages so that it can be photocopied along with one side of the envelope, in response to the increasing use of illegal drugs.
17-24	Department Owned Housing/Mobile Home Park	16-48	07/21/17	This policy was amended to clarify the standards that govern tenants of Department Owned Housing/Mobile Home Parks.
17-25	Employee Orientation and Training	17-15	07/21/17	This policy was amended to reflect current standards for the initial training for all newly hired employees and the on-going annual training for current employees, contractors, and volunteers.

AD #	AD Title	Superseded AD #	Effective Date	Summary
17-27	Class Status and Promotion Eligibility	16-45	09/21/17	This policy was amended to clarify the portion of the policy related to promotion, reclassification and/or restoration of lost good time and make it more across the broad range of disciplinary infractions, and to afford the Warden/Center Supervisor greater discretion to consider positive inmate behavior.

There were no new or revised administrative regulations or memoranda issued during the previous quarter. Please do not hesitate to contact me with any questions or comments.

Sincerely,



Solomon Graves
Public Information Officer & Legislative Liaison
Arkansas Department of Correction

CC: Ms. Wendy Kelley, Director, Arkansas Department of Correction
Mr. Jim DePriest, Assistant Director/Chief Legal Counsel, Arkansas Department of Correction
Ms. Takelia McDaniel, Agency Policy Coordinator, Arkansas Department of Correction
Mr. Benny Magness, Chairman, Arkansas Board of Corrections
File



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ADMINISTRATIVE DIRECTIVE

SUBJECT: Class Status and Promotion Eligibility

NUMBER: 16-45

SUPERSEDES: 15-26

APPLICABILITY: Staff and Inmates

REFERENCE: AR 802-Classification of Offenders

PAGE: 1 of 7

APPROVED: Original Signed by Wendy Kelley **EFFECTIVE DATE:** 9/15/2016

I. POLICY:

It shall be the policy of the Arkansas Department of Correction (ADC) to place inmates in a class status that is commensurate with custody considerations and programmatic goals, establishing criteria for class promotion, reclassification and/or restoration of good time.

II. EXPLANATION:

This policy defines who is eligible for various classifications, what is required for class promotion, reclassification, and restoration of lost good time. Inmates are not to be denied class promotion opportunities due to job availability. Note that meritorious good time is governed by a separate Administrative Directive.

III. DEFINITIONS:

- A. Class I is the highest classification/class status an inmate can obtain and has subcategories of IA, IB, IC, ID, and IP.
- B. Class IA is reserved for inmates released after Boot Camp Graduation, ACC Reentry Center Resident, or that are employed in the community; either at Arkansas State Police, Arkansas Law Enforcement Training Academy, Arkansas Game & Fish, as part of a work crew approved by the Director

including the Capitol, Governor's Mansion, Old State House, Veteran's Cemetery, Dog Kennel, or through a Work Release Program¹. Inmates currently assigned Class 1A are grandfathered as 1A inmates. Inmates may NOT be assigned Class 1A if he/she is serving

1. Life without Parole;
 2. Life unless the inmate has served at least seven (7) years with no major disciplinary in the previous five (5) years;
 3. A sentence for kidnapping, escape, capital murder, fleeing, or a sex offense; with the exception of ACC Reentry Center Resident
 4. Has an active detainer; or
 5. Is under the age of twenty-five (25) year old.
- C. Class IB is reserved for inmates that are assigned to the 309 Program or assigned to jobs on Department of Correction property, but outside the unit perimeter fence; these inmates are not required to be monitored by armed security staff at all times unless they are working off ADC property. Inmates shall not be assigned IB status unless they are within ten (10) years of their TE/PE date, and otherwise qualify under criteria for Class 1A. Inmates currently assigned Class IB are grandfathered as IB inmates.
- D. Class ID is for inmates who meet IB criteria although the inmate may have more than ten (10) years to his/her TE/PE date, but shall not have had a violent/assaultive/threatening disciplinary within the last thirty-six (36) months. Class ID inmates will only be assigned jobs on ADC property and shall be under continuous and direct supervision of staff if outside the perimeter fence.
- E. Class IC is for all other inmates assigned Class 1 status, but require armed security supervision when working outside the fence. Inmates assigned Class II who have been approved for parole or transfer by the Parole Board automatically become Class IC.
- F. Class 1P is automatically assigned to an inmate upon release/transfer to Community Correction supervision.

¹ Criteria for assignment to Work Release, 309, and Boot Camp are all governed by separate policies. Criteria for ACC Reentry Center Resident Program governed by separate statute.

- G. Class II is required for an inmate to be considered for restoration of lost good time, and is typically required for enrollment in a treatment program. All inmates are assigned Class II upon intake unless the inmate is being returned as the result of disciplinary action and has been reduced below Class II status. Inmates assigned Class II cannot work outside the fence without armed supervision.
- H. Class III status is the lowest class status that earns any good time, and would typically indicate an inmate has had behavioral problems within the Department.
- I. Class IV is the lowest class status indicating the inmate has been found guilty of disciplinary violations and is not eligible to earn any good time.
- J. Any Class assignment to Class I that does not meet the criteria above requires written approval of the Director or the Deputy Director for that institution.
- K. **Interstate Compact inmates (800#'s) are housed for another state in the Department of Correction and cannot be awarded class IA, IB, nor ID or otherwise a class status that allows the inmate to work outside the confinements of the fence without armed supervision.**

IV. PROCEDURE:

A. New Commitments and Violators

The following procedures will be utilized in determining inmates' class status upon their reception:

1. Absconders

An inmate on parole or transfer who absconds from supervision will be reduced to Class IV status on the date of abscond until return to custody (date warrant served).

- a. When the warrant is served, the inmate will be placed in the class status prior to the abscond and will remain this class until returned to ADC.
- b. An inmate who absconds supervision prior to the implementation of Class IP status, effective 12-11-90, will be returned from abscond with an upgrade to Class IP status effective on the date of return.

2. Parole/Transfer

All parole violators, with or without new time, will maintain a Class IP or transfer status until his or her return to the Department of Correction.

a. A parole/transfer that waived his or her hearing, and class is not stipulated by the hearing officer, will remain in the present class status until received by the Arkansas Department of Correction.

b. All parole violators will be assigned Class II upon intake to the Department of Correction.

3. Violators returned from Act 492 (Boot Camp) will remain in their present class status until they return to the Arkansas Department of Correction.

B. Initial Assignment

1. Inmates will remain in Class II status during their first sixty (60) days on their initial assignment unless appropriate disciplinary action has been taken.

At the end of the sixty (60) days, if the inmate's supervisor has recommended the inmate for promotion, the inmate will appear before the classification committee to be considered for job and or unit reassignment.

2. If the inmate is placed in a job other than his or her initial assignment, the inmate will be promoted to Class I status per classification guidelines.

If the inmate refuses the job and/or unit assignment, the inmate will be placed back on his or her initial assignment and will remain in Class II status until appropriately reclassified.

3. If there is no job available that is suitable for the inmate as determined, the inmate will be promoted to Class I and assigned to the next available opening of a specific job assignment.

a. The inmate will then be returned to his or her present assignment and his or her name will be placed on a list and should fill the next vacancy that occurs in that particular job.

- b. If this act occurs, the inmate may not have to reappear before the classification committee but can simply be placed in the job by the classification officer when the opening becomes available.

C. Disciplinary Action

1. If an inmate loses his or her job as a result of disciplinary action and is returned to an initial assignment and then regains Class II status and receives a promotion recommendation from the supervisor, the inmate can be placed in the job but may have to wait thirty (30) days before becoming eligible for Class I unless the job assignment is a Class IA or IB.
2. If the inmate subsequently loses that job due to disciplinary action again, the next time the inmate is placed in the job after regaining Class II the inmate may have to wait sixty (60) days before becoming eligible for Class I. (The classification committee may add thirty (30) day increments each time the inmate loses a job because of disciplinary action.)

D. Administrative Reductions

1. If an inmate is on his/her initial assignment and is recommended for a particular unavailable job and is subsequently promoted to Class I, and the inmate refuses to accept the job when it becomes available, then that inmate can be administratively reduced to Class II and remain on the initial assignment.
2. If an inmate is transferred from ACC to ADC as a 1B, he/she will be administratively reduced to a 1C upon intake to ADC. If the inmate is transferred due to disciplinary reasons, the inmate will remain at the reduced classification assigned by ACC until he/she can earn class pursuant to ADC policies.

E. Released Inmates

Parolees/Transferees: When an inmate is granted parole or transfer by the Parole Board, the inmate will automatically be placed, in Class 1C status (unless the inmate is already in IA or IB status) while he/she remains incarcerated. Upon release/transfer to Community Correction supervision, the inmate will automatically be placed in IP status.

- F. To appear before the Classification Committee for promotion, reclassification and/or restoration of lost good time, an inmate must have a

favorable institutional record (without disciplinary infraction), specifically, it shall have been:

1. A minimum of sixty (60) days from the date of the inmate's last major disciplinary hearing (if punitive time is given, then the sixty (60) days begins upon RELEASE from punitive or the sixty (60) days begins after the inmate has been transferred to punitive restriction status (restriction status does not have to be over).

However, if a warning, reprimand or a suspended sentence is received for the major disciplinary, the inmate is eligible for promotion and/or reclassification after thirty (30) days.

2. A minimum of thirty (30) days from the date of the inmate's last guilty decision for a minor disciplinary.
3. And, at a minimum (timeframes in this section do not begin to run until the inmate has been released from punitive if punitive time was assessed for these violations despite reference to guilty verdict in some subsections below):

- a. One (1) year from the date an inmate is returned from **escape or attempted escape** unless the Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.
- b. One (1) year from the date of a **felonious battery** unless the Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.
- c. One (1) year from the date of a **battery on an employee** unless the Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification. Under no circumstances can the inmate be considered in less than ninety (90) days if the assault is intentional and not less than sixty (60) days if the assault is unintentional.
- d. One (1) year from a **homicide or attempted homicide** committed while in custody of the Department of Correction.
- e. **One (1) year from the date of a guilty verdict for disciplinary rule for possession/manufacture of contraband that carries a Class A penalty unless the**

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Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.

- f. Three (3) months from the date of a guilty verdict for Sexual Activity, including Rule #05-4, 10-1, 10-2, 10-3, 10-4, or 10-5.

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Six (6) months from the date of a second guilty verdict for a 10-3 rule violation for indecent exposure unless the Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.

One (1) year from the date of a third or subsequent guilty verdict for a 10-3 rule violation for indecent exposure unless the warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.

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NOTE: For calculating an inmate's eligibility for a class promotion, subsequent guilty verdicts for 10-3 rule violations will be run concurrently.

- ~~g. Three (3) months from the date of a guilty verdict for rule violation involving Tobacco, Drug and Alcohol.²~~

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- ~~h. Three (3) months from the date of a guilty verdict for extortion.~~

- G. After the above promotion and/or reclassification, an inmate must maintain a favorable institutional record for at least thirty (30) days before again appearing before the Classification Committee for another promotion and/or reclassification unless approved by the Warden. An inmate should be in Class II or Class I status in order to be considered for anything other than promotion in class and/or restoration of lost good time. However, an inmate may be placed into a treatment program by the Classification Committee upon the recommendation of the Warden or the Warden's designee and the Treatment Program Manager, even if the inmate is not yet eligible for class promotion per this Directive.

² May extend promotion eligibility by thirty (30) days for each subsequent guilty verdict for a tobacco, drug or alcohol violation within the last eighteen (18) months.

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Electronic Equipment and Systems

NUMBER: ~~16-15~~ 17-04

SUPERSEDES: ~~14-40~~ 16-15

APPLICABILITY: All Employees, Contractors, Visitors, Volunteers and Inmates

REFERENCE: AR-104 Property Control PAGE: 1 of 6

APPROVED: Original Signed by Wendy Kelley -EFFECTIVE DATE: ~~7/10/2016~~

I. POLICY:

It will be the policy of the Arkansas Department of Correction to develop guidelines for use of electronic equipment and a systematic program for computer hardware and software acquisition, operation, security, maintenance/upgrade, and repair to best utilize the resources of the Department.

II. DEFINITIONS:

A. Computer/Electronic equipment

Includes all personal computers (PC's), terminals, printers, network equipment and other computer-related equipment (including data capable portable devices such as PDA's, data ready smart or cell phones, iPads/tablets, iPods/media players, smart watches, fitbits, speakers, laptops, thumb/flash drives, and other similar devices capable of storing computer files or software).

B. Electronic equipment/e Communications equipment/systems

Includes, but is not limited, to standard land line POTS(phone)s(phone)s or Internet VoIP telephones, facsimile machines, electronic mail, mainframe network computer/server access, personal computers, internet and/or on-line services. Also includes data capable cell phones and other portable devices.

III. PROCEDURES:

A. General

1. All computer equipment, hardware and software, and other electronic equipment/communication systems in use at ADC facilities belong to the Department of Correction, and are to be used for authorized ADC business only. Usage ~~should~~shall follow the Governor's Policy Directive on the use of state property* and applicable ADC Directive on Information Technology Use. Questions should be directed to the Information Technology Division.
2. Existing or subsequent policies regarding any component of ADC computer/electronic equipment or ~~electronic~~ equipment/communications equipment systems, misuse of state property or employee conduct are applicable to this policy and its subject matter.
3. Use of any computer or communications system to promulgate slanderous/libelous statements will not be tolerated.
4. Any use of state property, which would cause public embarrassment to the department, or any other state entity is forbidden.
5. ~~CN~~No computer or communications system or device ~~should~~shall not be used to send any message for the purpose of frightening, intimidating, threatening, harassing or contain sexually explicit or suggestive messages. Such access or use may result in criminal prosecution.*

B. Computer Systems

1. General

- a. Any acquisitions of computer/electronic equipment, communications equipment/systems or related equipment from other agencies or sources must be approved in writing by Information Technology Administrator or Designee and reported to Inventory Control.
- b. Donated computers become the property of the Department of Correction and their donation shall be reported in writing to Information Technology, in addition to regular donation requirements outlined in AR 216 - Accepting Gifts, Grants and Donations for the Department of Correction.

- c. Repairs, upgrades and modifications on any state owned computer (including donated computers) must be approved by Information Technology prior to being done. All maintenance, repair, upgrades and modifications of ADC computer equipment (including donated computer equipment) is restricted to authorized ADC IT Division personnel only. No other maintenance or repair type work may be performed by any other individuals without prior written authorization from the IT Division.
- d. All materials (hardware/software/files), etc., created, installed or stored on computers of the Department become the property of the Department and are subject to being reviewed, read or removed by supervisory or management staff or Information Technology personnel.
- e. Changes to hardware ~~or~~ software configurations and/or other modifications ~~are shall~~ not to be made without written approval from the Information Technology ~~Division Administrator, or Designee.~~
- f. Any change in the mission (original ~~intended~~-use) of any computer equipment must be reported to Information Technology for review and approval by the Management Team if necessary. Changes in mission may require a return to IT to be configured/rebuilt for the needs of the new mission.
- g. The primary user of the computer has the ultimate responsibility for the security and proper operation of any computer equipment assigned to them. It shall be the primary user's responsibility to ensure that other persons using the computer equipment are familiar with this policy.
- h. ~~All~~ Computer users are responsible for the proper use and care of the equipment being used as outlined by the IT Division. Users and their supervisors/~~managers~~ are responsible for ensuring that the user has sufficient knowledge to properly operate the hardware and software/applications being used in order to prevent damage to the equipment or to the integrity or accuracy of the data being accessed. ~~The primary user is responsible for regular cleaning and user maintenance of computers and equipment as outlined by the operator's manual.~~ Computers must be kept in a well-ventilated area and all fans/ and vents must be cleaned on a regular basis to prevent overheating failures and to extend the overall-life of the equipment. Questions can be addressed to the Information Technology Division.

- i. ~~IT will contact each Warden/Administrator, etc or other authorized staff, will to~~ determine the designated employee to coordinate computer security and operations with Information Technology staff. This employee will notify Information Technology of changes in users, monitor physical security/configuration changes, etc., and advise Information Technology and/or the Warden/Administrator, ~~or other authorized staff~~ of problems or potential problems with the computers and/or physical security.

2. Hardware

- a. The placement of all computers and related equipment purchased with Department funds ~~(including grant money)~~ shall follow the Information Technology implementation plan ~~or otherwise or~~ be approved by the Management Team.
- b. Approval must be obtained from Information Technology prior to relocating computer equipment; Information Technology must be notified for inventory purposes and for obtaining information on cabling and to avoid ~~problems~~ downtime due to triggering Network Port Security.
- c. If equipment is sealed, the seal must not be broken without direction from the Information Technology Division.

3. Software

- a. Only software properly licensed to the Agency/Department and approved by Information Technology is to be utilized on computers of the Department unless prior approval has been obtained from Information Technology.
- b. All software purchases should shall be approved through Information Technology to ensure compatibility.
- c. Making unauthorized copies of ~~Department~~ Agency owned software is illegal and prohibited.

4. Security

- a. All passwords are to be protected and not given to inmates, other staff, contractors, volunteers or other unauthorized persons.

- b. Computers ~~should~~ shall be placed in locations that lessen the possibility of tampering by visitors, unauthorized employees or inmates.
 - c. Inmate accessible computers, thin clients, or other computing equipment shall NOT be installed or located in an office/area with a network accessible cable and/or a networked computer, printer, switch, modem or other communications related equipment. Lockboxes are not acceptable to secure a networked computer.
 - d. Inmates shall not be permitted access to computers containing:
 - (1) Inmate records, eOMIS, ACIC/NCIC, AFIS;
 - (2) The Department's business records; and nor
 - (3) Any personnel records.
 - e. Inmates shall only be permitted access to a computer or computing devices:
 - (1) With a purpose approved by the ~~Agency~~-Management Team;
 - (2) Secured for inmate use by the Information Technology Department; (i.e., Thin Clients)
 - (3) Assigned for a job, program, or educational purpose, equipment must be properly labeled for inmate use ~~RE: AD-14-28;~~ and
 - (4) Vendor secured, for inmate purchased-purchases through an Agency approved program.
 - f. Personnel servicing and/or repairing equipment ~~should~~ shall be properly identified and not left alone while making repairs.
5. On-line Services, Bulletin Boards, the Internet, Electronic Mail (E-Mail) and other outside services.
- a. Accessing on-line services, bulletin boards, etc., is only to be done in the performance of official business.

- b. Subscriptions to any non-governmental or correctional outside services must be approved in writing by Information Technology.
- 6. ~~Personally owned computers, software, printers and other electronic equipment.~~

Personally owned computers, software, electronic computer equipment, electronic devices or peripherals (i.e., included but not limited to fitbits, smart watches, cellular phones, laptops, tablets, speakers, thumb drives, etc.) are shall not to be brought within an ADC facility and ~~will shall~~ not be installed, connected or otherwise integrated with any ADC computer equipment without written approval by the Director or appropriate Deputy Director, by anyone (i.e., staff, contractors, visitors, etc.).

IV. REFERENCES:

* GPD -5- Governor's Policy Directive - Standards of Performance - State Owned Equipment and Supplies.

** Act 1153 of 1997 "To penalize harassing or threatening communications by means of computerized systems."

Act 339 of 2007 "To prohibit the integration of personally owned computer hardware, software and peripherals with state computer equipment without agency approval."

AR 216 - Accepting Gifts, Grants and Donations for the Department of Correction

AR 225 - Employee Conduct Standards



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ADMINISTRATIVE DIRECTIVE

SUBJECT: Employment

NUMBER: 16-0217-21

SUPERSEDES: 12-1016-02

APPLICABILITY: All Employees and Applicants

REFERENCE: AR 204 – Employment Policy

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APPROVED: Original signed by Wendy Kelley

EFFECTIVE DATE: 2/8/16 7-1-2017

I. POLICY:

It shall be the policy of the Arkansas Department of Correction to ensure all applicants are given fair and equal opportunity for employment in accordance with all state and federal guidelines.

II. EXPLANATION:

The Arkansas Department of Correction is an Equal Opportunity Employer. All positions are open equally to qualified male and female applicants.

III. DEFINITIONS:

- A. Employee. A person regularly appointed or employed in a position of the Department of Correction for which he or she is compensated on a full-time basis and which has a class title and pay grade in Arkansas Code Annotated § 21-5-208.
- B. Class or Classification. A group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training and experience or skill, and other characteristics that the same title, the same test of fitness, and the same scale of compensation have been or may be applied.

- C. Promotion. A change in duty assignment of an employee from a position in one classification to a position in another classification of a higher salary and/or grade requiring higher qualifications, such as greater skill and longer experience, and involving a higher level of responsibility.

In accordance with the AD governing Employee Conduct Standards, an employee is not eligible to apply for or receive a promotion or transfer while on probation as a result of disciplinary action unless a waiver has been granted by the Director.

An employee who applies for and receives a demotion, or who has been administratively demoted, will not be eligible to receive a promotion to a higher classification during the twelve months following the demotion.

If an employee promotes to a classification one or more grades higher than the current classification within their current pay grid, a 10% salary increase on the salary, less any enhancements or differentials, will normally be awarded. If an employee promotes from the career service pay grid to the professional and executive pay grid, a 12% salary increase on the salary, less any enhancements or differentials, will normally be awarded. However, provisions of the state pay plan will govern in all situations as years of service and other applicable situations may limit the increase that may be awarded.

- D. Demotion. A change in duty assignment of an employee from a position in one classification to a position in another classification of a lower salary and grade requiring fewer qualifications such as lower skill requirements, less job-related experience, and a lower level of responsibility. When an employee voluntarily or is administratively demoted to a classification one or more grades below the current classification within their current pay grid, a salary decrease of 10% or 12%, less any enhancements or differentials, will normally be required. However, provisions of the state pay plan will govern in all situations as years of service and other applicable situations may limit the decrease that may be required. An employee who applies for and receives a demotion, or who has been administratively demoted, will not be eligible to receive a promotion to a higher classification during the twelve months following the demotion.

If an employee enters a position that is authorized to receive a Labor Market Rate or a Tier Plan Rate and receives a promotion, demotion, or transfer within the same job family or tier level within twelve months, their base salary must be adjusted with the applicable percentage increase or decrease according to provisions of the pay plan and authority of the Office of Personnel Management.

- E. New Hire. Employees entering state service for the first time.

- F. Rehire. Employees returning to state service after a break in employment of two or more pay periods.
- G. Displaced Worker. An individual who has worked for an employer that has downsized or closed within the last twelve (12) months, in which they were continuously employed for three (3) or more years, will be considered for hire with the ADC without a high school diploma or GED. All other criteria must be successfully completed. This individual will not be eligible for any type of promotion and/or merit increase/promotion until he/she has acquired a GED.
- H. Transfer. Employees transferring between state agencies or institutions or laterally within the Department of Correction without a break in service.
- I. Hiring Authority. Human Resources Administrator/Wardens/Center Supervisors/Administrators are authorized to make final selection of applicants for positions available within the Arkansas Department of Correction.
- J. Human Resources. Any employee assigned or designated by a Deputy/Assistant Director, Warden, Center Supervisor, or Administrator, whether within a division, unit, or Central Human Resources, to perform employment-related functions.

IV. PROCEDURES:

A. Position Vacancies:

1. The Hiring Authority must initiate a Position Vacancy Report and Hiring Freeze, with appropriate justification, in order to fill any vacant position. These documents must be submitted to the Central Human Resources Office.
2. Upon receipt of the Hiring Freeze, the Central Human Resources Office will determine if the position is budgeted and authorized to be filled. It will then be forwarded to the Department of Finance and Administration, Office of Personnel Management, for final approval.
3. Positions assigned to GS13 and above, IT08 and above, MP03 and above, or Senior Executive ~~the professional and executive pay grid, along with non-classified~~ position vacancies, are not required to be advertised. The Director has the authority and discretion to appoint or transfer individuals into these classifications.
4. Classified position vacancies within the ~~career~~ general services salary pay plan must be advertised according to procedures established by the Department of Finance and Administration, Office of

Personnel Management. ~~Except when an emergency hire is warranted, and as may be authorized by the Office of Personnel Management, all positions classified as "exempt" shall be advertised for a minimum of ten working days before initiating the selection process. All "non-exempt" positions shall be advertised for a minimum of five working days before initiating the selection process. An extension of advertisement or re-advertisement of a position may be requested from Central Human Resources by the Hiring Authority.~~

5. Requests for recruitment or advertisement of positions that require additional actions, e.g., newspapers, mail-outs, etc., must be submitted to and coordinated by the Central Human Resources Office.
6. Individual units may advertise monthly for CO I's if there are open positions available at that unit. Each application must have a completed disposition within thirty days of receipt. If an application is not dispositioned within thirty days, no new applications may be accepted.
7. All applications received for advertised positions must be submitted according to the guidelines established by the advertisement. Applications received must be complete and will be reviewed to determine if the applicant meets minimum qualifications for the vacancy. Work credit will only be given for paid positions, or internship under a higher education program relative to the qualifications for the position. All qualified applications will be submitted to the Hiring Authority after the closing date of the advertised vacancy.
8. ~~Employees selected for positions requiring Management Level I-IV certification will be scheduled and required to attend the next available Management Level class relative to their position.~~

B. Employment/Selection Process:

1. The Rating System set forth in this policy shall be utilized by the Hiring Authority and/or interview committee for scoring applicants selected for interview. Scoring shall be conducted in a manner that ensures objective criteria are used for selection of the most qualified applicants for vacant positions. Points shall be awarded to applicants for the following criteria: education, experience, and military service. The Rating System shall include:
 - a. Related Education. The applicant must meet minimum requirements for the job classification or must be approved as a qualified applicant per state requirements. A

maximum of ten (10) points may be awarded to an applicant for completion of Related Education above and beyond the Minimum Educational Requirements for the position. (For example: If the Minimum Qualifications require a high school diploma, and the applicant possesses a related Associate's degree, two and one-half (2.5) points will be awarded; if the applicant possesses a related Bachelor's degree, five (5) points will be awarded, and if the applicant possesses a related Master's degree, ten (10) points will be awarded. If a Bachelor's degree is required and the applicant possesses a related Master's degree, five (5) points will be awarded, and if the applicant possesses a related Doctorate's degree, ten (10) points will be awarded.) A copy of the diploma or degree showing the award of the educational level is required. All diplomas received must be from an institution accredited by the Department of Education for the applicable state. All degrees received must be from a college or university accredited by one of the Regional Institutional Accrediting agencies recognized by the United States Department of Education.

- b. Related Experience. An applicant's experience level for the job classification is awarded .25 points for each month of related experience exceeding the minimum requirements, up to a maximum of ten (10) points.
- c. Veteran's Status. An applicant may qualify for five (5) or ten (10) points in accordance with provisions of the Arkansas Veteran's Preference Law. To claim Veteran's Preference, an applicant must be honorably discharged from a tour of active duty, other than active duty for training only, with the Armed Forces of the United States, or served honorably in the National Guard or Reserve Forces of the United States for a period of at least six (6) years, whether retired or discharged. Five (5) points are awarded for standard veteran's preference. A disability discharge is ten (10) points. Discharge must be for "Honorable" or "Under Honorable Conditions" only. Disabled veterans or the spouse of a disabled veteran shall have ten (10) points added to his/her final rating score. The applicant must produce a copy of their DD214 long form or NGB form 22 to receive veteran's preference points. Total points awarded for veteran's status cannot exceed ten (10) points.

- d. Interview. Scoring for interviews shall be determined by assessing 1) the completed application form, 2) other written material gathered or presented and the applicant's responses to questions which support the knowledge, skills, and abilities (KSA's) of each job specification. The rating shall be multiplied times the numerical weight (importance) assigned for each KSA to determine the interview score, which must be 60% or higher. Any supervisory position requires an interview score of 70% or higher.
2. The Hiring Authority shall appoint the interview committee, which will consist of three (3) to five (5) members of the Department. These committee members must be representative of the racial and gender composition of the applicant pool, the same or higher grade as the advertised position, and familiar with the knowledge, skills, and abilities of the position to be filled or positions consisting of General Salary 1-4 can be interviewed by the immediate supervisor of the position without a committee. The Hiring Authority may also bypass the committee system if there are 3 or fewer applicants eligible for the position. At least one member of the interviewing process must have successfully completed Structured Interviewing Training. ~~The Hiring Authority may elect to bypass the committee system if there are three or fewer qualified applicants eligible for the position.~~ The Hiring Authority may select the top-scoring applicant if the Hiring Authority sat on the original interview panel; or, prior to making a final selection, the Hiring Authority may elect to re-interview the top three (3) applicants if the Hiring Authority did not sit on the original interview panel. Written justification in clear and unambiguous terms is required if the applicant selected did not receive the highest score, and this justification must state why this person was selected over the top scoring applicant.
3. Interviews will be conducted for advertised positions if there are applicants with a natural, maximum pre-score cut-off of ten (10) points based on: education, military service, and work experience. Work experience and education must be applicable to the advertised position in order to receive points. However, no applicant can receive more than thirty (30) pre-score points. There is no minimum or maximum number of applicants that can be interviewed for a position. All applicants with military service, who provide a copy of their DD214 showing an honorable discharge, will receive veteran's preference points and must be interviewed, regardless of their pre-score points.

If the Hiring Authority chooses to interview only those applicants with a minimum pre-score, then all applicants with that pre-score, or above, must be interviewed.

4. The Hiring Authority or Human Resources must conduct a background check on all new employees, contractors, volunteers, and Interns/Student Services prior to them assuming their duties, in order to identify whether there are criminal convictions that have a specific relationship to the job performance. The background check shall include comprehensive identifier information to be collected and run against law enforcement indices. If suspect information on matters with a potential terrorism connection is returned on an applicant, it is forwarded to the local Joint Terrorism Task Force (JTTF) or other similar agency. The background check shall include, but is not limited to, NCIC/ACIC record review, Justice Exchange, two or more favorable employment reference checks, and Maltreatment Registries check. If the NCIC/ACIC report reveals ten (10) or more points assessed against an applicant's driver's license, or reveals that a license is suspended or not valid, the applicant is not eligible for hire if the position applied for requires a driver's license or requires driving a state vehicle. If the applicant only has one favorable employment reference, or has no employment history, approval to hire may be granted by Central Human Resources. The Hiring Authority must be notified if the references cannot be obtained within three (3) working days. Documentation relative to the employment background check must be attached to the promotion/hire packet.
5. Incumbent staff who promote or demote to business positions in areas such as accounting, inmate banking, commissary, or any other area which has access to agency financial accounts, must have a background check completed and submitted as part of the packet for approval. This also applies to staff that promote or demote to a position in Information Technology. Employees occupying these positions will have an updated background check every 5 years. Although a criminal conviction (i.e. embezzlement, fraud, etc.) does not automatically eliminate an applicant, approval may not be granted due to the nature of the criminal charge if it may conflict with the type of duties being performed.
6. Pre-employment screenings as may be required by department policy or procedure will be conducted prior to final review and approval of selectee. Such screenings may include, but are not limited to; 1) a drug test, 2) a physical assessment, 3) a tuberculosis test, and 4) the ability to perform essential job functions. Applicants rejected for failing to pass a test for drugs will not be reconsidered for twelve months from the date of rejection and upon reapplication must have successfully completed

a state licensed drug rehabilitation program during the twelve-month period. A final offer of employment may not be made until all required documentation has been received and administrative approval has been received.

7. The promotion/hire package recommending an applicant for selection must be presented to the Central Human Resources Office for administrative approval. The packet will consist of all documents as specified on the Human Resources Pre and Post Check-Off Sheet, including the Contingent Hire Notification documentation.
8. Positions classified as ~~Grade C120 and above~~ GS09 and above, IT 08 and above, MP03 and above will be approved by the Director, ~~Grades C117 and above~~ GS07 and GS08, IT07 and IT06, and MP02 and below will be approved by the applicable Deputy/Assistant Director. ~~Grades C116 and below~~ GS06 and below will be approved by the Hiring Authority and the Human Resources Administrator.
9. Following acceptance of an offer of employment, all other applicants will be notified of the decision by the Central Human Resources Office. Approved promotions and transfers should occur within two weeks following the employee's acceptance of the position and notice to his/her supervisor, unless alternative arrangements are authorized by the gaining and losing Hiring Authority.

C. Transfer:

1. Administrative Transfer. The Director may at any time transfer employees and/or their positions to another location when the transfer is in the best interest of the Department.
2. Voluntary Transfer. An Employee of the Department of Correction may request a voluntary transfer from a position classification at one location to the same position classification at another location provided there is an open advertisement for that position at the desired unit. The applicant will route requests for voluntary transfers through the Hiring Authority (releasing and receiving) for consideration and approval. The Hiring Authority has the option of selecting a transfer applicant in lieu of interviewing for the vacant position.

D. Demotion:

1. Administrative Demotion. Employees may be demoted to a lower-graded position classification in accordance with provisions of the

department's employee conduct standards policy. All demotions must be approved by the applicable Deputy/Assistant Director or Administrator.

2. Voluntary Demotion. Employees of the Department of Correction may request a voluntary demotion from their current position classification at one location to a lower graded position classification at the same or at another location provided a vacancy has been advertised. A completed state application must be received during the advertisement period. The applicant will be considered with all other qualified applicants in the interview process.

E. Rehire:

1. The Hiring Authority will review Rehire applications and related previous work history to determine the reason(s) the employee terminated employment with the Department of Correction. Applications from persons not recommended for Rehire will not be considered for at least twelve months from date of termination. Applications from persons terminated for violation of the drug testing policy will not be considered for at least twelve months, and the applicant must have successfully completed a state licensed drug rehabilitation program since termination to qualify for rehire consideration.

A rehire applicant that has not been gone for at least 90 days will be considered for re-employment only at his or her previous unit of assignment unless this requirement is waived by the Director.

2. The Hiring Authority will include the Rehire application, along with the applicant's previous termination notice(s) and all documentation of previous employment periods with the Department of Correction. This information must be submitted with the Rehire packet and forwarded to Central Human Resources.
3. The Director or Human Resources Administrator will make the final decision regarding all Rehire applicants.

F. Procedures Manual/Required Forms:

The Human Resources office shall develop detailed administrative procedures and required forms to guide the employment process. The forms will be placed on the Department intranet site.



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ADMINISTRATIVE DIRECTIVE

SUBJECT: Procedures for the Development of Administrative Regulations,
Directives and Memoranda

NUMBER: ~~14-2917-1216-xx~~
~~13-13514-29~~

SUPERSEDES:

APPLICABILITY: To All Departmental Staff

REFERENCE: AR 001-Administrative Regulations, **PAGE:** 1 of 7x
Directives and Memoranda

APPROVED: Original signed by ~~Ray Hobbs~~ Wendy Kelley
DATE: 05/16/2014

EFFECTIVE

I. POLICY:

The Director or any member of the Management Team may initiate a request for a new or amended Administrative Regulation (AR), Administrative Directive (AD) or Administrative Memorandum (AM) ~~regulation or a change in a current regulation on their own initiative or as deemed necessary, after a request of a subordinate.~~

II. EXPLANATION:

Efficient and effective management and administration of the Department requires the adoption and implementation of objective and thorough Administrative Regulations, Administrative Directives, and Administrative Memoranda designed to carry out the responsibilities of the Board of Corrections and the Department. New ARs, ADs and AMs should be adopted as needed. Existing policies should be promptly updated as necessary. Obsolete policies should be repealed. It is important that new regulations be written to fill voids in

current regulations and that changes be made as needed. If existing policies are unneeded, they should be repealed.

To ensure that all future rules and regulations are properly considered, go through the proper process, it is important that every step of the following procedures is are completed. The However, the Director may authorize deviations from these procedures on a case by case basis.

III. PROCEDURES:

The Management Team member initiating the proposal will be known as the "originator." The Director will designate a Policy Coordinator for the Department and appoint a Policy Committee, which will include the Department's Accreditation Coordinator, and designate one (1) member of the Committee to serve as its Chair. The Director will appoint a Policy Committee Chair. The Accreditation Manager will serve on the Policy Committee. The Management Team member initiating the proposal, or their designee, will be known as the "originator" and will work with the Department's Agency Policy Coordinator to ensure that the following steps are followed:

A. General Procedures

1. The originator will submit electronically the proposed policy in standard format with a memorandum outlining the reasons why the policy proposal is needed or why the changes are needed in an existing policy and whether the proposal should be placed in the inmate law libraries. The originator must also include a financial impact statement if the proposal is for an Administrative Regulations.
2. The Agency Policy Coordinator will acknowledge receipt of the proposed policy and forward copies to the Policy Committee. The Agency Policy Coordinator will notify the originator when the policy is scheduled for review by the Policy Committee. The Policy Committee will review the substance of the proposed policy. Issues related to grammar and formatting may be resolved by the Agency Policy Coordinator and the Policy Committee Chair.
3. After approval by the Policy Committee, the Chair will notify the member of Management Team responsible for policy development and implementation who will place schedule the proposed policies on the agenda for a subsequent Management Team meeting.

4. The Policy Committee Chair will make a forward the recommendation to the Management Team as to whether the policy should be placed in the law libraries.
- 4.5. The Agency Policy Coordinator will report the status of all submissions at each Policy Committee meeting through final enactment.

B. Administrative Regulations Procedures

In addition to the general procedures above, and if it has been determined that the proposal will be recommended is to become a new or amended an Administrative Regulation (AR), the following procedures are to be followed:

1. Administrative Regulations will be written using the standard format (see attachment #1), and drafted to reflect broad policy and avoiding avoid, if possible, detailed implementation language which is more appropriately addressed in an AD or AM, written in as broad of terms as possible.
2. The Policy Coordinator will forward a copy of the draft regulation to the Attorney General's Office at the same time the regulation is forwarded to the Board of Corrections. (SG1)
- 3.2. The Department will ask the Board of Corrections for permission to proceed with the developing continued development, approval, repealing, or modifying modification, etc., of the AR.
- 4.3. After receiving Board approval of the Department's request for permission to proceed, the Agency Policy Coordinator will make the required notification to the Governor's Office requesting the Governor's approval of the new or revised AR and will complete the legal notice Bureau of Legislative Research questionnaire and, and file both documents with the Legislative Council. An Administrative Regulation shall only be filed with the Legislative Council following the approval of the Governor (SG2).
- 5.4. 5. Representatives of the Department will attend Legislative Council Meetings, and/or any other legislative committee to which the AR may be referred, and to discuss the AR as needed.
56. Upon completion of all legal requirements, the AR will be submitted to the Board for final approval. Any comments received regarding the AR will be provided to the Board at this time.

67. If then approved by the Board, the AR will be filed with the Secretary of State's Office and the State Library at the appropriate times. The AR will take effect ten (10) days after it is filed with the Secretary of State's Office.
78. The Policy Committee Chair, or their designee, will advise the Agency Policy Coordinator, in writing after each Board action, of the results or action needed on any policy requiring Board review.
89. The Agency Policy Coordinator is responsible for maintaining an accessible copy of all current Administrative Regulations as well as a system for locating repealed and modified Administrative Regulations.
- 940. The Agency Policy Coordinator will ensure that all ARs are available on both the Department's website and intranet site.

C. Emergency Administrative Regulations Procedures

If the Director or Board of Corrections determines that an AR administrative regulation must be adopted on an emergency basis, the following applies:

1. Neither a legal notice nor a public hearing is necessary to issue an Emergency Regulation.
2. Upon approval by the Board of Corrections, An Emergency Regulation must shall be forwarded to the Governor's Office for approval and then filed with the Committee Subcommittee on Administrative Rules and Regulations of the Legislative Council who will schedule the Emergency Regulation for presentation before the Executive Subcommittee of the Legislative Council and the Office of the Secretary of State upon approval by the Board of Corrections. The Emergency Regulation becomes effective immediately upon filing following its approval by the Executive Subcommittee of the Legislative Council, notification by the Executive Subcommittee to the full Legislative Council, and its filing with the Secretary of State's Office.
3. Justification ~~delineating~~ explaining the reasons an AR administrative regulation is adopted on an emergency basis must accompany the Emergency Regulation sent to the Committee on Administrative Rules and Regulations of the Legislative Council.
4. An emergency regulation is effective for only 120 days. Steps to make the regulation permanent. The procedures outlined in Section

III – B of this Directive should be taken implemented as soon as the Board of Corrections approves-recommends the approval of the emergency administrative regulation. This includes placing a legal notice in a newspaper of general circulations and a minimum 320-day notice of intended action. An Emergency Regulation must be refiled with the Legislative Council in order to become a permanent AR administrative regulation.

Once the emergency regulation is filed with the Legislative Council and Secretary of State after Board of Corrections adoption, it does not have to be resubmitted to the Legislative Council; however, the regulation will have to be re-filed with the Secretary of State once it is adopted by the Board of Corrections as a regular administrative regulation. [504]

D. Administrative Directives Procedure

Administrative Directives are policy statements which delineate-explain operational requirements which are departmental in scope and are issued by the Director. AD's Directives are for the internal operation of the Department of Correction. In addition to the Cgeneral Procedures, the following procedures are to be followed:

1. Administrative Directives will be written using the standard format and heading, —(attachment #2).
2. The Director has the final approval as to whether a policy will be distributed as an Administrative Directive. The AD directive must contain the Director's signature.
3. Once approved, a number will be assigned and the Policy Coordinator and originator Director will determine an effective date for the ADirective. The Agency Policy Coordinator will distribute copies of the new the new or revised AD to the Director's staff, Management Team, and Compliance Administrator/Attorney, and other departmental staff as appropriate. These persons shall be responsible for distributing appropriate policies to subordinate staff. The distribution of a new or revised AD will include an Executive Summary sufficient for presentation during staff meetings, shift briefings and for inmate notification when required. [505]
4. 4. —The Agency Policy Coordinator is responsible for maintaining an accessible copy of all current Administrative Directives as well as a system for locating out-of-date repealed and modified Administrative Directives. Unless designated as confidential, the Agency Policy Coordinator will maintain all current ADs on the Department's intranet site.

Note: Consistent with applicable state law, the Director may designate an AD as confidential and restrict both the distribution of, and access to, the AD. [SG6]

E. Administrative Memoranda Procedure

Administrative Memoranda are policy statements which delineate operational requirements which are not departmental wide and apply to a particular area of operation. The following procedures apply:

1. Administrative Memoranda will be written using the standard format and heading (attachment #3).
2. Administrative Memoranda may be issued to establish day-to-day operational procedures not specifically covered or defined by an Administrative regulation, law, or policy. The originator of the area responsible for operation of the area requesting a memorandum must approve the Administrative Memorandum.
3. Administrative Memoranda will be distributed by the Policy Coordinator, and posted on the department's intranet site.

F. Quarterly Report on New and Revised Administrative Regulations, Directives, and Memoranda

1. The Department's Public Information Officer and Legislative Liaison, with the assistance of the Policy Coordinator, shall file a quarterly report on behalf of the Board of Corrections and the Department with the Legislative Council containing all new and revised administrative regulations, directives, and memoranda.
2. The report shall be formatted and submitted in the manner determined by the Legislative Council or its staff. [SG7]


G. Annual Review

The member of Management Team responsible for policy development and implementation, with the assistance of the Agency Policy Coordinator, will ensure/facilitate an annual review of all departmental policies. The annual review shall also include a review of the list of policies available in the law libraries.

IV. REFERENCES:

Administrative Procedures Act Act 1258 of 2015
Executive Order 15-02

Attachment 1

 <p>ADMINISTRATIVE REGULATIONS STATE OF ARKANSAS BOARD OF CORRECTIONS</p>	Section Number:	Page Number: 1 of
	Board Approval Date:	
	Supersedes:	Dated:
	Reference:	Effective Date:
SUBJECT:		

I. POLICY:

II. EXPLANATION:

III. DEFINITIONS:

IV. PROCEDURES:

V. REFERENCES:

Attachment 2



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ADMINISTRATIVE DIRECTIVE

SUBJECT:

SUPERSEDES:

NUMBER:

APPLICABILITY:

REFERENCE:

PAGE: 1 of

APPROVED:

EFFECTIVE DATE:

I. POLICY:

II. PURPOSE:

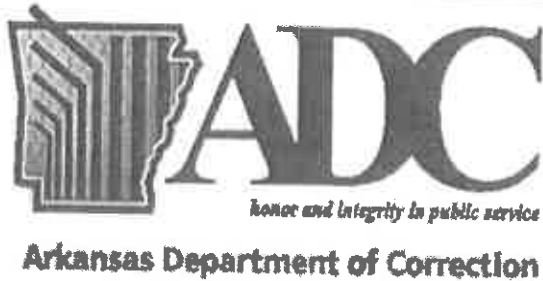
III. DEFINITIONS:

IV. PROCEDURES:

V. REFERENCES: ATTACHMENTS:

VI. REFERENCES:

Attachment 3



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ADMINISTRATIVE MEMORANDUM

SUBJECT:

NUMBER:

SUPERSEDES:

APPLICABILITY:

REFERENCE:

PAGE 1 of

APPROVED:

EFFECTIVE DATE:



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ADMINISTRATIVE DIRECTIVE

SUBJECT: Catastrophic Leave Bank Program

NUMBER: ~~13-29~~ 17-xx18

SUPERSEDES: ~~07-06~~ 13-29

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APPLICABILITY: All Full-Time Employees

REFERENCE: AR-204 - Employment

PAGE: -1 of 7

APPROVED: Original signed by ~~Ray Hobbs~~ Wendy Kelley

EFFECTIVE DATE: ~~10/11~~

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I. POLICY:

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This policy establishes a Catastrophic Leave Bank ~~process to be utilized by the~~
~~Arkansas Department of Correction (ADC). This process is based on~~
~~Catastrophic Leave Policy 50.02 Program to be administered by the Arkansas~~
~~Department of Finance and Administration (DFA) Correction (ADC) as authorized~~
~~by Arkansas Code Annotated (A.C.A.) §§ 21-4-214 and 21-4-217. The ADC~~
Catastrophic Leave Bank Program creates no expectation or promise of continued
employment and is intended simply to assist eligible employees during medical
emergencies ~~or maternity leave.~~

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II. EXPLANATION/PURPOSE:

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The purpose of this policy and procedure is to establish a Catastrophic Leave
Bank ~~Program~~ ~~Process~~ for the use of the regular full-time employees of the
Arkansas Department of Correction. All contained herein is in accordance with
Arkansas Code Annotated (A.C.A.) §§ 21-4-203, 21-4-209, ~~and 21-4-214, and 21-~~
~~4-217~~ and the Rules and Regulations submitted to and approved by the Office of
Personnel Management of the Arkansas Department of Finance and
Administration.

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III. DEFINITIONS:

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Catastrophic Leave Bank: ~~A catastrophic leave bank is a~~ A pool of accrued annual and sick leave voluntarily donated by employees; which may be approved for use by employees who meet eligibility requirements for a medical emergency due to catastrophic illness/injury and/or for maternity leave. ~~eligibility requirements.~~

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Catastrophic Illness/Injury: ~~means a~~ A medical condition of an employee, spouse, parent of the employee, or a child of the employee; who may be claimed as a dependent under the Arkansas Income Tax Act of 1929, as certified by a physician or other appropriate healthcare provider. ~~The medical condition that requires an employee's absence from duty for a prolonged period of time, and which, except for the catastrophic leave program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick, annual, holiday, and compensatory leave.~~

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Catastrophic Leave for Maternity Leave: An eligible female employee may receive up to four (4) consecutive weeks of paid leave within the first twelve (12) weeks after the birth of the employee's biological child, or placement of an adoptive child in the employee's home.

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Prolonged Period ~~means a continuous period (minimum of thirty (30) working days).~~ An extended period of time whereby a medical condition prevents the employee from performing the employee's duties. The period of time may be continuous or intermittent, except for maternity leave, which must be continuous.

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Catastrophic Medical Condition: ~~means a personal emergency. An emergency~~ limited to a catastrophic and debilitating medical situations, severely complicated disabilities, and/or severe accidents of the employee or a qualifying family member. The emergency that could not have been anticipated and which would cause the employee to be unable to perform his/her job, their essential job functions, require a prolonged period of recuperation, and/or require the employee's absence from work duty, as documented by a physician or other appropriate healthcare provider, individual as provided in A.C.A. §§21-4-201 et seq. ~~Disabilities resulting from elective surgery do not qualify for catastrophic leave.~~ Elective surgery does not qualify as a medical condition for catastrophic leave purposes.

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For maternity leave, the birth of the employee's biological child, or placement of an adoptive child in the employee's home is the medical condition. Approved catastrophic leave will be granted for the birth of the employee's biological child effective the date of the birth, or after, but within the first twelve (12) weeks after the

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~~birth, and a~~ Approved catastrophic leave will be granted for the placement of an ~~adopted~~ child in the employee's home effective the date the child is placed in the home, or after, but ~~both~~ within the first twelve (12) weeks after the ~~birth or~~ placement.

Dependent Child Certification: ~~A document used to gain proof of relationship of a dependent child. Complete the "Dependent Child Certification Form," sign and attach to the catastrophic leave request. If the child was acquired after the most current income tax filing, provide other proof, i.e., birth certificate, adoption order, etc.~~

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Substantial Loss of Income: ~~means a~~ continuous period during which where the employee will not be compensated by the employing state agency/institution due to a medical condition after the exhaustion of all earned sick, annual, holiday, and compensatory leave. ~~This requirement does not apply for maternity leave.~~

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Shared Leave: ~~The donation of an employee's earned sick or annual leave to another employee who is employed by the same state employer or same state supported institution, who is suffering from a severe illness or has an immediate family member who is severely ill. (See administrative Directive on Shared Leave)~~

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IV. PROCEDURES:

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A. The applicant must be a regular, benefits-eligible, full-time employee of the ADC. A person who works less than full-time, ~~forty (40) (forty-hours per week), or who is in an extra-help position, is excluded from this definition and as such is ineligible to participate as a recipient in the Catastrophic Leave Bank Program.~~ ~~a~~An employee in a regular, part-time position may elect to donate annual and sick leave. ~~donor or recipient in the ADC Catastrophic Leave Bank Program.~~

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B. The employee must currently be employed by the State of Arkansas for ~~more than two (2) consecutive years~~ at least one (1) year in a regular, full-time position.

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C. ~~Subject to A.C.A. § 21-4-214 an employee~~ Employees with a medical emergency must have exhausted all sick, annual, holiday, and compensatory leave time and, at the "onset of the illness or injury," had to his or her credit at least eighty (80) hours of combined sick and annual leave. ~~For maternity leave, the eighty (80) hours of combined sick and annual leave credit is not required at the time of the application for catastrophic leave.~~

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C.D. "Onset of illness" means the initial beginning or start of a medical condition, as certified by a physician or other appropriate healthcare

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provider, of the medical condition, which creates the need for the catastrophic leave request. If a recurrence of the same illness necessitates a subsequent catastrophic leave request, the eligibility requirement that the employee have eighty (80)-hours of combined sick and annual leave at the onset of the illness will not be required on the illness recurrence date.

Act 194 of 2003—Amends Arkansas Code § 21-4-214(d) (0); the Act provides that the Director may waive the minimum eighty-hour combined sick and annual leave eligibility requirement if the Director determines that an employee warrants eligibility for catastrophic leave because of extraordinary circumstances as specified under the DFA-OPM standards and guidelines of the Catastrophic Program. Following are the definitions of extraordinary circumstances in accordance with the reasons promulgated by the Office of Personnel Management

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The "eighty (80)-hour requirement" for a medical emergency due to illness/injury may be waived for an otherwise eligible employee if an "extraordinary circumstance" is declared by an agency director due to the applicant providing documentation that one of the following conditions has occurred:

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1. The employee applying for catastrophic leave bank program benefits had, during the previous ~~two (2)~~ one (1) year period, another medically documented catastrophic illness or injury as defined in the ADC Catastrophic Leave policy, which was not compensated under our an approved Catastrophic Leave Bank Program, but was documented under the Family and Medical Leave Act (FMLA) as a qualifying event and, and caused the exhaustion of all annual and sick leave, or

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2. The employee applying for catastrophic leave bank program benefits had, during the previous ~~two (2)~~ one (1) year period, exhausted his or her sick and annual leave as a direct result of supplementing workers' compensation benefits, which were received due to an on-the-job injury or illness with while employed by the State of Arkansas.

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D.E. If the medical condition is due to illness/injury or injury or for maternity, and the is that of an employee and is covered by workers' compensation, the compensation based on catastrophic leave when combined with the weekly workers' compensation benefit received by the employee shall not exceed the compensation being received by the employee at the onset of the illness/injury or injury maternity leave.

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E. The employee has not been disciplined for leave abuse during the past two (2)-years received a documented disciplinary action for leave abuse during

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~~the past one (1) year period from the date of application. This requirement does not apply for maternity leave.~~

E.G. ~~An employee shall not be approved for catastrophic leave unless that employee is reasonably expected to be on leave-without-pay (LWOP) status as a result of the catastrophic illness/injury. This requirement does not apply for maternity leave.~~

F.H. ~~No An employee shall be is eligible for approved catastrophic leave due to injury/illness for a maximum of in excess of six (6) months (1,040 hours) within a five (5) year period. Additional requests within the five (5) year period may be submitted for review and determination by the OPM Catastrophic Leave Bank Committee and State Personnel Administrator. This requirement does not apply for maternity leave. unless it can be ascertained that the employee has been denied disability retirement or Social Security benefits. The employee has the option of reapplying for additional leave at the conclusion of the catastrophic leave period; however, the combination of shared and catastrophic leave received by an employee may not exceed two thousand eighty (2080) hours in a calendar year.~~

G. ~~No employee shall be approved for catastrophic leave unless that employee is, or is reasonably expected to be, in a leave-without-pay status because of the catastrophic illness.~~

I. ~~The combination of catastrophic leave for the stated medical conditions, due to illness/injury, or for maternity leave, received by an employee may not exceed one thousand, two (1,200) hours in a calendar year, (1,040 hours for illness/injury and 160 hours for maternity leave).~~

H.J. ~~In no case, The Catastrophic Leave Bank Committee shall not grant the employee be granted catastrophic leave beyond the date to return to work as certified by a physician or other appropriate provider, as the date when the employee is able for the employee to return to work because the health of either the employee or the qualifying family member has sufficiently improved.~~

K.I. ~~No An employee shall not be approved for catastrophic leave for a medical emergency unless that employee has provided an acceptable medical certificate from a physician, (or other individual as provided by A.C.A. §§ 21-4-201 et seq. and 6-63-602) or other appropriate health care provider, supporting the continued absence and setting forth that the employee is, and will continue to be, unable to perform the employee's duties due to a catastrophic illness/injury of the employee, or a qualifying family member. The employee is responsible for providing information about the employee's essential job functions regarding his/her assigned job duties to the shall be made available to the physician in order to have a~~

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more accurate medical certification. This requirement does not apply for maternity leave, and to the Catastrophic Leave Committee.

~~An employee shall not be approved for catastrophic leave for maternity, unless the employee has provided acceptable proof of the birth or placement of an adopted child. For the birth of an employee's biological child, acceptable proof includes a hospital announcement with the mother's name and/or the biological child's name, hospital discharge papers with the mother's name and the biological child's name, or a birth certificate of the biological child. For the placement of an adoptive child in an employee's home, acceptable proof includes a formal document from the placement entity with the mother's name and the child's name, or legal guardianship papers with the mother's name and the child's name. The acceptable proof will be maintained by the agency submitting the request, but certified as part of the application process or as follow-up to the application using the Maternity Purposes Eligibility Date Verification form.~~

V. **DONATION OF LEAVE TO THE ADC OPM CATASTROPHIC LEAVE BANK:**

The Assistant Human Resources Administrator shall screen leave donated by the employees of the ADC to ensure that the following criteria are met:

- A. Accrued leave may be donated to the ~~ADC OPM~~ Catastrophic Leave Bank in one (1) hour increments. ~~Donations of leave shall be granted hour-for-hour and not dollar-for-dollar.~~
- B. No employee shall be allowed to donate leave to the ~~ADC OPM~~ Catastrophic Leave Bank if such donations will reduce that employee's accrued sick and annual leave balance to less than eighty (80) hours. This restriction does not apply to employees who are terminating their employment.
- C. Annual and/or sick leave previously donated to the ~~ADC OPM~~ Catastrophic Leave Bank may not be restored to the employee who donated the leave time.
- D. Approved donation of leave shall be transmitted to the ~~ADC OPM~~ Catastrophic Leave Bank by submitting ~~an approved donor form~~ the Donation of Annual and Sick Leave form.

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VI. ADC OPM CATASTROPHIC LEAVE COMMITTEE:

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Membership: The ADC OPM Catastrophic Leave Bank encompasses employees of the ADC of various agencies. The Committee members shall be comprised of at least five (5) but no more than seven (7) members who will be appointed by the Director. These members will represent a cross section of both management and employees of the agency's work force a rotating registry of agency employees with the majority having a medical (licensed) or medically related background. Members shall elect a Committee chairperson.

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Responsibility: The purpose of the Committee will be to review all eligible catastrophic leave requests and make recommendations to the Director is to review all medical emergency catastrophic leave requests and make recommendations for approval, denial, or pending for additional information or clarification. The Committee will reconsider applications submitted by the State Personnel Administrator as requested by an agency director, or as deemed appropriate.

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VII. CATASTROPHIC LEAVE BANK ADMINISTRATION:

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The ADC OPM Catastrophic Leave Bank Process will be administered in accordance with the following guidelines:

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A. Applications for catastrophic leave shall be reviewed on a first filed, first reviewed basis. Approval does not guarantee that a catastrophic leave applicant will receive leave should there be a zero balance in the ADC Catastrophic Leave Bank.

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B. Members of the Committee will review all eligible applications from employees for catastrophic leave and make recommendations to the Director.

B. C. Determinations by the ADC Catastrophic Leave Committee will be reviewed by the Director.

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A. All eligible employees applying for catastrophic leave may obtain the applicable application from either their Unit Human Resources Manager, Central Human Resources or Spotlight.

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B. All completed applications and supporting documentation, if applicable, may be turned in to the Unit Human Resources Manager, or to Central Human Resources Benefits Division.

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C. Upon receipt of application by Central Human Resources Benefits Division, the application will be reviewed for eligibility requirements and forwarded to the OPM Catastrophic Leave Committee for approval/denial.

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D. OPM Catastrophic Leave Committee will provide either approval/denial or request additional supporting medical information if needed.

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D.E. If the Director does not agree with any of the determinations, an appeal may be made to the State Personnel Administrator for reconsideration by the Committee. The Director's decision shall be final and binding. Nothing, however, shall prevent the Director from taking into account the impact on the Agency's operation in granting or denying Catastrophic Leave or modifying previously approved Catastrophic Leave if, in the judgment of the Agency Director, such approved leave would seriously impact the agency's operation.

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E. Only eligible employees may participate in the ADC Catastrophic Leave Bank Program. The Unit Human Resource Manager will review all Catastrophic Leave applications for eligibility. If the applicable criteria are not met, the H.R. Manager will advise the employee of their inability to proceed.

The Catastrophic Leave Coordinator will be responsible for making all eligibility determinations prior to any applications being forwarded to the Catastrophic Leave Committee. Any employee disqualified for failure to meet eligibility requirements will be notified in writing.

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F. Catastrophic leave may be granted or donated in one- (1) hour increments only, not on a monetary basis.

G. Catastrophic leave, which would result in a negative balance in the ADC OPM Catastrophic Leave Bank shall not be approved.

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H. Catastrophic leave shall not be awarded retroactively for maternity leave. Catastrophic leave will be awarded up to twelve (12) weeks after the birth of a biological child, or placement of an adoptive child, but shall not begin prior to February 16, 2017, and shall not exceed four (4) continuous weeks.

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HI. Employees in a catastrophic leave status, for a medical emergency due to illness/injury, during lasting a period of ten (10) or more days in a month, will have the accrued annual and sick leave for the month returned to the OPM Catastrophic Leave Bank. If the employee is in a catastrophic leave status, for a medical emergency due to illness/injury, and accrues holiday and birthday leave during that time, the accrued holiday and birthday leave will be removed through a quota correction and the days will be reflected as paid catastrophic leave. Holiday and birthday leave will not be returned to the OPM Catastrophic Leave Bank.

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The leave codes and categories for catastrophic leave due to a medical emergency are CATL - Catastrophic Leave and FMLT - Family Medical

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~~Leave Catastrophic. Employees on catastrophic leave will continue to accrue leave in accordance with existing state leave policies and will receive the normal state benefits, such as agency contributions to insurance and retirement. Employees on catastrophic leave will also continue to receive their normal rate of pay. Catastrophic Leave will not change an employee's increase eligibility date; however, the award of the next merit salary increase will be delayed beyond the anniversary date for the same number of workdays that the employee was on leave without pay and/or catastrophic leave.~~

- ~~J. Employees in a catastrophic leave status, for maternity leave, during a four (4) week period, will have the accrued annual and sick leave removed for the month the catastrophic leave status begins through time evaluation. If the employee is in a catastrophic leave status, for maternity, and accrues birthday leave during that time, the accrued birthday leave will be removed at the time of the birthday through time evaluation; if the employee is in a catastrophic leave status, for maternity leave, and accrues holiday leave during that time, the holiday leave will have to be manually removed through a quota correction for non-exempt employees. Birthday and holiday leave during the catastrophic maternity leave period will be reflected as paid catastrophic leave. No accrued leave, annual, sick, holiday, and/or birthday leave, will be returned to the OPM Catastrophic Leave Bank.~~

~~The leave codes and categories for catastrophic leave due to maternity leave are CATM - Catastrophic Leave Maternity and FMMC - Family Medical Leave Maternity Catastrophic Leave.~~

- ~~K. Employees receiving catastrophic leave for a medical emergency due to illness/injury, or for maternity leave, will receive their normal rate of pay and normal state benefits, such as agency contributions to insurance and retirement.~~
- ~~L. The use of catastrophic leave for a medical emergency or maternity leave, will not change an employee's merit eligibility date.~~
- ~~IM. In the event that an employee on catastrophic leave for a medical emergency due to illness/injury, is terminated, retires, dies, or returns to work prior to expiration of previously approved catastrophic leave time, all unused catastrophic leave shall be returned to the ADC OPM Catastrophic Leave Bank.~~
- ~~J. Leave earned while an employee is on catastrophic leave shall, as a condition of voluntary participation in the program, be assigned to the ADC Catastrophic Leave Bank, and any restrictions concerning the maintenance of minimum leave balances shall not apply to such assignment. If an employee is on catastrophic leave for even one day in an accrual period, all leave earned during that period shall be returned to~~

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AD43-29 17-18** Catastrophic Leave Bank Program

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~~the ADC Catastrophic Leave Bank. Exceptions may be made for employees awarded intermittent leave.~~

- KN. An employee may be dismissed if such employee fails to report to work promptly at the expiration of the period of approved ~~granted~~ catastrophic leave.

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Nothing, however, shall prevent ADC from accepting satisfactory reasons provided by the employee, in advance of the date the employee is scheduled to return to work, and from granting leave without pay status to an employee prior to or after the expiration of such catastrophic leave if, in the view of the agency director, such action is warranted. Supervisors should not take disciplinary action for such leave until the application has been formally approved or denied.

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- LO. ~~Alleged or suspected abuse, misrepresentation or fraud of the ADC OPM Catastrophic Leave Bank Program shall be investigated by OPM and the employee's agency, and on a finding of wrongdoing, an employee shall repay all of the leave hours awarded from the ADC OPM Catastrophic Leave Bank and shall be subject to such other disciplinary action as is recommended by the State Personnel Administrator and determined by the Director.~~

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- P. ~~Approved catastrophic leave for a medical emergency or for maternity leave shall be applied concurrently with the Family and Medical Leave Act, if the employee is eligible.~~

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- Q. ~~Recommendations of the OPM Catastrophic Leave Bank Committee or the State Personnel Administrator are not subject to grievance, arbitration, or litigation.~~

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VIII. RECORD KEEPING:

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The ADC Catastrophic leave record keeping procedure will track the following:

1. ~~The amount of leave donated by each employee, the rate of pay and dollar value of such donated leave at the time of donation;~~
2. ~~The amount of Catastrophic Leave awarded, including the name of the recipient, position number, rate of pay, and AASIS personnel number; and,~~
3. ~~Any other such data as required by the DFA Director, or the committee State Personnel Administrator.~~

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IX. PROHIBITION OF COERCION:

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An employee may not directly or indirectly intimidate, threaten, ~~or~~ coerce, or attempt to intimidate, ~~threaten or~~ threaten, or coerce, any other employee for the purpose of interfering with any such employee with respect to donating, receiving, or using annual or sick leave. Any report of such described instances shall be reported in writing to the Director. All written reports of such described instances shall be investigated thoroughly and appropriate disciplinary action may be taken for any substantiated violation.

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X. REFERENCES:

Act 169 of 1991
Act 1176 of 1999
Act 194 of 2003
Act 182 of 2017
OPM Catastrophic Leave Program



Arkansas Department of Correction

Director's Office
PO Box 8707
Pine Bluff, AR 71611-8707
Phone: 870-267-6200
Fax: 870-267-6244
www.arkansas.gov/doc

ADMINISTRATIVE DIRECTIVE

SUBJECT: Act 309 Program

NUMBER: 17-20

SUPERSEDES: 15-03

APPLICABILITY: Wardens/ Center Supervisors, Institutions Division Staff,
County Sheriffs, Mayors, Chiefs of Police and Inmates

REFERENCE: AR 1212 Inmates Housed In
County Jails and City Jails

PAGE: 1 of 13

APPROVED: Original Signed by Wendy Kelley **EFFECTIVE DATE:** 06/19/2017

I. POLICY:

It is the policy of the Department of Correction to allow the Director and the county sheriffs and chiefs of police to enter into contracts/agreements for state inmates to be assigned to county or city jail facilities.

II. EXPLANATION:

The Department of Correction, pursuant to Act 309 of 1983, as amended, will contract with county officials (sheriffs) and city officials (chiefs of police) to house inmates in county or city jails to relieve overcrowding in Department of Correction facilities.

III. ELIGIBILITY:

The following procedures have been established for the selection of eligible inmates to be assigned to the program.

A. Non-Eligibility for the Act 309 Program

1. Persons convicted for capital murder, murder I, any sexual offense, escape or attempted escape, or criminal attempt to commit any of the above offenses, or serving a life sentence or who are under sentence to be executed or any inchoate offense of one of the above listed offenses, are ineligible to participate in the program.

IV. PROCEDURES:

Pursuant to an agreement between certain counties and cities and the State of Arkansas, Department of Correction inmates may be assigned to be housed in the county or city jails.

A. Responsibilities of County or City and Departmental Officials

1. County sheriffs, chiefs of police, or other authorized law enforcement officers of approved jail facilities may request assignment of inmates to their approved jail facilities to perform particular jobs for the approved jail facilities or for a political subdivision, or to assist a political subdivision in supporting or working with a nonprofit organization with a chapter, committee, or other governing body that is based in the county, when the jobs or assistance are in a particular area of need of the approved jail facilities, political subdivision, or nonprofit organization with a chapter, committee, or other governing body that is based in the county. Inmates shall be under supervision at all times.
2. It shall be the responsibility of the county or city to ensure that assigned inmate(s) are not used to provide personal services for private benefit, to act in a law enforcement capacity, supervise other inmates, nor used to replace city, county, state or federal employees. Such inmates are to work at jobs that directly benefit state, county, municipal facilities, or other projects that are supported by public funds.
3. Inmates transferred to a county or city jail for housing under Act 309-In Jail must remain at the jail facilities at all times. Act 309-In Jail inmates must remain within the secure confines of the jail and cannot be used outside the facility for any reason. The county or city will be reimbursed for housing these inmates.
4. Act 309-Work transfers are inmates who are housed in county or city jails. These inmates may be used in certain public works projects outside the jail facilities under supervision of the sheriffs, chiefs of police or other authorized designee of the department. The county or city will be reimbursed for housing these inmates.

5. Act 309-Work inmates, if under the direct supervision of authorized personnel, may enter business establishments to purchase personal hygiene items or to procure materials, parts, etc., needed to complete a specific job assignment. (Example: A Work 309 inmate assigned to maintain vehicles could enter into a parts supply house to identify and procure needed parts if under the direct supervision of authorized personnel.)

NOTE: Act 309-Work inmates will only be allowed outside a jail facility to perform assigned job duties as explained above, or to participate in approved furloughs.

6. The Deputy/Assistant Director or designee shall maintain contact with the various county sheriffs and chiefs of police to ascertain and to promote the sheriff's or chiefs of police interest in the program. The appropriate contract is provided to all interested participants. All inquiries concerning the Act 309 program shall be forwarded to the Deputy/Assistant Director or designee who will see that contract information is provided to all interested participants.
7. Sheriffs, chiefs of police or other authorized law enforcement officers may not request the assignment of a specific inmate to their facility. Likewise, the sheriff, chief of police or other authorized law enforcement officer may refuse the assignment of any inmate participating in the Act 309 program to their facility.
8. Upon the request for a "skilled" inmate(s) from a sheriff or chief of police, the Deputy/Assistant Director or designee may provide the sheriff or chief with a list of inmates possessing the desired work skills from which to select.

B. Selection of Inmate

1. The Deputy/Assistant Director or designee shall contact the Warden/Center Supervisor or designee to determine the suitability of any inmate selected for the program and whether the inmate qualifies for Act 309-In Jail or Act 309-Work.
 - a. If Act 309-Work is requested and the inmate is eligible, the request will be forwarded to the Director for approval/disapproval. The request will include the approval sheet (Attachment #1), a medical clearance form and the inmate's institutional file.

- b. Transportation to and from the county or city jail will be arranged with the sheriff or chief of police.
2. Upon selection, the following shall apply:
- a. A travel file (pen pack), along with the inmate's personal property shall accompany the inmate upon transfer. The transfer of funds present in the inmate's account will be coordinated by staff of the Act 309 Program and Trust fund banking offices.
 - b. An Inmate Transfer Form will be completed at the inmate's unit of assignment prior to his transfer to the county or city jail.
 - c. A custody receipt shall be signed by the transporting agency when the inmate(s) are released into their custody.
 - d. Upon transfer of the inmate, the institutional file will be updated and transferred to the Pine Bluff Unit where it will be maintained until the inmate discharges or returns to a facility of the Department of Correction.
 - e. Inmates on Act 309 will be accounted for by the Deputy/Assistant Director or designee. A daily count will be maintained and reported to the individual designated for purposes of the daily count.
 - f. Pine Bluff Unit Records will forward discharge orders to the office of the sheriff or chief of police. Parole orders will be sent to the parole officer for the county or city where the inmate is housed. The parole officer will serve the parole orders and notify the Pine Bluff Unit Records Supervisor when the inmate is released from custody.
 - g. The county, city and/or Department of Correction may request the transfer of inmates back to the Department of Correction if an inmate is found to be unsuitable for housing in the county or city, or if disciplinary action is needed for inmates under Act 309-In Jail or Act 309-Work.
 - h. The Cooperative Agreement is to be used to contract with county sheriffs or city chiefs of police and shall be completed before any inmate is transferred to a county or city facility and annually thereafter.

- i. Should questions arise concerning an inmate's medical or mental health condition or needs; the Act 309 Coordinator will ensure that the appropriate Medical or Mental Health Administrator is contacted. He or she will evaluate the situation to determine the type treatment or services to render to the inmate. Some cases may require transferring the inmate back to the department.
- j. Inmates assigned to the Act 309 program will be allowed to continue in current assignment regardless of conviction. Inmates returned to the Department for program needs or medical needs will be allowed to return to the county/city of assignment if requested by the losing agency.
- k. Act 309 Jail and Work inmates may be allowed hobby craft privileges limited to Leather Craft, Wood Craft, Washing Cars, and Shoeshine with the approval of the sheriff or chief of police. Hobby craft activities will only be extended to law enforcement officials and civil service employees. Additional hobby craft activities must be approved by the Deputy/Assistant Director.

C. Approval Criteria

An inmate being considered for participation in the Act 309 program needs to be approved by the unit warden/center supervisor and must meet the following criteria:

- 1. Has served a minimum of 6 months since admission to a parent unit with the Arkansas Department of Correction and be Class I or eligible for Class I and disciplinary free for 90 days.
- 2. Is capable of abiding by the rules and regulations of the program as indicated by their institutional record.
- 3. Does not have an undisposed felony detainer filed against him or her unless approved for transfer by the agency filing the detainer.
- 4. Prior to release of an inmate on Act 309, notification will be made to the sheriff of the county from which he/she was tried and convicted, and the prosecuting attorney's office who convicted the inmate. Victim or victim's family notification shall be done by mail to the last known address supplied to the Department of Correction in accordance with department policies.

5. Must be within 45 months of his parole or transfer eligibility date. If the inmate has more than 45 months, prior approval must be obtained from all counties with an active sentence. If the inmate is transferring to a county other than the county in which he was tried and convicted, the sheriff of any county from which he was tried and convicted on an active sentence shall be notified. Unless the sheriff(s) responds within fifteen (15) days of notification that he/she disapproves of the transfer, the inmate may be transferred.
6. Any inmate convicted of kidnapping, a second or a subsequent offense of aggravated robbery, or criminal attempt to commit these offenses, will not be eligible for Act 309-Work classification. These inmates will be classified as Act 309-Jail only inmates.
7. Inmates with more than 10 years to their PE/TE date will not be eligible for the Act 309 program, unless approved by the Director as provided in AD Class Status and Promotion Eligibility.
8. Any eligible inmate must exhibit a current medical classification commensurate with expected work assignment. This classification will be reviewed by the transferring unit/center medical authority.

D. Classification Status of Act 309 Inmates

The classification of Act 309 inmates may be changed by the action of the Central Office Classification Committee. Such committee may consist of the Classification Administrator, a Deputy Director, the Act 309 Coordinator or a suitable designee.

1. Act 309-In Jail

Any inmate who participates in the Act 309-Jail program must be Class I or eligible at the time of transfer.

2. Act 309-Work

Any eligible inmate currently assigned as an Act 309-In Jail inmate may be considered for reclassification and assignment as an Act 309-Work inmate. A letter from the sheriff or chief of police requesting the inmate be permitted to participate in the Act 309-Work program is sufficient cause to initiate the process.

- a. Receive written request from sheriff or chief of police.
- b. Receive inmate state file.

- c. Review by Central Office Classification Committee.
- d. Review by the Director for Act 309-Work.
- e. Approval form completed by the Central Office Classification Committee.
- f. Upon completion of the 309-Work vote sheet, a letter is mailed to the requesting sheriff or chief of police stating the approval/disapproval of the inmate for 309-Work.
- g. The approval form and a copy of the letter to the sheriff or chief of police ("f" above) are sent to the Pine Bluff Unit records office for entering changes into the record and notifying the inmate (time card).

E. Temporary Release/Meritorious Furloughs

Furloughs, Class I-B Act 309 inmates can request meritorious furloughs utilizing procedures per Administrative Regulation 812, Administrative Directive Meritorious Furloughs, and as outlined below.

1. If approved for Act 309 furlough, the inmate will be eligible to have a weekend furlough no more often than every ninety (90) days. No furlough will be granted during a holiday weekend;
2. Act 309 furloughs are to be taken on weekends and are not to exceed 48 hours and will begin on the first day of furlough at 5:00 p.m. and end on the last day of furlough at 5:00 p.m.;
3. A 309 inmate must have been in the program for 90 days before becoming eligible for a furlough;
4. ~~A 309 inmate must have been in the custody of the Department of Correction continuously for one year;~~
4. ~~Has obtained Class 1B status and maintained it for at least twelve (12) months;~~
5. A 309 inmate is not required to report to a monitor while on furlough unless otherwise directed;
6. Each request for furlough will be forwarded to the Act 309 Coordinator for processing by the Classification/Furlough Committee at the Pine Bluff Unit;

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7. Inmate request for furlough must be accompanied by a letter of recommendation signed by the sheriff or chief of police;
8. The sponsor must be an immediate family member or someone listed on his/her approved ADC visitation list. Sponsors have the responsibility for transporting the inmate for furlough.

F. Act 309 Oversight Committee

1. An Oversight Committee will be established to act as a vehicle to address training requirements, problem areas and rule changes. During the normal course of operation, investigations may be required of the Act 309 program concerning allegations of mismanagement, misconduct or other issues. Should an allegation(s) be found with merit, a report summarizing the Act 309 Coordinator's findings will be referred to the Act 309 Oversight Committee for its review and recommendation. Investigations in which allegations have been found with merit by the Act 309 Coordinator will not be regarded as closed until all reports have been formally reviewed and acted on by the Oversight Committee. This review will normally occur at the next regularly scheduled meeting of the Oversight Committee.
2. Should an investigation reveal no merit to the allegation(s), a formal review will not be required of the Oversight Committee. However, a copy of all reports contained in the investigation will be made available to the Oversight Committee for informational purposes.
 - a. The Oversight Committee will consist of a Deputy Director, two members of the Board of Corrections, three Wardens and three Sheriffs. Also serving as ex-officio members will be the Act 309 Coordinator and the Arkansas Sheriffs Association Administrator.
 - b. The Oversight Committee will meet quarterly to review policy and recommendations submitted by the Department of Correction or Sheriffs.
3. Nothing in this section prohibits the ADC Director from reassigning inmates as deemed necessary to maintain security for the benefit of the inmate or the community.
4. Any allegation of abuse will be investigated by the Department. Any sheriff's agency or police department found in violation may be subject to sanctions ranging from verbal warning to termination

of the agreement based on the severity of the violation. If an agreement has been terminated, a review may be conducted by the Department at a future date, and if the sheriff or chief of police presents a plan of action that will prevent recurrence of said violation, and approved by the Oversight Committee, the Department and the sheriff or chief of police may enter into an agreement to house state inmates on a probationary basis upon approval of the Board of Corrections.

V. REFERENCES:

Arkansas Code Annotated 12-30-401-407
Act 309 of 1983, (As amended by Act 1112 of 1991, Act 532 of 1993, Act 1188 of 1995, Act 115 and Act 936 of 1997 and Act 444 of 2017).
AR 812 - Temporary Release/Meritorious Furloughs
AR1200A - Furloughs for Work Release Inmates
AD 14-05 Meritorious Furloughs
State of Arkansas Jail Standards

REQUEST FOR CONSIDERATION

ACT 309

Name: _____ ADC# _____
Unit: _____ Class: _____ Date of birth: _____
Length of Sentence: _____ PE/TE date: _____
Convicted of: _____
County/Counties of Conviction: _____
Date of last disciplinary: _____
Counties/Cities requesting: _____
Current Job/Program Assignment: _____
I have the following skills: _____

Signature: _____ Date: _____

You must serve six (6) months at your initial unit of assignment, be Class I eligible, and be disciplinary free for ninety (90) days to be eligible for consideration to participate in Act 309. Inmates who have open detainers/warrants, convicted of capital murder, murder I, any sexual offense, escape, attempted escape, or criminal attempt to commit any of the above offenses ARE NOT ELIGIBLE TO PARTICIPATE IN THE ACT 309 PROGRAM.

The County, City and/or Department of Correction may request the transfer of inmates back to the Department of Correction if an inmate is found to be unsuitable for housing in the county or city, or if disciplinary action is needed for inmates under Act 309-In Jail or Act 309-Work.

Forward completed request to:

Arkansas Department of Correction

Attn: Act 309 Office

P.O. Box 8707

309 Office Review: (For use by 309 Staff only) Pre-screen Approval _____ Denied: _____ _____ _____

Pine Bluff, Arkansas 71611

TRANSFER
To: _____
From: _____
Date: _____
For use by Act 309 Staff Only

Attachment I

**Act 309 Work Program
Approval Sheet**

Inmate Name: _____ ADC # _____

From: _____ To: _____

Job Assignment: _____ Job Assignment: _____

Status Assignment: _____ Status Assignment: _____

Classification Action

Approved _____ Denied: _____

Approved: _____ Denied: _____

Approved: _____ Denied: _____

Committee Comments: _____

Director's Action

_____ Approve transfer under Act 309 Work Program.

_____ Direct sheriff to resubmit for reconsideration in _____.

_____ Deny transfer under Act 309 Work Program.

Reason: _____

Director _____

Date _____

Act 309 Treatment Program Waiver

I have been screened for the Arkansas Department of Correction 309 Program, and I wish to participate in that program.

I have been screened for substance abuse treatment and a referral for treatment has been completed.

I am being transferred to a 309 Program, which has a substance abuse program but I am fully aware that the program in _____ County does not substitute for the ADC's treatment programs in the following manner:

- (1) The county's program will not result in Good Time as allowed by state law for the completion of a substance abuse treatment program in the Arkansas Department of Correction.
- (2) The Arkansas Parole Board may stipulate me to complete the substance abuse treatment program in the Arkansas Department of Correction despite my participation in the county's program.

Having been advised of the information above, I waive participation in the Arkansas Department of Correction's substance abuse treatment program and recognize that I will not be transferred back to the Department for treatment unless the Arkansas Parole Board stipulates that I complete that program, and that such a stipulation typically takes place just before a T.E. (transfer eligibility) date. Therefore, if I am stipulated, I will not be released on my T.E. date, but after completion of the treatment program.

I acknowledge that I have the option of completing treatment in the Arkansas Department of Correction and delaying participation in the 309 Program, but wish to refuse to participate in treatment.

Inmate Printed Name ADC#

Inmate Signature

Date

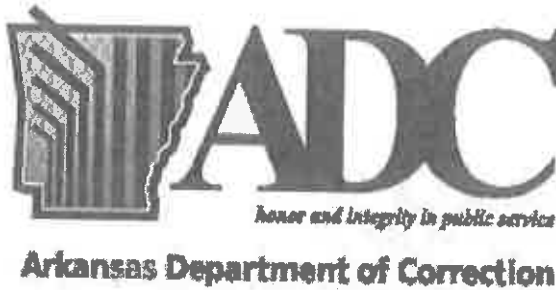
Witness Printed Name Title

Witness Signature

Date

ADC SCREENING FORM FOR 309 CANDIDATES	
INMATE NAME	ADC#
UNIT NAME	
DATE	COUNTY TO BE ASSIGNED
TYPE OF COUNTY JOB	
CURRENT ADC JOB	
WRITE BELOW LINE ONLY	
MEDICAL CLASSIFICATION: M- _____	
ATTACH A COPY OF ALL CURRENT RESTRICTIONS.	
IS THE INMATE PRESCRIBED ANY MEDICATIONS THAT MUST BE ADMINISTERED BY A NURSE, INJECTIONS, INH, CONTROLLED MEDICATION, ETC? <input type="checkbox"/> yes <input type="checkbox"/> No If yes, please explain:	
HOW MANY TIMES PER MONTH DOES THE INMATE PRESENT TO THE INFIRMARY WITH ISSUES OR CONCERNS. (USE LAST SIX MONTHS TO REVIEW)?	
IS THE INMATE RECEIVING ANY TREATMENT AND/OR REQUIRED TO REPORT REGULARLY TO THE MEDICAL DEPARTMENT? <input type="checkbox"/> Yes <input type="checkbox"/> No IF YES, PLEASE EXPLAIN:	
LIST ANY UPCOMING APPOINTMENT (OFFSITE, INHOUSE AND DENTAL) AND INCLUDE DATES AND WHAT THE APPOINTMENT IS FOR:	
DOES THE INMATE HAVE DENTAL PROCEDURES THAT NEED TO BE COMPLETED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES INMATE HAVE A PROSTHESIS? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, what type?	
DOES THE INMATE REQUIRE A SPECIAL DIET? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, what type?	
INDICATE IF INMATE REQUIRES FACILITY WITH:	
• 24 Hour Nursing Coverage? <input type="checkbox"/> YES <input type="checkbox"/> NO	
• Daily Nursing Coverage? <input type="checkbox"/> YES <input type="checkbox"/> NO	
IF YES, PLEASE EXPLAIN:	
SIGNATURE OF PERSON COMPLETING THIS FORM	
DATE	

Rev 10/20/2010



PO Box 8707
Pine Bluff, AR 71611-8707
Phone: 870-267-6200
Fax: 870-267-6244
www.adc.arkansas.gov

ADMINISTRATIVE DIRECTIVE

SUBJECT: Employment

NUMBER: 16-0217-21

SUPERSEDES: 12-1016-02

APPLICABILITY: All Employees and Applicants

REFERENCE: AR 204 – Employment Policy

PAGE 1 of 9

APPROVED: Original signed by Wendy Kelley

EFFECTIVE DATE: 2/8/16 7-1-2017

I. POLICY:

It shall be the policy of the Arkansas Department of Correction to ensure all applicants are given fair and equal opportunity for employment in accordance with all state and federal guidelines.

II. EXPLANATION:

The Arkansas Department of Correction is an Equal Opportunity Employer. All positions are open equally to qualified male and female applicants.

III. DEFINITIONS:

A. Employee. A person regularly appointed or employed in a position of the Department of Correction for which he or she is compensated on a full-time basis and which has a class title and pay grade in Arkansas Code Annotated § 21-5-208.

B. Class or Classification. A group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training and experience or skill, and other characteristics that the same title, the same test of fitness, and the same scale of compensation have been or may be applied.

- C. Promotion. A change in duty assignment of an employee from a position in one classification to a position in another classification of a higher salary and/or grade requiring higher qualifications, such as greater skill and longer experience, and involving a higher level of responsibility.

In accordance with the AD governing Employee Conduct Standards, an employee is not eligible to apply for or receive a promotion or transfer while on probation as a result of disciplinary action unless a waiver has been granted by the Director.

An employee who applies for and receives a demotion, or who has been administratively demoted, will not be eligible to receive a promotion to a higher classification during the twelve months following the demotion.

If an employee promotes to a classification one or more grades higher than the current classification within their current pay grid, a 10% salary increase on the salary, less any enhancements or differentials, will normally be awarded. If an employee promotes from the career service pay grid to the professional and executive pay grid, a 12% salary increase on the salary, less any enhancements or differentials, will normally be awarded. However, provisions of the state pay plan will govern in all situations as years of service and other applicable situations may limit the increase that may be awarded.

- D. Demotion. A change in duty assignment of an employee from a position in one classification to a position in another classification of a lower salary and grade requiring fewer qualifications such as lower skill requirements, less job-related experience, and a lower level of responsibility. When an employee voluntarily or is administratively demoted to a classification one or more grades below the current classification within their current pay grid, a salary decrease of 10% or 12%, less any enhancements or differentials, will normally be required. However, provisions of the state pay plan will govern in all situations as years of service and other applicable situations may limit the decrease that may be required. An employee who applies for and receives a demotion, or who has been administratively demoted, will not be eligible to receive a promotion to a higher classification during the twelve months following the demotion.

If an employee enters a position that is authorized to receive a Labor Market Rate or a Tier Plan Rate and receives a promotion, demotion, or transfer within the same job family or tier level within twelve months, their base salary must be adjusted with the applicable percentage increase or decrease according to provisions of the pay plan and authority of the Office of Personnel Management.

- E. New Hire. Employees entering state service for the first time.

- F. Rehire. Employees returning to state service after a break in employment of two or more pay periods.
- G. Displaced Worker. An individual who has worked for an employer that has downsized or closed within the last twelve (12) months, in which they were continuously employed for three (3) or more years, will be considered for hire with the ADC without a high school diploma or GED. All other criteria must be successfully completed. This individual will not be eligible for any type of promotion and/or merit increase/promotion until he/she has acquired a GED.
- H. Transfer. Employees transferring between state agencies or institutions or laterally within the Department of Correction without a break in service.
- I. Hiring Authority. Human Resources Administrator/Wardens/Center Supervisors/Administrators are authorized to make final selection of applicants for positions available within the Arkansas Department of Correction.
- J. Human Resources. Any employee assigned or designated by a Deputy/Assistant Director, Warden, Center Supervisor, or Administrator, whether within a division, unit, or Central Human Resources, to perform employment-related functions.

IV. PROCEDURES:

A. Position Vacancies:

1. The Hiring Authority must initiate a Position Vacancy Report and Hiring Freeze, with appropriate justification, in order to fill any vacant position. These documents must be submitted to the Central Human Resources Office.
2. Upon receipt of the Hiring Freeze, the Central Human Resources Office will determine if the position is budgeted and authorized to be filled. It will then be forwarded to the Department of Finance and Administration, Office of Personnel Management, for final approval.
3. Positions assigned to GS13 and above, IT08 and above, MP03 and above, or Senior Executive ~~the professional and executive pay grid, along with non-classified~~ position vacancies, are not required to be advertised. The Director has the authority and discretion to appoint or transfer individuals into these classifications.
4. Classified position vacancies within the ~~career~~ general services salary pay plan must be advertised according to procedures established by the Department of Finance and Administration, Office of

Personnel Management, - Except when an emergency hire is warranted, and as may be authorized by the Office of Personnel Management, all positions classified as "exempt" shall be advertised for a minimum of ten working days before initiating the selection process. All "non-exempt" positions shall be advertised for a minimum of five working days before initiating the selection process. An extension of advertisement or re-advertisement of a position may be requested from Central Human Resources by the Hiring Authority.

5. Requests for recruitment or advertisement of positions that require additional actions, e.g., newspapers, mail-outs, etc., must be submitted to and coordinated by the Central Human Resources Office.
6. Individual units may advertise monthly for CO I's if there are open positions available at that unit. Each application must have a completed disposition within thirty days of receipt. If an application is not dispositioned within thirty days, no new applications may be accepted.
7. All applications received for advertised positions must be submitted according to the guidelines established by the advertisement. Applications received must be complete and will be reviewed to determine if the applicant meets minimum qualifications for the vacancy. Work credit will only be given for paid positions, or internship under a higher education program relative to the qualifications for the position. All qualified applications will be submitted to the Hiring Authority after the closing date of the advertised vacancy.
8. ~~Employees selected for positions requiring Management Level I-IV certification will be scheduled and required to attend the next available Management Level class relative to their position.~~

B. Employment/Selection Process:

1. The Rating System set forth in this policy shall be utilized by the Hiring Authority and/or interview committee for scoring applicants selected for interview. Scoring shall be conducted in a manner that ensures objective criteria are used for selection of the most qualified applicants for vacant positions. Points shall be awarded to applicants for the following criteria: education, experience, and military service. The Rating System shall include:
 - a. Related Education. The applicant must meet minimum requirements for the job classification or must be approved as a qualified applicant per state requirements. A

maximum of ten (10) points may be awarded to an applicant for completion of Related Education above and beyond the Minimum Educational Requirements for the position. (For example: If the Minimum Qualifications require a high school diploma, and the applicant possesses a related Associate's degree, two and one-half (2.5) points will be awarded; if the applicant possesses a related Bachelor's degree, five (5) points will be awarded, and if the applicant possesses a related Master's degree, ten (10) points will be awarded. If a Bachelor's degree is required and the applicant possesses a related Master's degree, five (5) points will be awarded, and if the applicant possesses a related Doctorate's degree, ten (10) points will be awarded.) A copy of the diploma or degree showing the award of the educational level is required. All diplomas received must be from an institution accredited by the Department of Education for the applicable state. All degrees received must be from a college or university accredited by one of the Regional Institutional Accrediting agencies recognized by the United States Department of Education.

- b. Related Experience. An applicant's experience level for the job classification is awarded .25 points for each month of related experience exceeding the minimum requirements, up to a maximum of ten (10) points.
- c. Veteran's Status. An applicant may qualify for five (5) or ten (10) points in accordance with provisions of the Arkansas Veteran's Preference Law. To claim Veteran's Preference, an applicant must be honorably discharged from a tour of active duty, other than active duty for training only, with the Armed Forces of the United States, or served honorably in the National Guard or Reserve Forces of the United States for a period of at least six (6) years, whether retired or discharged. Five (5) points are awarded for standard veteran's preference. A disability discharge is ten (10) points. Discharge must be for "Honorable" or "Under Honorable Conditions" only. Disabled veterans or the spouse of a disabled veteran shall have ten (10) points added to his/her final rating score. The applicant must produce a copy of their DD214 long form or NGB form 22 to receive veteran's preference points. Total points awarded for veteran's status cannot exceed ten (10) points.

- d. Interview. Scoring for interviews shall be determined by assessing 1) the completed application form, 2) other written material gathered or presented and the applicant's responses to questions which support the knowledge, skills, and abilities (KSA's) of each job specification. The rating shall be multiplied times the numerical weight (importance) assigned for each KSA to determine the interview score, which must be 60% or higher. Any supervisory position requires an interview score of 70% or higher.
2. The Hiring Authority shall appoint the interview committee, which will consist of three (3) to five (5) members of the Department. These committee members must be representative of the racial and gender composition of the applicant pool, the same or higher grade as the advertised position, and familiar with the knowledge, skills, and abilities of the position to be filled or positions consisting of General Salary 1-4 can be interviewed by the immediate supervisor of the position without a committee. The Hiring Authority may also bypass the committee system if there are 3 or fewer applicants eligible for the position. At least one member of the interviewing process must have successfully completed Structured Interviewing Training. ~~The Hiring Authority may elect to bypass the committee system if there are three or fewer qualified applicants eligible for the position.~~ The Hiring Authority may select the top-scoring applicant if the Hiring Authority sat on the original interview panel; or, prior to making a final selection, the Hiring Authority may elect to re-interview the top three (3) applicants if the Hiring Authority did not sit on the original interview panel. Written justification in clear and unambiguous terms is required if the applicant selected did not receive the highest score, and this justification must state why this person was selected over the top scoring applicant.
3. Interviews will be conducted for advertised positions if there are applicants with a natural, maximum pre-score cut-off of ten (10) points based on: education, military service, and work experience. Work experience and education must be applicable to the advertised position in order to receive points. However, no applicant can receive more than thirty (30) pre-score points. There is no minimum or maximum number of applicants that can be interviewed for a position. All applicants with military service, who provide a copy of their DD214 showing an honorable discharge, will receive veteran's preference points and must be interviewed, regardless of their pre-score points.

If the Hiring Authority chooses to interview only those applicants with a minimum pre-score, then all applicants with that pre-score, or above, must be interviewed.

4. The Hiring Authority or Human Resources must conduct a background check on all new employees, contractors, volunteers, and Interns/Student Services prior to them assuming their duties, in order to identify whether there are criminal convictions that have a specific relationship to the job performance. The background check shall include comprehensive identifier information to be collected and run against law enforcement indices. If suspect information on matters with a potential terrorism connection is returned on an applicant, it is forwarded to the local Joint Terrorism Task Force (JTTF) or other similar agency. The background check shall include, but is not limited to, NCIC/ACIC record review, Justice Exchange, two or more favorable employment reference checks, and Maltreatment Registries check. If the NCIC/ACIC report reveals ten (10) or more points assessed against an applicant's driver's license, or reveals that a license is suspended or not valid, the applicant is not eligible for hire if the position applied for requires a driver's license or requires driving a state vehicle. If the applicant only has one favorable employment reference, or has no employment history, approval to hire may be granted by Central Human Resources. The Hiring Authority must be notified if the references cannot be obtained within three (3) working days. Documentation relative to the employment background check must be attached to the promotion/hire packet.
5. Incumbent staff who promote or demote to business positions in areas such as accounting, inmate banking, commissary, or any other area which has access to agency financial accounts, must have a background check completed and submitted as part of the packet for approval. This also applies to staff that promote or demote to a position in Information Technology. Employees occupying these positions will have an updated background check every 5 years. Although a criminal conviction (i.e. embezzlement, fraud, etc.) does not automatically eliminate an applicant, approval may not be granted due to the nature of the criminal charge if it may conflict with the type of duties being performed.
6. Pre-employment screenings as may be required by department policy or procedure will be conducted prior to final review and approval of selectee. Such screenings may include, but are not limited to; 1) a drug test, 2) a physical assessment, 3) a tuberculosis test, and 4) the ability to perform essential job functions. Applicants rejected for failing to pass a test for drugs will not be reconsidered for twelve months from the date of rejection and upon reapplication must have successfully completed

a state licensed drug rehabilitation program during the twelve-month period. A final offer of employment may not be made until all required documentation has been received and administrative approval has been received.

7. The promotion/hire package recommending an applicant for selection must be presented to the Central Human Resources Office for administrative approval. The packet will consist of all documents as specified on the Human Resources Pre and Post Check-Off Sheet, including the Contingent Hire Notification documentation.
8. Positions classified as ~~Grade C120 and above~~ GS09 and above, IT 08 and above, MP03 and above will be approved by the Director, ~~Grades C117 and above~~ GS07 and GS08, IT07 and IT06, and MP02 and below will be approved by the applicable Deputy/Assistant Director. ~~Grades C116 and below~~ GS06 and below will be approved by the Hiring Authority and the Human Resources Administrator.
9. Following acceptance of an offer of employment, all other applicants will be notified of the decision by the Central Human Resources Office. Approved promotions and transfers should occur within two weeks following the employee's acceptance of the position and notice to his/her supervisor, unless alternative arrangements are authorized by the gaining and losing Hiring Authority.

C. Transfer:

1. Administrative Transfer. The Director may at any time transfer employees and/or their positions to another location when the transfer is in the best interest of the Department.
2. Voluntary Transfer. An Employee of the Department of Correction may request a voluntary transfer from a position classification at one location to the same position classification at another location provided there is an open advertisement for that position at the desired unit. The applicant will route requests for voluntary transfers through the Hiring Authority (releasing and receiving) for consideration and approval. The Hiring Authority has the option of selecting a transfer applicant in lieu of interviewing for the vacant position.

D. Demotion:

1. Administrative Demotion. Employees may be demoted to a lower-graded position classification in accordance with provisions of the

department's employee conduct standards policy. All demotions must be approved by the applicable Deputy/Assistant Director or Administrator.

2. Voluntary Demotion. Employees of the Department of Correction may request a voluntary demotion from their current position classification at one location to a lower graded position classification at the same or at another location provided a vacancy has been advertised. A completed state application must be received during the advertisement period. The applicant will be considered with all other qualified applicants in the interview process.

E. Rehire:

1. The Hiring Authority will review Rehire applications and related previous work history to determine the reason(s) the employee terminated employment with the Department of Correction. Applications from persons not recommended for Rehire will not be considered for at least twelve months from date of termination. Applications from persons terminated for violation of the drug testing policy will not be considered for at least twelve months, and the applicant must have successfully completed a state licensed drug rehabilitation program since termination to qualify for rehire consideration.

A rehire applicant that has not been gone for at least 90 days will be considered for re-employment only at his or her previous unit of assignment unless this requirement is waived by the Director.

2. The Hiring Authority will include the Rehire application, along with the applicant's previous termination notice(s) and all documentation of previous employment periods with the Department of Correction. This information must be submitted with the Rehire packet and forwarded to Central Human Resources.
3. The Director or Human Resources Administrator will make the final decision regarding all Rehire applicants.

F. Procedures Manual/Required Forms:

The Human Resources office shall develop detailed administrative procedures and required forms to guide the employment process. The forms will be placed on the Department intranet site.



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ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Correspondence

NUMBER: ~~16-2817-23~~

SUPERSEDE: ~~16-2812~~

APPLICABILITY: All Staff and Inmates **PAGE:** 1 of 7

REFERENCE: ~~AR 860 – Inmate Correspondence~~ **PAGE:** ~~1 of 7~~

~~AR 860 – Inmate Correspondence~~

AR 401 – Searches for and Control of Contraband

AR 841 – Inmate Property Control

AR 825 – Inmate Name Change for Religious Purposes

AD – Inmate Name Changes

AD – Inmate Property Control

ACA Standards

APPROVED: Original Signed by Wendy Kelley

EFFECTIVE DATE: ~~0708/8/21/2017~~6

I. POLICY:

It shall be the policy of the Arkansas Department of Correction to permit inmates to correspond with family, friends, officials and other significant community contacts with a minimum of interference consistent with the legitimate security needs of the facility; however, the increasing use of illegal drugs has led to the need to limit incoming paper correspondence.

II. EXPLANATION:

It is the Department's policy to open all mail in accordance with the procedures outlined in Administrative Regulation (AR) 860, Inmate Correspondence. The regulation covers Privileged, General, and Interstate/Inter-Unit correspondence. Since opened mail will not be returned to the sender by the Postal Service without additional postage, the inmate shall be responsible for the cost.

III. DEFINITIONS:

1. Inspections: Mail or ~~hobbycraft~~ hobby-craft packages ~~will can be~~ opened in order to determine if any contraband items are contained therein and to remove any such contraband items.

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2. General Correspondence: correspondence mailed to the inmate, other than privileged correspondence, will be limited to three pages which will be copied (black and white photocopy) along with the envelope ~~on front and back~~, so that two (2) sheets of paper, front and back, ~~shall be provided for each item of general correspondence an inmate receives.~~ Originals will be shredded after the copy has been made.

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3. Privileged Correspondence: Incoming and outgoing correspondence with the persons or organizations specified below shall be considered privileged correspondence as long as the designated individuals are acting in their official capacities.

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- a. Officers of Federal, State, and Local Courts;
- b. Any Federal or State Official or Agency;
- c. Any Administrator of the Department of Correction;
- d. The Parole Board or its staff;
- e. The Board of Corrections or its staff;
- f. The Inmate's Attorney(s); and
- g. Any member of the Media.

1.

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24. Contraband: Any item that is not permitted under the usual rules of the unit/center, ~~including general correspondence that exceeds three pages.~~

35. Rejection: Any item of correspondence containing any contraband will be rejected. Any item of general correspondence exceeding the limitations set out in Section IV. A. below will be rejected. In addition, ~~Subject to review and rejection of such any material which the the warden/center supervisor or designee reasonably officials sincerely determines believe will presents a clear and present danger to institutional security will be rejected.~~

IV. PROCEDURES:

- A. Inmate Correspondence Constituting or Containing Contraband

1. 1. All mail is opened in accordance with AR 860. Mail containing contraband or the contents of which exceeding an envelope with writing on one side and three sheets of 8 1/2 x 11 inch (or smaller) size paper with writing on one side will be returned to the sender and the inmate to whom the correspondence was addressed and/or was to receive the contraband will be required to pay for the return postage or agree to the destruction of the mail and contraband. Note that individual photographs will be considered one sheet of paper, and nothing larger than 8 1/2 inches by 11 inches will be copied. No color photocopies will be made.
2. The originals of any incoming general correspondence copied and delivered to the inmate will be shredded immediately.
23. Inmates are encouraged to communicate with those persons with whom they correspond to make them aware of the items which they can receive legally and request that contraband items not be sent.
34. Inmates will be given thirty (30) days from the date received to pay the postage for returning the mail rejected containing contraband or exceeding the limitations in under this policy. Illegal contraband will be seized. If the inmates is are not willing to pay for the return postage within the time limit, the mail and contraband will be destroyed.
45. Mailroom personnel will submit the items to be destroyed to the Deputy/Assistant Warden/Center Supervisor for review and/or approval to destroy.
56. At a time designated by the Warden/Center Supervisor, after the time limit has expired, the mailroom personnel and the Deputy/Assistant Warden/Center Supervisor will oversee the destruction of the said mail and contraband.
67. Any mail received without a return address containing the first and last name of the individual or the business name, street address or post office box number, city, state, and zip code will be considered contraband and destroyed. However, it may be opened to determine if disciplinary charges are warranted against the intended recipient.
78. Original newsprint paper is difficult to screen for illicit substances. Correspondence which includes original newsprint paper is considered contraband and will be destroyed pursuant to this

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administrative directive. However, photocopies of newspaper articles may be sent with general correspondence so long as it does not violate the correspondence or publication policy regarding content. The copy of newspaper must be on 8 1/2 by 11 inch paper or smaller and each sheet will count as one of the three pages allowed as general correspondence.

B. Inmate Electronic Correspondence

1. All inmate electronic correspondence will be subject to the rules outlined in AR 860, Inmate Correspondence.
2. The cost of the electronic correspondence is at the expense of the sender. "The cost of any rejected electronic correspondence will be at the sender's expense."
3. Electronic correspondence will be considered General Correspondence only; however, the limit to three sheets and one side of an envelope will not apply.
4. All incoming and outgoing electronic correspondence will be inspected and approved before distribution.
5. Inmates who have purchased an approved MP4 Player may have their electronic correspondence downloaded through the available Kiosk in the Unit. The correspondence is transferred electronically. No printed version will be provided to the inmate.
6. ~~Mailroom personnel will submit the items to be destroyed to the Deputy/Assistant Warden/Center Supervisor for review and/or approval to destroy.~~
76. Electronic photographs will be available to inmates by two (2) separate ways. Inmates who have purchased an approved MP4 Player may have their photos downloaded through the available Kiosk in the Unit. No printed version will be provided to the inmates. The photos obtained by the inmate in this way are not subject to numerical restrictions, as with printed photos as identified in AR 841, Inmate Property Control. Electronic photographs will be printed and delivered to the inmate if he/she does not possess an MP4 Player. The printed photographs must be in compliance in content and number as stated in AR 841, Inmate Property Control. If more than five (5) pages of photographs are received, the entire correspondence will be rejected. The inmate receiving electronic photographs is responsible for ensuring that

the number of printed photographs in his/her possession does not exceed established limits.

87. Rejected electronic correspondence will be rejected in its entirety.

C. Legal/Privileged Correspondence

1. Privileged Correspondence

~~Incoming and outgoing correspondence with the persons or organizations specified below shall be considered privileged correspondence as long as the designated individuals are acting in their official capacities:~~

- ~~a. Officers of Federal, State, and Local Courts;~~
- ~~b. Any Federal or State Official or Agency;~~
- ~~c. Any Administrator of the Department of Correction;~~
- ~~d. The Parole Board or their staff;~~
- ~~e. The Board of Corrections or their staff;~~
- ~~f. The Inmate's Attorney(s); and~~
- ~~g. Any member of the Media.~~

~~Incoming privileged mMail from any of the above will be opened only in the presence of the inmate, concerned for inspection of contraband. Mail opened and inspected under these circumstances will not be read or censored, but may be rejected in its entirety if it is found to contain contraband.~~

There will be no records kept of incoming or outgoing privileged correspondence. Outgoing privileged correspondence shall have the words "Privileged Correspondence" or "Legal Mail" marked on the envelope or it will be considered general correspondence. All incoming privileged mail should be in official letterhead envelopes and should be clearly identified as "Privileged Correspondence". Media mail should be clearly marked "Media Mail".

- 2. Each Unit should schedule a "Privileged Mail Call" for outgoing mail once a day, Monday through ~~Saturday-Friday~~ excluding holidays.
- 3. During "Privileged Mail Call," all correspondence will be checked for contraband by two staff members, (i.e., Sergeant and Shift Captain or Lieutenant), and sealed in the presence of the inmate. Both the Sergeant and the Captain or Lieutenant will sign the back of the envelope.

4. Once the Sergeant and Shift Captain or Lieutenant have signed the back of the envelope(s), outbound privileged the mail will be deposited in the authorized Privileged Mail Box to be picked up by mailroom personnel.
5. Any mail marked "Legal or Privileged Mail" that has not been processed in accordance with paragraphs 3 and 4 above will be given to the Shift Captain or Lieutenant by the Mailroom staff. The Captain or Lieutenant will return the mail to the inmate(s) to be opened in his/her presence to insure contraband is not present.
6. Units having x-ray machines will scan all incoming and outgoing privileged correspondence for contraband. For example, loose powder can be detected if the letter is stood on end and "bumped" causing the powder to collect in the corner of the envelope's seal/flap. In addition, tablets and capsules can be detected during the scanning process. After x-raying, mailroom staff will initial the envelope.
7. Additionally, mailroom staff must also lay envelopes on a flat surface and run their hands over them to feel for possible contraband.
8. Inmates in Administrative Segregation or Punitive will have his/her outbound privileged correspondence checked at their cells in accordance with paragraphs 3 and 4.

D. General Correspondence

Correspondence, other than privileged or Interstate/inter-unit correspondence, shall be considered general correspondence. Inmates do not need to submit a list of the people with whom they wish to correspond, nor will any approval be needed from the administration prior to corresponding. There will be no limitation placed on the number of letters mailed or received; however, inbound general each item of inbound correspondence is limited to three sheets of 8 1/2 x 11 inch paper or smaller along with one side of an envelope which will be photocopied and delivered to the inmate. All general correspondence, both incoming and outgoing, may be opened, inspected, read and records may be kept of all incoming and outgoing general correspondence. to see that the family contact is maintained. Such contact is essential for rehabilitation and arrangements may be made, in the absence of family contact, for correspondence with a volunteer.

The full name under which the inmate was committed and the ADC number of the inmate shall be shown in the upper left-hand corner of the

envelope on the outgoing mail. Any violation of the rules and regulations which also constitutes a violation of Federal Postal Laws shall be reported to the Federal Postal authorities or appropriate personnel responsible for the processing and inspection of such mail.

Inmates in punitive segregation will be allowed to send and receive ~~photocopies of general correspondence (photocopied)~~ and privileged correspondence ~~letters~~ on the same basis as inmates in the general population. This will include both general and privileged correspondence.

Limitations on the pages of general correspondence to be photocopied shall not apply to the following facilities: Benton Work Release Center, Northwest Arkansas Work Release Center, Mississippi County Work Release Center, Texarkana Work Release Center, Pine Bluff Reentry Center, and the Tucker Reentry Center.

E. Interstate/Inter-Unit Correspondence between Incarcerated Individuals

Interstate and Inter-unit correspondence is mail between all individuals who are incarcerated either within the Arkansas Department of Correction or another facility. Interstate, and Inter-Unit correspondence of two (2) incarcerated individuals will be restricted to members of the immediate family. It will be subjected to the usual rules under general correspondence including the page limit for photocopying. Inter-unit correspondence must have the approval of both the sending and receiving Warden/Center Supervisor. In the case of Interstate correspondence where the out of state facility does not take a position, only the Arkansas Warden/Center Supervisor must approve. For the purposes of this provision VERIFIED "immediate family" is defined as ~~the inmate's father, mother, sister, brother, spouse, children, grandparents, grandchildren, stepfamily members, half-siblings, verified foster child, son-in-law, daughter-in-law, aunt, uncle, niece or nephew. Verification of the relationships may be shown by the appropriate legal document(s); the inmate's father, mother, sisters, brothers, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian such as mother-in-law, father-in-law, grandparents, aunts, or uncles, or, whose relationship with the inmate has been verified as that of a child/ward such as a foster child, son-in-law, daughter-in-law, niece or nephew. This list of immediate family members includes step family members and half siblings.~~

F. The administrator reserves the right to inspect, read, or stop any mail or hobby, craft packages where there is reason to believe a clear and present danger to the security of the unit/center exists. The page limit and copying

of on general correspondence is to restrict the flow of contraband arriving by paper sent into the ADC facilities.

- G. The Department will not accept postage due mail or packages.
- H. All letters will be written in the English language unless there is approval by the Warden/Center Supervisor to do otherwise. All entries will be made in the inmates' electronic file.
- I. Violators of correspondence regulations will be subject to disciplinary action.

Arkansas Department of Correction
Unit

Inmate Correspondence Form

To: _____

Inmate Name: _____ ADC: _____ Barracks: _____

Date: _____

☐ Inmate-to-Inmate Correspondence (Interstate/Inter Unit)

Name: _____ ADC# / other: _____ Relation: _____

Name & Address of Correctional Facility (Federal / State Prison, Jail, or Detention Center): _____

Official Use only - ☐ Approve ☐ Disapprove

Reason for Disapproval: _____

☐ Correspondence in a different Language

Name(s)	ADDRESS	RELATION	STATUS

Official Use only - ☐ Approve ☐ Disapprove

Reason for Disapproval: _____

Warden/Designee: _____ Date: _____



Arkansas Department of Correction

PO Box 8707
Pine Bluff, AR 71611-8707
Phone: 870-267-6200
Fax: 870-267-6244
www.adc.arkansas.gov

ADMINISTRATIVE DIRECTIVE

SUBJECT: Department Owned Housing/Mobile Home Park

NUMBER: 16-4817-23

SUPERSEDES: 13-10916-48

APPLICABILITY: All Employees

REFERENCE: AR 217-Staff Assignments

PAGE: 1 of 29

APPROVED: Original Signed by Wendy Kelley EFFECTIVE DATE: 10/07/2016

I. POLICY:

It shall be the policy of the Arkansas Department of Correction (ADC) to provide housing for designated supervisory/administrative staff as specified by the Director. Lots/spaces may be provided for employees residing in privately owned mobile homes.

II. EXPLANATION/PURPOSE:

- A. Administrative/supervisory staff members whose duties require long working hours, weekend duty, and emergency attendance may be required by the Director to live on the premises as a condition of employment. In such instances, staff may be provided department owned housing.
- B. Employees not required to live on the premises may be authorized by the Director to place a personally owned mobile home on department property on a space available basis. No rent shall be charged for the space; however, such employees will be required to pay utilities.

III. RULES AND REGULATIONS:

All employees living in department owned housing and/or personally owned mobile homes shall be required to follow published rules and regulations.

IV. TERMINATIONS:

- A. Upon termination of employment, those living in department owned housing shall vacate the premises within thirty (30) days. Those living in privately owned mobile homes shall remove the mobile home from department property within thirty (30) days.
- B. Exceptions to any of the above rules and regulations must be authorized by the Director or his designee.

V. ATTACHMENTS:

- A. Attachment #1 – Utilities Expense Reimbursement Payroll Deduction Authorization
- B. Attachment #2 – ADC Rules and Regulations, Department Owned Housing/Mobile Home Park
- C. Attachment #3 – ADC Owned Housing/Mobile Home Park Weapons Inventory
- D. Attachment #4 – Maintenance/Upkeep Checklist
- E. Attachment #5 – Standardized Decking (with or without roof)

Attachment #1

ARKANSAS DEPARTMENT OF CORRECTION
UTILITIES EXPENSE REIMBURSEMENT
PAYROLL DEDUCTION AUTHORIZATION

I, _____, hereby approve a payroll deduction of \$_____, for reimbursement of utilities expense to the Department of Correction. Such deduction will commence with the pay period beginning on _____ and continue through the pay period corresponding to my non-occupancy of an affected dwelling.

Signatures:

Payroll Information:

Employee _____

Date _____

AASIS Personnel Number _____

Unit _____

Position Title _____

Unit Warden _____

Date _____

Human Resource Processed Date _____

Deduction Code 2500

Attachment #2

**ADC RULES & REGULATIONS
DEPARTMENT OWNED HOUSING/MOBILE HOME PARK****1. ACKNOWLEDGEMENT AND UTILITIES**

- A. All employees must sign an acknowledgement and agree to abide by Department owned Housing/Mobile Home Park Rules and Regulations prior to moving onto state property.
- B. All employees residing in the mobile home park will be required to pay a utility fee of \$_____ per pay period unless otherwise authorized by the Director. The utilities expense does not apply to Department owned housing.
- C. The employee will bear the expense for moving the mobile home into/out of the park and any materials necessary for connecting utilities. (utilities include electricity, water, sewer, and telephone.)
- D. The Unit Maintenance Department will inspect the utility connections to ensure industry standards are met.
- E. Telephones will be installed at the expense of the employee unless authorized by the Warden. All employees must maintain a phone, cellular or land line, for emergency contact as a condition of residing on unit ground. No computer connections or internet access will utilize a state supplied phone line.
- F. The Unit Warden or designee may enter any dwelling during reasonable hours with at least twenty-four (24) hours notice, or at any time during an emergency to inspect with regard to compliance with the rules and regulations.

2. FIREARMS/BOWS/PELLET/BB GUNS

- A. The use of firearms, bows, pellet/BB guns, fireworks or any other dangerous device is prohibited in or around the mobile home park/housing area residences. It shall be the responsibility of the employee to ensure all such devices are under adult supervision when not locked and stored.
- B. Each employee residing in the mobile home park/housing area will be responsible for ensuring weapons and ammunition are locked and stored in an approved gun/weapon safe separately and that a yearly inventory of all weapons (make, model and serial number) are submitted in writing to the Warden's office at the beginning of the fiscal year.

3. INSPECTIONS

- A. Department owned houses/mobile homes shall be inspected for maintenance/upkeep annually.
- B. Inspections must be completed on or before June 30th each year.
- C. Inspections shall be conducted by the Warden, or designee, and the Unit Maintenance Supervisor.
- D. A standard checklist shall be used to ensure proper maintenance/upkeep is occurring. This checklist however should not be considered all encompassing.
- E. Failure to maintain good housekeeping and reasonable care may be grounds for disciplinary actions.
- F. Personally owned mobile homes must be maintained to keep a clean, neat, non-damaged appearance.
- G. Any damage caused by any reason must be repaired within thirty (30) days from the date the damage occurred or within thirty (30) days of notice by the Unit Warden.

4. LANDSCAPPING/YARD MAINTENANCE

- A. Flowers and shrubs are permitted. Once planted, they remain on the residence property unless permission is granted from the Unit Warden for their removal or removed as ordered by the Warden. Planting of trees by residents must be approved by Unit Warden.
- B. No front or back yard fencing is permitted in the mobile home park.
- C. No freezer, refrigerators, or appliances of any kind are permitted outside.
- D. No tires, wheels, or automotive parts are permitted outside.
- E. All toys, bicycles, etc., must be neatly put away when not in use.
- F. Outdoor patio furniture made for that purpose is permitted.

5. OCCUPANCY

- A. Occupancy is limited to the immediate family (spouse of the employee, minor child(ren) of the employee\spouse) of the employee per mobile home park/housing area.

- B. Non-immediate family members/visiting guests living in the residence for more than fifteen (15) days must be approved by the Unit Warden.
- C. Upon notice of termination, employees agree to vacate Department owned housing/mobile home space within thirty (30) days.
- D. Employees will not be permitted to sublet/sell a mobile home to another employee to live on state property without written consent of the Director.
- E. Rent to own agreements between employees are prohibited and may result in termination and eviction.
- F. Drunkenness, immoral conduct, drug abuse, disturbances, security violations, or any illegal act will not be tolerated.
- G. Any flagrant or repeated violation to these rules and regulations will result in the employee responsible receiving disciplinary action, which may include eviction from the park and possible termination from the Department.

6. **PETS**

- A. Employees will be allowed to have pets, (i.e., dogs, cats, etc.) provided they are adequately maintained and controlled.
- B. Dogs must be penned or on a leash. All pets must have a current shot record.
- C. No dogs are to be tethered outside.
- D. Pens may be constructed at the owner's expense with the approval of the Unit Warden after a design plan has been submitted for review.
- E. Exotic pets will be not permitted.

7. **QUIET HOURS**

- A. No loud parties or excessive noises will be permitted at any time. Quiet hours in the mobile home park/housing area will be maintained between the hours of 10:30 p.m. and 6:00 a.m.
- B. Motorcycles, four wheelers, go carts, etc., may not be used in the mobile home park/housing area for recreational purposes.
- C. Complaints should be made to the Warden verbally, followed with a written report.

- D. The speed limit in the mobile home park/housing area is twenty (20) miles per hour.
- E. The Arkansas Department of Correction is not responsible for injuries to employees (unless work related), their spouses, children, or guests. Employees should consider renter's insurance.

8. **TRASH/GARBAGE PICKUP**

- A. Trash must be placed in a container in designated areas for trash pick-up.
- B. Trash pick-up will be limited to household refuse only.
- C. It shall be the responsibility of the employee to dispose of large items and appliances, tires, etc.
- D. Employees are responsible for keeping the grounds free from garbage and litter.
- E. No build-up of litter or unsightly items will be permitted.
- F. The Unit will be responsible for keeping the lawn mowed.

9. **UNDERPINNING/SKIRTING/DECKS, ETC.**

- A. Employee will underpin their mobile home, at their expense, with skirting material approved by the Warden, within sixty (60) days from the time the mobile home is received at the unit. Underpinning/skirting must be a commercial type.
- B. Decks for mobile homes with or without roofs shall be of a standard design as outlined in this policy. Decks with or without roofs may be constructed by Unit Maintenance upon purchase of materials by employees after approval by the Unit Warden. Existing decks with or without roofs will be inspected to determine if they meet design specification outlined in this policy.
- C. The Unit Warden must approve any additions to the mobile home such as awnings, porches, decks or placement of storage buildings. Only commercially produced carports currently in use and approved by the Warden are allowed. No new or additional carports will be permitted.
- D. Storage Buildings currently in use must be approved by the Warden. After the effective date of this policy, any storage building added to state property must be approved by the Warden and be commercially produced. Storage buildings must be similar in color to the mobile home and should

not exceed two-hundred twenty (220) sq. ft. in size. No more than one (1) storage building is permitted.

- E. Any underground installations or permanent structure on the residence property becomes property of the state upon termination unless prior arrangements have been made with the Unit Warden.
- F. Nothing will be stored under decks/porches.
- G. Foil in windows is not permitted. Non-mirrored window tint installed professionally is permitted.

10. VEHICLES/PARKING

- A. Residents may possess two (2) licensed operational vehicles (exception must be approved by the Unit Warden).
- B. Vehicles must be parked in designated parking areas only.
- C. Non-operational vehicles may be permitted as long as the vehicle is currently registered and insured, pending Warden's approval.
- D. Boats, campers, and utility trailers must be parked in a community parking area if available.
- E. Any non-conforming vehicle will be towed at the owner's expense.

11. PAINT, FLOORS, APPLIANCES, AND MISC.

- A. State houses will not be painted with custom colors. The acceptable colors provided by ADC will be: white, off white, light tan or beige, or a light gray.
- B. ~~If the tenant requests a custom color, the color requested must be a light neutral color that can be painted over and covered with a single coat of one of the ADC standard colors listed above and the custom paint will be paid for by the occupant. ADC will provide the labor to paint the walls.~~
- C. Carpeting will not be replaced unless the existing carpet is worn out or cannot be cleaned. If the existing carpet is not usable, it may be replaced with either a wood (laminated) or ceramic tile of the Department's choosing, flooring of the Department's choosing.
- D. Appliances will be replaced only if the existing units are non-operable. The agency only provides stove/oven, dishwasher.

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E. Refrigerators, microwave units, washer and dryers are the occupant's responsibility.

Microwave units, washer and dryers are not provided by the Agency and are the responsibility of the occupant.

F. Window treatments, such as blinds, or curtains are the responsibility of the occupant. Any pre-existing window treatments will remain in the residence.

G. Ceiling fans are not provided added by the Agency, but may will be replaced if the existing fans are not functional.

H. Telephone, television and internet connections services are not the responsibility of ADC, but are the responsibility of the resident.

H. I. Tenants shall not allow items to be attached to the roof.

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ACKNOWLEDGMENT
OF RULES & REGULATIONS
DEPARTMENT OWNED HOUSING/MOBILE HOME PARK

I, _____, AGREE TO
ABIDE BY THE RULES AND REGULATIONS GOVERNING THE UNIT
FREELINE/MOBILE HOME PARK AND TO BE RESPONSIBLE FOR HIS/HER
DEPENDENTS, PETS, RELATIVES AND GUESTS' CONDUCT WHILE ON STATE-
OWNED PROPERTY. DRUNKENNESS, IMMORAL CONDUCT, DRUG ABUSE,
DISTURBANCES, SECURITY VIOLATIONS, OR ANY ILLEGAL ACT WILL NOT
BE CONDONED. ANY FLAGRANT OR REPEATED VIOLATION TO THESE
RULES AND REGULATIONS WILL RESULT IN THE RESPONSIBLE EMPLOYEE
RECEIVING DISCIPLINARY ACTION WHICH MAY INCLUDE EVICTION FROM
THE PARK AND POSSIBLE TERMINATION FROM THE ARKANSAS
DEPARTMENT OF CORRECTION.

SIGNATURE

WITNESS

DATE

Attachment #3

DEPARTMENT OWNED HOUSING/MOBILE HOME PARK
WEAPONS INVENTORYNAME: _____ DATE: _____
PLEASE PRINT

NUMBER	MAKE/ MODEL	SERIAL
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		

My signature acknowledges receipt of rules and regulations pertaining to personal weapons. I have listed all personal weapons maintained in my residence and understand I am responsible for notifying the Warden's office of any changes in writing.

Signature_____
Date

UNIT: _____

(Maintenance/Upkeep Check List)

Page 12 of 30
Attachment #4

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Y/N/No	DATE	INITIALS
I. MASTER BATHROOM					
Bathtub					
Cabinets					
Ceiling					
Commode					
Floors					
Light Fixtures					
Mirrors					
Outlets					
Sinks					
Towel Rack					
Walls					
II. HALLWAY BATHROOM					
Bathtub					

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Cabinets					
Ceiling					
Commode					
Floors					
Light Fixtures					
Mirrors					
Outlets					
Sinks					
Towel Rack					
Walls					
III. DOMESTIC BATHROOM					
Bathtub					
Cabinets					
Ceiling					
Commode					

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Floors					
Lights Fixtures					
Mirrors					
Outlets					
Sink					
Towel Racks					
Walls					
IV. MASTER BEDROOM					
Ceiling					
Closet Doors					
Door					
Floor					
Light Fixtures					
Outlets					

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Walls					
Windows					
V. BEDROOM #2					
Ceiling					
Closet Doors					
Door					
Floor					
Light Fixtures					
VI. BEDROOM #3					
Ceiling					
Closet Doors					
Door					
Floor					
Light Fixtures					
Outlets					

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Walls					
Windows					
VII. CARPORT GARAGE					
Ceiling					
Floors					
Light Fixtures					
Outlets					
Storage Room					
Utility Closet					
Door					
Walls					
VIII. DEN					
Cabinets					
Ceiling					
Doors					
Floors					
Light Fixtures					

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Outlets					
Walls					
Windows					
IX. DINING ROOM					
Ceilings					
Doors					
Floors					
Light Fixtures					
Outlets					
Walls					
Windows					
X. HALLWAYS					
Attic Stairway					
Ceiling					
Door					

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Floors					
Light Fixtures					
Outlets					
Walls					
XI. HOUSE EXTERIOR					
A/C Unit					
Decks/Patios					
Doors (Screen)					
Doors (solid)					
Gutters					
Roof					
Steps					
Underpinning					
Walls					

LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Windows/Screens					
XII. KITCHEN					
Appliances					
Cabinets					
Ceilings					
Counter Tops					
Doors					
Fire Alarms					
Fire Extinguisher					
Lights Fixtures					
Outlets					
Sinks					
Walls					
Windows					
XIII. LIVING ROOM					

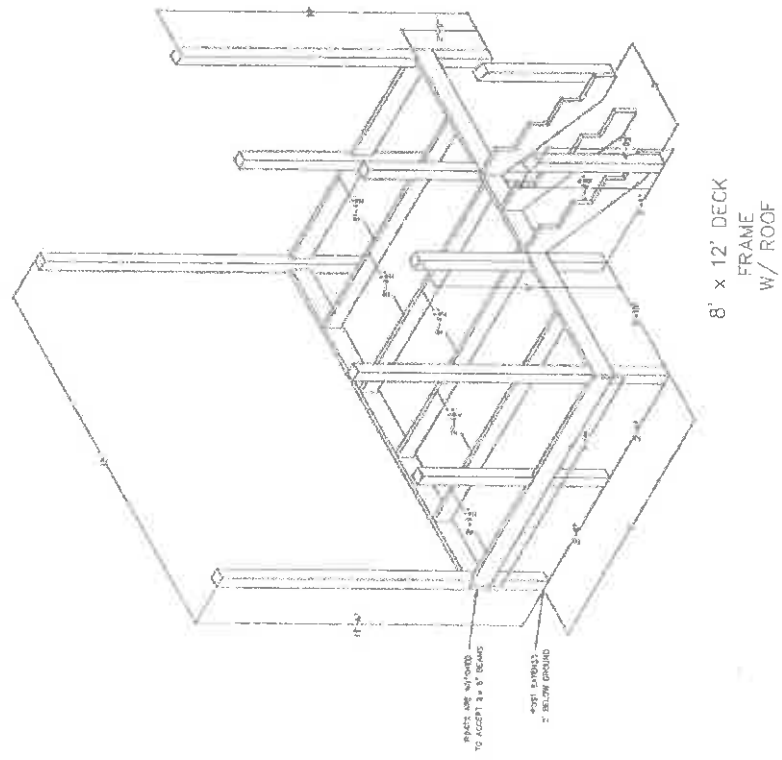
LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Cabinets					
Ceiling					
Doors					
Floors					
Light Fixtures					
Outlets					
Walls					
Windows					
XIV. UTILITY ROOM					
Cabinets					
Ceiling					
Doors					
Floors					
Light Fixtures					

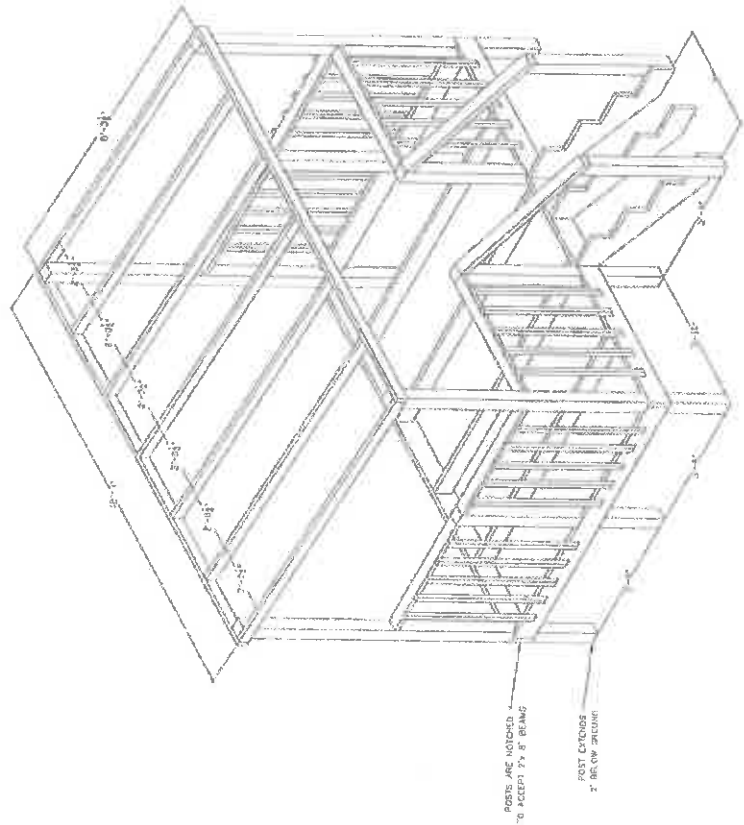
LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
Outlets					
Walls					

HOME/MOBILE HOME #

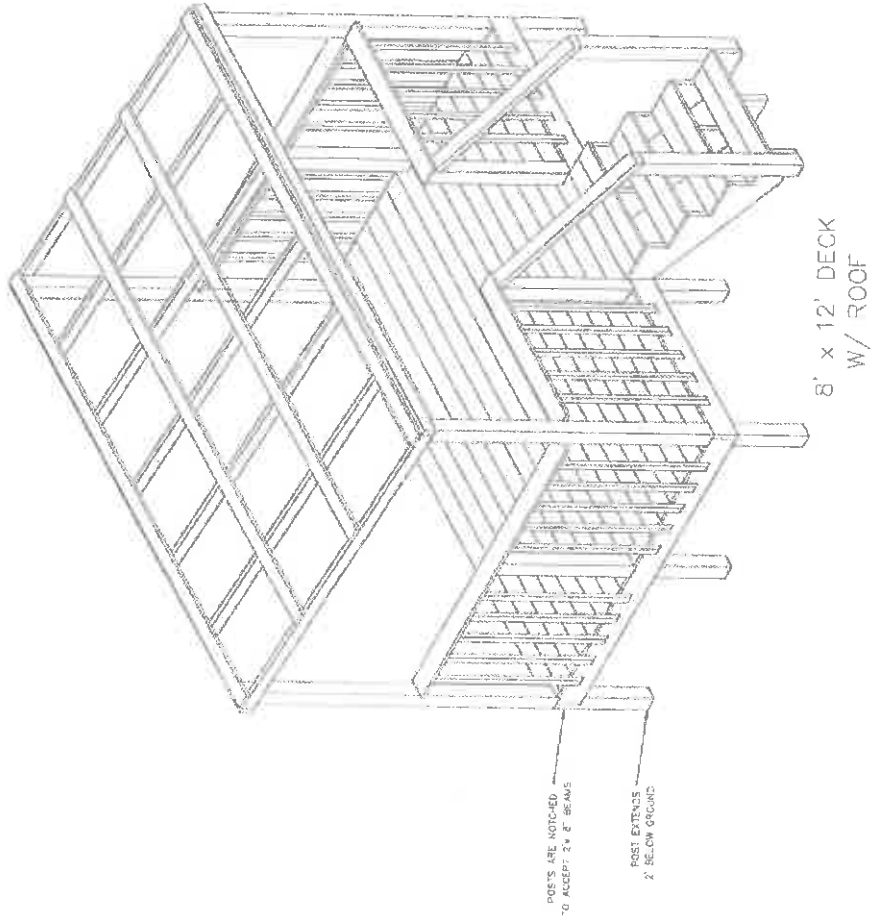
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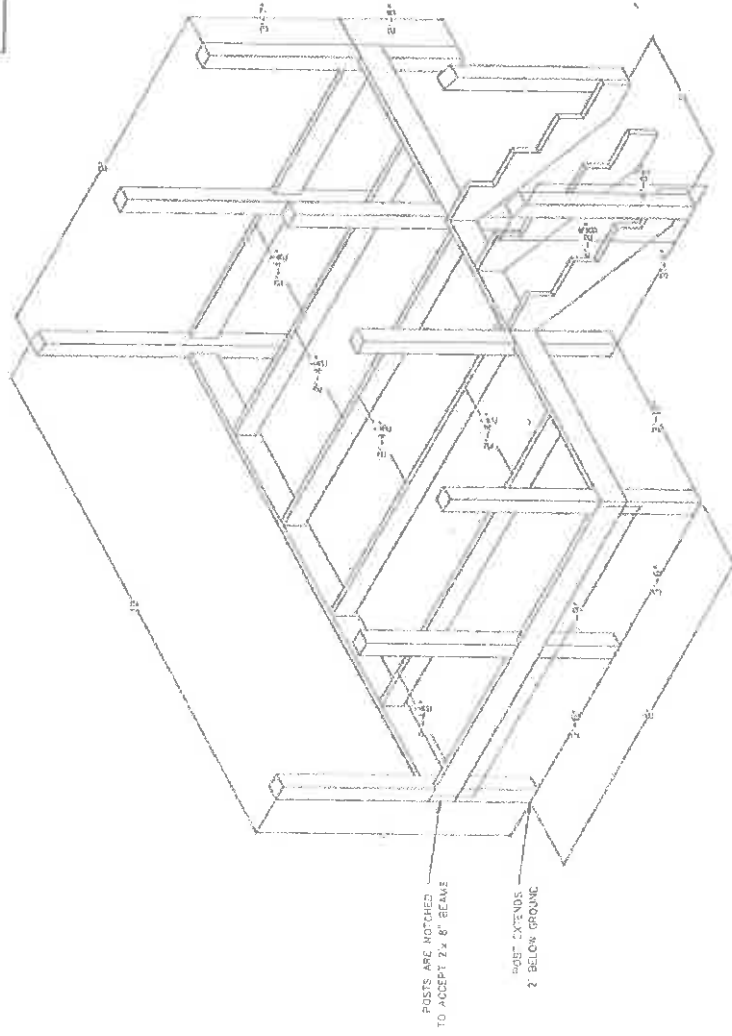
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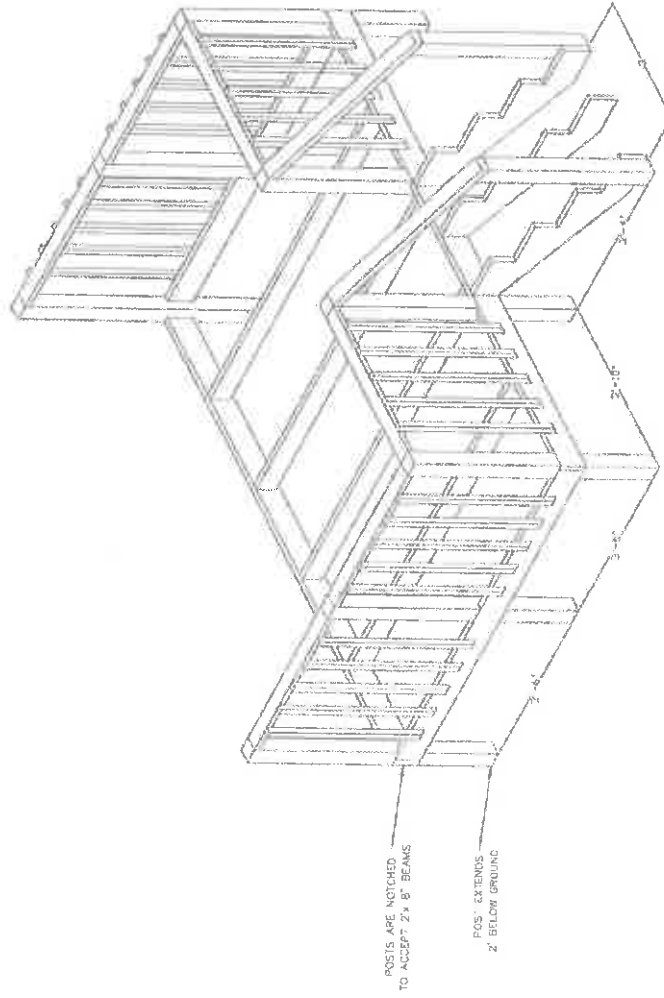




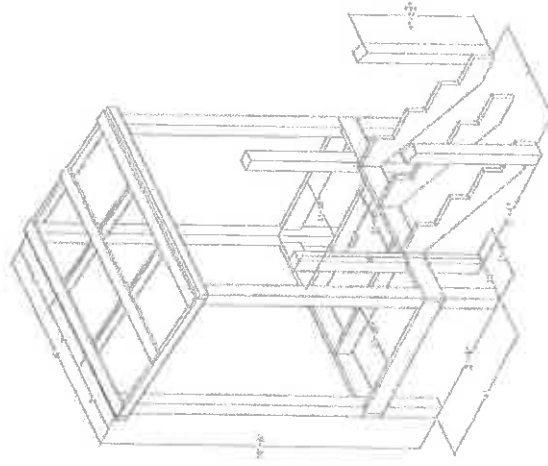
8' x 12' DECK
FRAME
W/ ROOF



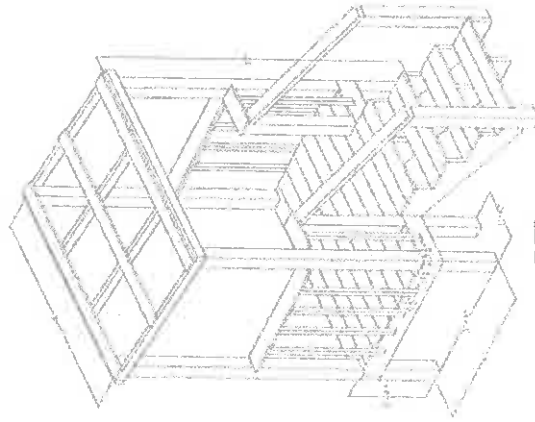




8' x 12' DECK
FRAME
W/C ROOF



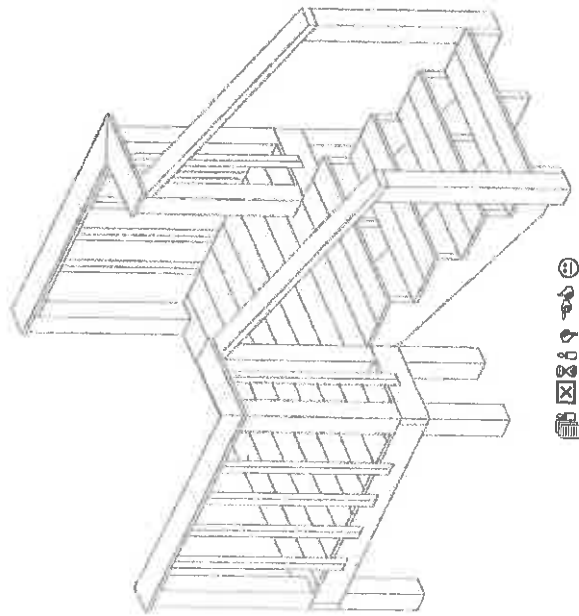
4 x 6 Deck with Roof



4 x 6 Deck with Roof

4 x 6 Deck with Roof

Attachment #5 page 7



MATERIALS REQUIRED FOR 4' x 6' DECK with Roof

QTY	DESCRIPTION
4	TREATED PINE 4"x4"x8'
4	TREATED PINE 4"x4"x12'
1	TREATED PINE 2"x8"x8'
1	TREATED PINE 2"x8"x12'
1	TREATED PINE 2"x6"x8'
10	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x12"x12'
9	TREATED PINE 1"x6"x12'
3	TREATED PINE 1"x4"x8'
5	GALVANIZED NAILS/LB
2	CORRUGATED ROOFING 8'

Attachment #5 page 8

MATERIALS REQUIRED FOR 4' x 6' DECK W/O Roof

QTY	DESCRIPTION
8	TREATED PINE 4"x4"x8'
1	TREATED PINE 2"x8"x8'
1	TREATED PINE 2"x8"x12'
1	TREATED PINE 2"x6"x8'
8	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x12"x12'
9	TREATED PINE 1"x6"x12'
5	GALVANIZED NAILS/LB

MATERIALS REQUIRED FOR 8'x 12' DECK W/O ROOF

Attachment #5 page 9

QTY	DESCRIPTION
8	TREATED PINE 4"x4"x8'
1	TREATED PINE 4"x4"x10'
2	TREATED PINE 2"x8"x12'
2	TREATED PINE 2"x8"x8'
4	TREATED PINE 2"x6"x8'
3	TREATED PINE 2"x12"x8'
18	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x4"x10'
22	TREATED PINE 1"x6"x12'
7	CORRUGATED ROOFING 10'
10	GALVANIZED NAILS/LB

MATERIALS REQUIRED FOR 8'x 12' DECK W/ ROOF

QTY	DESCRIPTION
2	TREATED PINE 4"x4"x14'
2	TREATED PINE 4"x4"x12'
4	TREATED PINE 4"x4"x8'
1	TREATED PINE 4"x4"x10'
2	TREATED PINE 2"x8"x12'
2	TREATED PINE 2"x8"x8'
4	TREATED PINE 2"x6"x8'
3	TREATED PINE 2"x12"x8'
18	TREATED PINE 2"x4"x8'
8	TREATED PINE 2"x4"x10'
2	TREATED PINE 2"x4"x14'
3	TREATED PINE 1"x4"x14'
22	TREATED PINE 1"x6"x12'
7	CORRUGATED ROOFING 10'
10	GALVANIZED NAIL S/LB



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ADMINISTRATIVE DIRECTIVE

SUBJECT: Employee Orientation and Training

NUMBER: 17-4525

SUPERSEDES: 14-0917-15

APPLICABILITY: All Employees

REFERENCE: AR-204 Employment

PAGE: 1 of 10

APPROVED: Original Signed by Wendy Kelley

EFFECTIVE DATE: 07/17/17

I. POLICY:

It is the policy of the Arkansas Department of Correction (ADC) to provide initial training for all newly hired employees and on-going annual training for current employees to ensure compliance with all applicable laws, standards, regulations, policies and post orders. Continuing education is a critical requirement of continued employment with the Department to maintain accreditation with the American Correctional Association and to provide employees with the knowledge necessary to provide for the safe and humane treatment of inmates while maintaining the safety, security and good order of all its institutions. All management level employees shall be required to participate in supervisory management level classes as a requirement for the position that those individuals hold or for which they may apply.

II. PURPOSE:

Governor's Executive Order 94-07 ordered the establishment of the State Supervisory Management Institute within the Department of Finance and Administration, Office of Personnel Management (OPM). Approved classes should provide training to management level employees that will teach sound management practices and principles, while increasing the efficiency of the organization and improve the services provided.

All Department of Correction personnel who are considered management level shall participate in training classes, as required and approved by the Department of Correction and the Office of Personnel Management/State Supervisory Management Institute.

III. DEFINITIONS:

- A. New Hire: Employees entering state service for the first time.
- B. Rehire: Employees returning to state service after a break in employment of two or more pay periods.
- C. Transfer: Employees transferring between state agencies and/or institutions or laterally within the Department of Correction without a break in service.

IV. PROCEDURES:

It shall be the policy of the Arkansas Department of Correction (ADC) to provide orientation and training to all newly hired employees, recognized as the Basic Correctional Officer Training for security employees, and Correctional Security for Non-Security Training for non-security employees. Employees who promote or are newly hired and supervise one or more full-time employee(s) shall be required to complete the classes designated for their Management Level Training classification. Principles of this policy are:

- A. Any newly hired security employee must complete the Basic Correctional Officer Training (BCOT) before starting a security position at a unit and/or division. This training shall consist of correctional security training in accordance with ACA and ADC departmental standards.
- B. Any rehired or incumbent security employee who has had a break in security service for more than one year, but less than two (2) years, must re-take the BCOT final examination and score 70% or above before being allowed to start a position at a unit and/or division. After a break of more than two (2) years, the rehire or incumbent must complete the entire BCOT training.
- C. Any security employee who is a transfer from another state agency, with or without security experience, must complete the Basic Correctional Officer Training.
- D. Any security new hire from another State Department of Correction must complete the Arkansas Basic Correctional Officer Training.

- E. Any newly hired full time non-security employee will complete the (forty) 40-hour Correctional Security for Non-Security class during their initial ninety (90) days of employment.
- F. Any non-security rehire who has had a break in service for more than one (1) year, but less than two (2) years, must re-take the Correctional Security for Non-Security final examination and score 70% or above within ninety (90) days of their rehire date. After a break of more than two (2) years, the rehire must complete the entire Security for Non-Security training, within (ninety) 90 days of their rehire date.
- G. Non-Security employees who work around or supervise inmates may be sent to Basic Correctional Officer Training at the Warden/Administrator's discretion.
- H. Medical/Mental Health professionals (i.e., M.D., Ph.D., and D.D.S.) may be exempted by the Deputy Director of Health & Correctional Programs, except for those classes mandated by Governor's Executive Order 94-07.
- I. Due to enrollment levels and/or other factors, class length of hours may be shorter than listed. Therefore, in gaining certification of any Management Level, the deciding approval factor is not the amount of hours completed, but rather the completion of the course(s) itself.

IV. TRAINING:

ADC will ensure that all new employees/volunteers will receive the ACA/ADC mandatory training requirements. Each year following, the employee will be responsible for obtaining their required yearly ACA/ADC mandatory training within the calendar year (January 1st through December 31st). All employees shall have half of their training completed by June 30th and the remaining half by December 31st.

Training will be based on ACA/ADC Mandated training (See Attachment 1). Off-site training and conference training must be approved in advance in accordance with ADC policy. Thirty (30) hours is the maximum amount of e-Learning and/or e-Academy training hours that will be approved to meet the ACA/ADC Mandatory Training Requirements. Failure to complete job related training will result in disciplinary action being taken in accordance with Employee Conduct Standards.

V. STANDARDS:

American Correctional Association, Adult Correctional Facilities, 4th Edition Standards.

Central Human Resources management will review this policy annually to ensure it is current.

VI. REFERENCES:

Adult Correctional Institutions ACA Standards
Governor's Executive Order 94-07
Administrative Directive on Emergency Preparedness
Office of Personnel Management, Interagency Training Program
Administrative Regulation on Employee Conduct Standards (AR 225)
Administrative Directive on Employee Conduct Standards

Attachment 1

Required ACA/ADC Training for Security Personnel

- Ethics/Conduct Standards
- Firearms Qualification
- CPR/CPR Refresher (Sgt & Above) (every 2 yrs.)
- Suicide Prevention/Intervention
- Supervising IM & IM Rights & Responsibilities
- Use of Force Refresher
- Use of Restraints
- Emergency Preparedness
- Fire/ Safety
- Chemical Safety/Chemical Right to Know
- Sexual Abuse/Assault (PREA)
- Sexual Harassment & Sexual Misconduct

Required ACA/ADC Training for Non-Security Personnel

- Emergency Preparedness
- Chemical Safety/Chemical Right to Know
- Fire Safety
- Sexual Abuse/Assault (PREA)
- Sexual Harassment & Sexual Misconduct
- Ethics

Management Level Training

- Level I training for Security (Sergeant) or Non-Security Grades GS6 shall consist of the following classes:
 - Administering Discipline
 - Arkansas Government Basics
 - *CPR/First Aid/AED
 - Fair Labor Standards Act
 - Grievance Prevention and Handling
 - Hrkansas
 - Interpersonal Communications
 - Introduction to Management
 - Performance Evaluation

*CPR/First Aid/AED is required for security personnel and must be completed at the unit of assignment prior to attending the Management Level I class. CPR/First Aid/AED is not required for non-security staff.

- **Level II training for Security (Lieutenant) or Non-Security Grades GS7 shall consist of the required classes for Management Level I, plus the following:**
 - **Ethics in Leadership**
 - **Management Effectiveness**
 - **PREA Investigations**
 - **Rethinking Retention**
 - **Solutions for Health Care in a Correctional Environment**
- **Level III training for Security (Captain/Major) or Non-Security Grades GS8/9 shall consist of the required classes for Management Level I and II, plus Advanced Management Training**
- **Level IV training for positions Grade GS10 and higher (including unclassified positions and those listed in the Professional and Executive pay plans) shall consist of the required classes for Management Level I, II, III, plus Executive Training**

***The Department of Correction, with the approval of OPM/State Supervisory Management Institute may make changes in the mandatory classes/training, as needed, to address the operational needs of the Department.**

Attachment 2

Position Title	Trng. Needed
Administrative Analyst	40
Administrative Specialist I	16
Administrative Specialist II	16
Administrative Specialist III	16
Benefits Technician	16
Buyer	40
Career Planning & Placement Specialist	40
Computer Support Analyst	40
Computer Support Technician	16
Disease Intervention Specialist	16
EEO/Grievance Officer	16
Executive Assistant To The Director	40
Fiscal Support Analyst	16
Fiscal Support Specialist	16
Human Resources Assistant	16
Human Resource Program Representative	16
Human Resources Specialist	16
Instrumentation Technician	16
Inventory Control Manager	16
Legal Support Specialist	16
Payroll Services Specialist	16
Payroll Technician	16
Policy Development Coordinator	40
Property Officer	16
Public Information Technician	16
Purchasing Specialist	16
Sales Representative	16
Senior Librarian	40
Shipping & Receiving Clerk	16
Volunteer Program Coordinator	16
ADC Psychologist	40
Admin Review Officer	40
Administrator Of Chaplaincy Svcs	40
Advisor	40
Agency Controller I	40
Agency Fiscal Manager	40
Agency Human Resources Manager	40
Agri Unit Supervisor I	40

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Agri Unit Supervisor II	40
Agriculture Production Supervisor	40
Assistant Director	40
Assistant Head Farm Manager	40
Assistant Personnel Manager	40
Associate Professional Counselor	40
Asst Chief Financial Officer (CFO)	40
Asst Maintenance Supervisor	40
Asst Medical Program Manager	40
Attorney Specialist	40
Attorney Supervisor	40
Auditor	40
Budget Analyst	40
Business Operations Specialist	40
Captain	40
Central Warehouse Operations Manager	40
Chaplain	40
Chief Deputy Director	40
Classification & Assignment Officer	40
Classification Administrator	40
Commissary Manager	40
Commodity & Food Svc Admr	40
Compliance Attorney	40
Construction Project Specialist	40
Construction Project Supervisor	40
Construction Specialist	40
Construction Supervisor	40
Construction/Maintenance Coord	40
Corporal	40
Correctional Officer I *	1st yr. ONLY-0 hrs.
	After 1st yr.-40 hrs.
Correctional Unit Accreditation Spec	40
Correctional Warden	40
Department Business Coordinator	40
Deputy Director	40
Deputy Warden	40
DHS Program Administrator	40
Director	40
Director Maintenance	40
Disciplinary Hearing Officer	40
Education & Instruction Specialist	40

Engineer	40
Farm Administrator	40
Fiscal Support Manager	40
Fiscal Support Supervisor	40
Food Preparation Manager	40
Food Preparation Supervisor	40
General Counsel	40
Head Farm Manager I	40
Head Farm Manager II	40
Health Program Specialist I	40
Health Service Administrator	40
Human Resource Recruiter	40
Human Resources Administrator	40
Industrial Supervisor I	40
Industrial Supervisor II	40
Industry Administrator	40
Industry Assistant Admr	40
Industry Program Manager	40
Information Systems Security Specialist	40
Information Systems Manager	40
Inmate Grievance Coordinator	40
Inmate Transportation Coord	40
Institution Human Resources Coordinator	40
Internal Affairs Administrator	40
Internal Affairs Investigator	40
Internal Auditor	40
Labor Division Manager	40
Law Enforcement Training Instructor	40
Licensed Certified Social Worker	40
Licensed Master Social Worker	40
Licensed Professional Counselor	40
Licensed Social Worker	40
Lieutenant	40
Mailroom Services Coordinator	40
Maintenance Manager	40
Maintenance Technician	40
Major	40
Occupational Safety Coordinator	40
Procurement Coordinator	40
Program Specialist	40
Psychological Examiner	40
Psychologist	40
Psychologist Supervisor	40

Public Information Officer	40
Records Supervisor	40
Records/Intake Supervisor	40
Recreational Activity Leader II	40
Recreational Activity Supervisor	40
Registered Nurse	40
Rehab Area Manager	40
Rehab Facility Supervisor	40
Rehab Program Manager	40
Research and Planning Coordinator	40
Research Project Analyst	40
Research and Statistics Supervisor	40
Senior Auditor	40
Senior Chaplain	40
Senior Software Support Analyst	40
Sergeant	40
Skilled Trades Foreman	40
Skilled Trades Supervisor	40
Software Support Analyst	40
State Production Control Supervisor	40
Substance Abuse Program Coord	40
Substance Abuse Program Leader	40
Superintendent	40
Training Academy Supervisor	40
Training Administrator	40
Training Instructor	40
Unit Training Supervisor	40
Work Release Center Supervisor	40
Work Release Program Supervisor	40