

CHAPTER 13**INMATE JOBS AND WAGES****Authority**

N.J.S.A. 30:1B-6, 30:1B-10 and 30:4-92.

Source and Effective Date

R.2008 d.312, effective October 20, 2008 (operative February 1, 2010).
See: 40 N.J.R. 3939(a), 40 N.J.R. 6206(a),
41 N.J.R. 881(a), 41 N.J.R. 2660(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 13, Inmate Jobs and Wages, expires on October 20, 2015. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 13, Inmate Jobs and Wages, was adopted as new rules by R.2008 d.312, effective October 20, 2008 (operative February 1, 2010). See: Source and Effective Date.

Subchapter 3, Inmate Job Assignments, Compensation and Job Levels, was renamed Inmate Job Assignments and Compensation by R.2009 d.383, effective December 21, 2009 (operative February 1, 2010). See: 41 N.J.R. 3192(a), 41 N.J.R. 4816(b).

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SUBCHAPTER 1. GENERAL PROVISIONS**10A:13-1.1 Purpose**

(a) The purpose of this chapter is to establish policies and procedures for:

1. The maintenance of inmate job opportunities within all correctional facilities;
2. The standardization of inmate job titles and job wages; and
3. The establishment of an inmate job/wage variance process.

Amended by R.2009 d.383, effective December 21, 2009 (operative February 1, 2010).

See: 41 N.J.R. 3192(a), 41 N.J.R. 4816(b).

In (a)2, substituted "wages" for "levels".

10A:13-1.2 Scope

This chapter shall be applicable to all correctional facilities and units of the New Jersey Department of Corrections unless otherwise indicated.

Amended by R.2009 d.383, effective December 21, 2009 (operative February 1, 2010).

See: 41 N.J.R. 3192(a), 41 N.J.R. 4816(b).

Inserted "unless otherwise indicated".

10A:13-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Central Office Inmate Job and Wage Committee" or "Central Office IJWC" means the committee of Departmental staff members responsible for the establishment and standardization of job titles, the associated wages and for reviewing and making recommendations regarding inmate job/wage variances to the Commissioner or designee.

"Correctional facility Inmate Job and Wage Committee" or "correctional facility IJWC" means a committee responsible for the identification and evaluation of inmate jobs within a specific correctional facility or unit and the review and processing of any request for a job/wage variance.

"Job" means a work position, or an educational, vocational or treatment program that is assigned and designated as a job by the correctional facility Institutional Classification Committee (ICC).

"Job/wage variance" means a formalized process initiated by a staff member for creating a compensation variant for a specific inmate job because the responsibilities, duties, skills or abilities required for that specific job differ from those for an existing job title.

Amended by R.2009 d.383, effective December 21, 2009 (operative February 1, 2010).

See: 41 N.J.R. 3192(a), 41 N.J.R. 4816(b).

In definition "Central Office Inmate Job and Wage Committee", deleted "job levels," following "job titles," and deleted a comma following "wages"; and deleted definition "Job level".

10A:13-1.4 Authority for inmate employment, wages and work time credit

(a) Pursuant to N.J.S.A. 30:4-92, the Commissioner, New Jersey Department of Corrections or his or her designee shall maintain employment opportunities within all correctional facilities to ensure that inmates can be employed in jobs that are consistent with their health, strength and mental capacity, and to ensure that inmates shall receive compensation.

(b) Pursuant to N.J.S.A. 30:4-92 and N.J.A.C. 10A:9-5.1(b), work time credit is awarded to employed inmates.

(c) In accordance with N.J.A.C. 10A:9-3.8, inmate work assignments shall be made by the Institutional Classification Committee.

(d) In accordance with N.J.A.C. 10A:9-3.9, inmate educational assignments shall be made by the Institutional Classification Committee.

10A:13-1.5 Forms

(a) The following form related to inmate job/wage variance is available by accessing the Department of Corrections computer network (DOCNet). Interested individuals who do not have access to DOCNet may obtain copies of the form by contacting the Administrative Rules Unit, New Jersey Department of Corrections:

1. 620-I Request for Job/Wage Variance.

SUBCHAPTER 2. INMATE JOB AND WAGE COMMITTEES (IJWC)

10A:13-2.1 Responsibilities of the Central Office Inmate Job and Wage Committee

(a) The Commissioner shall establish a Central Office IJWC, which shall be responsible for:

1. The establishment, standardization and review of inmate jobs;
2. The determination, evaluation and review of job duties, educational and program assignments;
3. The determination, evaluation and review of the inmate wages;
4. The consideration of job/wage variances that are submitted by the correctional facility IJWC and making variance recommendations to the Commissioner or designee; and

5. The deliberation of any other factors relating to job titles, associated wages and job/wage variances.

Amended by R.2009 d.383, effective December 21, 2009 (operative February 1, 2010).

See: 41 N.J.R. 3192(a), 41 N.J.R. 4816(b).

In (a)1, substituted "jobs" for "job levels and jobs within the job levels"; in (a)3, substituted "inmate wages" for "wage for each job level"; and in (a)5 deleted "job levels," following "job titles,".

10A:13-2.2 Composition of the Central Office Inmate Job and Wage Committee

(a) The Central Office IJWC shall be composed of, but not limited to, the following staff:

1. An Assistant Commissioner(s);
2. A Director(s);
3. A correctional facility Administrator(s);
4. A representative from the Office of Fiscal Management; and
5. A representative from the Administrative Rules Unit.

10A:13-2.3 Responsibilities of the correctional facility Inmate Job and Wage Committee

(a) Each correctional facility Administrator shall establish a correctional facility IJWC, which shall be responsible for:

1. The identification of site-specific inmate job titles;
2. The evaluation of job duties, educational and program assignments and any other associated issues;
3. The review and monitoring of job wages;
4. The consideration of requests for job/wage variances and making related recommendations;
5. The maintenance of procedures for job/wage variances and the processing of such variances; and
6. The deliberation of any other factors related to correctional facility inmate jobs and wages.

Amended by R.2009 d.383, effective December 21, 2009 (operative February 1, 2010).

See: 41 N.J.R. 3192(a), 41 N.J.R. 4816(b).

Deleted former (a)3; recodified former (a)4 through (a)7 as (a)3 through (a)6; and in (a)3, deleted "level" following "job".

10A:13-2.4 Composition of correctional facility Inmate Job and Wages Committee

(a) The members of the correctional facility IJWC shall be, but are not limited to, the following staff:

1. The Associate Administrator/Assistant Superintendent or designee;
2. A Custody Supervisor with the rank of Lieutenant or above;