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 <p style="text-align: center;"> <b>ADMINISTRATIVE REGULATIONS</b> <u>RULE</u>   <b>STATE OF ARKANSAS</b>   <b>BOARD OF CORRECTIONS</b> </p>	Section Number:	Page Number:
	217	1 of 8 of 3
	Board Approval Date:	
	TBD 1/25/89	
Supersedes:	Dated:	
AR 217	2/1/805/12/89	
Reference:	Effective Date:	
	TBD-5/12/89	
<b>SUBJECT: Staff Assignments <u>and</u>, <u>Housing</u> <u>and</u> <u>Emoluments</u></b>		

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**I. POLICY:**

A. It shall be the policy of the Department of Corrections to ensure that state supplied housing, or space for employee provided housing (mobile homes), and the issuance of emoluments are distributed available to only those individuals in approved positions and that they be administered and documented in such a way that fiscal responsibility is guaranteed.

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B. The use of state supplied housing, or space for employee provided housing (mobile homes), shall be reported to the Board of Corrections' Compliance Division; as changes occur. The report shall be made by the Secretary of Corrections, or his or her designee.

**II. EXPLANATION PROCEDURES:**

1. State Supplied Housing

A. ~~Supervisory members~~ Employees whose duties require long working hours and weekend duty and emergency attendance may be required by the ~~Director, Deputy Director, or an Assistant Director or Warden~~ Secretary, or his or her designee, to live on the premises as a condition of employment. Such persons are in key positions with the responsibility for maintaining the safety and good order of correctional facilities.

B. 1. In such cases, housing and utilities shall be furnished by the Department.

C. 2. Such persons shall consider themselves on twenty-four hour call and constitute an emergency force available to the Department of Corrections.

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3. They shall not be eligible for compensatory overtime except for ordinary holidays, vacation, and sick leave.

D. Such persons are key supervisory or administrative positions with primary responsibility and shall not be eligible for compensatory overtime except for ordinary holidays, vacation, and sick leave.

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~~EB.~~ In determining who will be required to live on the premises, the ~~Warden Secretary~~ or his or her designee shall give paramount consideration to the safety and well-being of both inmates and employees. ~~Housing shall be reasonably prorated among the various functional divisions of the unit.~~

~~FC.~~ The Department may recoup the cost of repairs from the employee needed for damage beyond normal wear and tear.

2. Employee provided housing (mobile homes)

- A. If an employee's job requires living on the premises and state supplied housing is not available, an employee may furnish a mobile home on premises and otherwise receive the same benefits as if he were living in state supplied housing.
- B. Employees not required to live on the premises may be authorized by the ~~Warden Secretary, or his or her designee,~~ to place their mobile home on the unit on a space available basis. ~~No charge shall be made for the space. These employees are not eligible for emoluments.~~
- C. ~~Utilities Reimbursement~~

~~Employees not required to live on unit premises and are not a part of the emergency force must make utilities reimbursement as specified in the Business Division Procedures Manual, Chapter XVIII, Attachment A, the relevant departmental, or statewide, fiscal procedures~~

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~~3. The Secretary, or his or her designee, may authorize the issuance of any necessary directive or memorandum to implement this policy.~~

~~3. Emoluments Guidelines for Participation~~

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~~A. Authorized positions are those that require working hours to exceed the normal 8 to 10 hour work day and the normal 4 to 5 day work week. Such positions are exempt from requirements under regulations of the Fair Labor Standards Act.~~

~~B. Such positions identified are on twenty four (24) hour call, seven (7) days a week.~~

~~C. Such positions are key supervisory or administrative positions with primary responsibility for maintaining the safety and good order of institutions and constitute an emergency force available to the Department of Correction.~~

~~D. Other positions which have responsibility for maintenance and agricultural operations which require constant attention and immediate response to problems at any hour.~~

~~E. In determining who will constitute the emergency force, paramount consideration shall be given to the safety and well-being of both inmates and employees of the Department of Correction. If all functional title positions are not authorized emoluments, the unit/division will establish criteria for selecting the replacement position, i.e., if a unit has three authorized and two non-authorized emolument positions in the same category, and a vacancy occurs in one of the authorized emolument positions, established criteria will be used for selecting the person moving into the emolument authorized position with the approval of the Director and Board of Correction.~~

~~F. All employees whose job requires living on state property are required to be members of the emergency force. If additional positions need to be assigned to the emergency force, whether residing on state property or not, those will be authorized regular emolument draw per this AR only after receiving final approval by the Board of Correction. Off the unit authorized positions will be notified that when space (state housing, trailer space) is available to reside on state property, that employee will be expected to move if emoluments are to continue.~~

~~G. The Unit Warden/Administrator will make his/her determination for the need in writing through the appropriate Assistant Director/Deputy Director with a written recommendation to the Director for placement on or removal of a position from the emergency force list. The recommendation will include the number of family members in the household.~~

~~H. The Deputy Director/Assistant Director and Director in evaluating a written request will only approve such a request after giving due deliberation considering the welfare of the inmates, staff and public. It shall be clear that the best interest of the Department is being met.~~

~~I. The Director will present to the Board for authorization each position to be authorized as a member of the emergency force. Once the final approval is given identifying each position and that position is filled, the Warden/Administrator, through the appropriate Assistant Director/Deputy Director will notify the Director who in turn will notify in writing all persons who have authority and accountability for the issuance and control of emoluments (as well as Administrative Services for any and all pay status changes, etc.), thereby entitling that employee to all the benefits of that position.~~

~~J. At any point the employee does not constitute a member of the emergency force, the Warden/Administrator shall immediately notify the Director and all persons who have authority and accountability for the issuance and control of emoluments.~~

~~K. All positions that were authorized to receive emoluments as of June 30, 1988, will be reinstated. Those positions indicated with \*\* will not be authorized emoluments after that position is vacated. If, in the future, reauthorization is needed, the Director will present each position to the Board.~~

#### ~~4. Emoluments Issue of Emoluments~~

~~A. Only staff positions which have been approved as identified in this AR will be allocated emoluments not to exceed the provisions specified in this Administrative Regulation.~~

~~B. All emoluments issued shall be for the sole use of employees' family and household and shall not be given, sold or bartered. The following minimum limits as authorized are allowed only if production is of an amount to meet the needs of the inmate population. A reduction in amounts to the staff can be authorized by the Director to ensure that adequate supplies are on hand in the Food Services Division. Reasonable quantities as determined by availability, after meeting the needs of the inmate population, of items produced by the agricultural operations of the Arkansas Department of Correction purchased in bulk.~~

~~Limits:~~

~~1. Milk — One (1) pint per family member residing in the household per day~~

~~2. Eggs — One (1) egg per family member residing in the household per day~~

~~3. Surplus unprocessed fresh vegetables and other farm produced consumables as available for daily use or home processing. Limited to quantities ordered so as to ensure the availability of vegetables for those ordering.~~

~~4. Meats — 20 pounds of meat per position per month~~

~~5. \$25.00 per month minimum allowance per position for commissary items.~~

~~Only one (1) member of the household will be entitled to receive emoluments.~~

~~5. Surplus Vegetables — Non-Emergency Positions~~

~~A. Fresh, non-processed surplus vegetables grown by the Department of Correction will be available for distribution as determined by guidelines set by the Board of Correction.~~

~~6. Authorized Draws Other Than Emoluments~~

~~A. Issues for temporary occupancy of the guest house for guests who are on official state business may be approved by the Director. Accountability procedure guidelines shall be followed for any issue of food to the guest house.~~

~~B. Issues other than for unit kitchens or guest house occupancy may be approved by the Director subject to the accountability procedure guidelines.~~

~~7. Accountability Procedures~~

~~A. Emoluments — Emergency Force~~

1. ~~Ordering~~ A four (4) part requisition form will be compiled at the respective commissary warehouse and forwarded to the appropriate place for filling by the supervisor. Appropriate areas for ordering are as follows:

a. ~~Cummins & Varner~~ Meat, milk and egg orders will be submitted to the Cummins Unit Cold Storage. The commissary order will be submitted to the Cummins Commissary. Vegetable orders will be submitted to the Cummins Garden Supervisor's office.

b. ~~Tucker & Maximum Security~~ Meat and milk orders will be submitted to the Cummins Unit Cold Storage. The commissary and egg order will be submitted to the Tucker Commissary. Vegetable orders will be submitted to the Tucker Garden Supervisor's office.

c. ~~Women's Unit, Diagnostic, Wrightsville, Benton and Central Office~~ Meat, milk and egg orders will be submitted to the Cummins Unit Cold Storage. The commissary order will be submitted to the Central Warehouse. Vegetable orders will be submitted to the Central Warehouse.

To facilitate ordering, the farm offices at Tucker and Cummins will publish a weekly list of available vegetables. The Central Warehouse, Cummins and Tucker Commissaries will publish a monthly list of commissary items. Both lists can be obtained from the Central Warehouse and the Tucker and Cummins Commissaries.

Procedures for records maintenance and program monitoring responsibilities will be established by the Assistant Director of Administrative Services.

2. ~~Distribution Points & Dates:~~

a. ~~Cummins & Varner~~ Meat, milk, eggs and commissary orders will be picked up at an area designated by the Deputy Director. Vegetable orders will be picked up at an area designated by the Cummins Garden Supervisor.

b. ~~Tucker & Maximum Security~~ Meat, milk, eggs and \$25.00 commissary orders will be picked up at an area designed by the Deputy Director. Vegetable orders will be picked up at an area designated by the Tucker Garden Supervisor.

c. ~~Women's Unit, Diagnostic, Wrightsville, Benton and Central Office~~ Meat, milk, eggs and the commissary orders and vegetable orders will be delivered by regularly scheduled warehouse delivery or may be picked up from the warehouse.

Days and times for ordering and delivery will be scheduled by the Central Office Warehouse Supervisor.

3. Receipting of Emoluments—A copy of the requisition will be delivered with the emolument items.

4. Inmate(s) will not be allowed responsibility for accountability issuance, or receipt of emoluments.

5. Distribution of copies of requisition/receipt forms—after the emoluments are received and properly signed for, the copies of the requisition will be distributed as follows:

Copy 1—Issuing Facility

Copy 2—Central Accounting (Copy to Compliance Auditor)

Copy 3—Central Farm Office

Copy 4—Recipient

B. Other Authorized Draws

1. Guest House

a. Each issue must have written approval of the Director prior to issue of the commodities.

b. The written request to the Director for the issue must contain minimally the following information:

(1) Date of request

(2) Date(s) of planned use of the guest house

(3) Unit or location of the guest house

(4) Name of individual(s) who will occupy the guest house

(5) Purpose of guest(s)' visit to the Department, to include business or entity represented

(6) Description and amounts of commodities requested

c. The respective Warden of the unit location of the guest house must sign the request to the Director.

d. The unit or location of the guest house will maintain a file of occupancy of its guest house. Such file is to also include those occupancies that involve no issues from the foregoing facilities. These files are to be made available upon request to the Administrative Services Division, Compliance Auditor, and/or the Division of Legislative Audit.

2. Other Issues

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~~a. Each issue must have written request to the Director prior to issue of the commodities.~~

~~b. The written request to the Director for the issue must contain minimally the following information:~~

~~(1) Date of request~~

~~(2) Date of planned usage of the commodities~~

~~(3) Purpose of the issue, to include name of individual(s), group or organization~~

~~(4) Description and amounts of commodities requested~~

~~c. The appropriate Assistant Director and Director must sign the request.~~

~~d. The Administrative Assistant to the Director will maintain a file of such issues with copies distributed to the appropriate offices.~~

~~3. General~~

~~a. The Director shall seek Board approval for other issues.~~

~~b. The Administrative Assistant to the Director will provide the Administrative Services Division and the Compliance Auditor with a copy of each approved request.~~

~~c. Emoluments issued under Section VI, B, 1 and 2, will be limited to Arkansas Department of Correction events occurring on federal, state and local property.~~

~~d. Emolument requests for issue under Section VI, B, 2, to be used for functions on non-public property will have prior Board approval.~~

~~8. The program will be monitored by the Compliance Auditor under the authority and guidelines set out by the Compliance Attorney and the Board of Correction.~~

~~9. Acknowledgment of Policy Review~~

~~Each staff member who is authorized to receive emoluments shall sign Form AR-217-1 which states that he/she has received a copy of the Board of Correction policy for staff emoluments and that he/she understands these rules and regulations by which he/she is expected to abide and consequences for violation of the rules and regulations.~~

~~10. Violation of Policy~~



Any employee who (of whose domicile member) is found in violation of this AR or Board of Corrections rules and regulations XXXII is subject to disciplinary action up to and including termination.

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EMPLOYEE ACKNOWLEDGMENT OF REVIEW OF  
AR 217 - STAFF ASSIGNMENTS ~~and~~ ~~AND~~ - HOUSING ~~AND~~ EMOLUMENTS

I have received a copy of the Board of Correction Policy for Staff ~~Emoluments~~ ~~Housing~~ - and understand those rules ~~and regulations~~ by which I am expected to abide and the consequences for violation of such rules ~~and regulations~~ while an employee of the Department of Corrections. If I have any questions regarding this policy, I understand that I may contact my supervisor for assistance.

\_\_\_\_\_  
Name of Employee

\_\_\_\_\_  
Name of Supervisor

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Social Security Number of Employee

\_\_\_\_\_  
Division/Unit

Routing: Original to ~~Personnel Office~~ Human Resources  
Copy Retained by Supervisor  
Copy Retained by Employee

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