
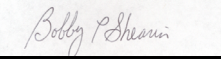
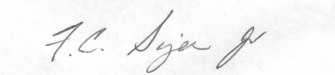


STATE OF MARYLAND
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
DIVISION OF CORRECTION

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|  DIVISION OF CORRECTION DIRECTIVE | PROGRAM: | MARYLAND CORRECTIONAL ENTERPRISES | |
| | DCD #: | 245-7 | |
| | TITLE: | Private Sector/Prison Industry Enhancement Certification Program | |
| | ISSUED: | August 1, 2006 | |
| | AUTHORITY: |  | Bobby P. Shearin DEPUTY COMMISSIONER |
| | APPROVED: |  | Frank C. Sizer, Jr. COMMISSIONER |

I. References:

- A. The Private Sector/Prison Industry Enhancement Certification (PS/PIEC) Program, part of the U.S. Justice Assistance Act of 1984, Section 819, originally authorized under the Justice System Improvement Act of 1979
- B. U.S. Crime Control Act of 1990, Section 2906
- C. Correctional Services Article §3-609, ACM
- D. State Finance and Procurement Article, §§6-213, 7-217 and 7-304, ACM
- E. Personal Services Agreement
- F. Special Payments Payroll Authorization, CPB-311
- G. Payroll Procedures Manual, Chapter VII, Special Payments Payroll
- H. DCDs 100-514, 100-515, 245-1

II. Applicable to: DOC Headquarters, Maryland Correctional Enterprises and Inmate Accounts Units at designated institutions

III. Purpose: To implement policies and procedures concerning inmates employed by Maryland Correctional Enterprises (MCE) under the authority of the Private Sector/Prison Industries Enhancement Certification Program.

IV. Definitions: None

V. Policy: It is the policy of the Division of Correction to allow certain inmates employed by MCE in designated shops, or designated portions of MCE shops, to voluntarily participate in the PIEC Program.

VI. Procedure:

- A. For employment purposes only, with no change in classification status, an inmate who volunteers for an employment position with MCE under the PS/PIEC Program shall be considered an inmate contractual employee, and shall be treated similar to inmates employed in the work release program with regard to payroll processing.
- B. Assignment to inmate contractual employee status will be strictly voluntary by the inmate, and the inmate shall sign that he/she has received, read and understands the contract.
- C. An inmate contractual employee will serve a probationary period of at least three (3) months and shall be evaluated monthly during this probationary period.
- D. An inmate contractual employee will not be paid for sick time, holidays, vacation, or any time off from the job assignment.
- E. MCE shall pay inmate contractual employees at a rate determined by the Department of Labor, Licensing, and Regulation. This wage shall not be less than the federal minimum wage (currently \$5.15/hour).
- F. An inmate contractual employee shall authorize the following payroll deductions:
 - 1. federal and state taxes;
 - 2. room and board (30% of gross wages);
 - 3. contributions to a crime victim compensation program (10% of gross wages);
 - 4. family support (voluntary by each inmate).

These deductions may not exceed 80% of the gross wages.

- G. The Division may regulate disposition of net wages as follows:
 - 1. legal obligations (restitution/garnishment);
 - 2. deposit to savings;
 - 3. disposable income.

Legal obligations and taxes will be deducted by Central Payroll. Room and board, contributions to a crime victim compensation program, family support, deposits to savings and disposable income will be functions of the inmate account unit of the applicable institution.

- H. Room and board deductions are deposited into the Division of Correction General Fund by the applicable institution.

- I. MCE will invoice the applicable institution for the contribution to the crime victim compensation program and forward these contributions to the DPSCS Criminal Injuries Compensation Board.
- J. The State Workers' Compensation Laws shall cover inmates employed in the PIE Program under the supervision of MCE.
- K. Designated institutions will be those institutions under the Division of Correction, Patuxent Institution, and the Division of Pretrial Detention and Services.
- L. As a condition of this program, MCE shall submit quarterly reports for each designated PIE Cost Center to the Bureau of Justice Assistance, due by the 30th of each month following the end of a quarter (October 30th, January 30th, April 30th, July 30th). This report shall contain:
 - 1. total man-hours worked;
 - 2. average daily offender employment;
 - 3. total quarterly contributions to crime victim compensation program, taxes withheld, room and board, and family support; and
 - 4. any other deductions withheld during the quarter (restitution, garnishment, etc.).
- M. No institutional directive is required.

VII. Attachment: None

VIII. Rescission: DCD 245-7, dated September 1, 2000

Distribution:

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