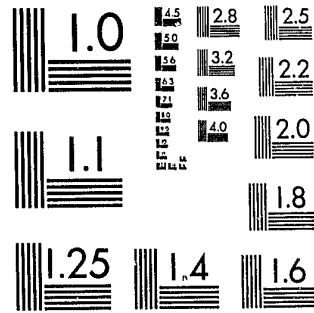


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# THE NEW INMATE PAY PROGRAM



Canada

NEW INMATE PAY PROGRAM

The Correctional Service of Canada has developed a new inmate pay program, which significantly affects all inmates and a substantial number of staff in federal institutions across Canada. It is, therefore, important all staff become familiar with the new program and develop sufficient understanding to respond to questions and concerns which will undoubtedly be raised by inmates. The purpose of this newsletter is to give staff highlights of the new inmate program, to help your understanding of it, as it is implemented into the institutions.

Background

As stated in the Penitentiary Service Regulations, The Correctional Service of Canada has a responsibility to provide appropriate work programs for inmates, and a system of remuneration. The United Nations Minimum Standards for the Treatment of Offenders, to which Canada is a signatory, states there shall be a system of equitable remuneration for work performed by inmates.

For many years, inmates incarcerated in Canadian penitentiaries have received some remuneration for their labors. Historically, inmate pay has been a reward for good conduct and general participation in programs, rather than a direct return for work performance at an assigned job.

The inmate pay system in operation prior to April 1981 had five levels:

Level	\$ Daily
1	1.30
2	1.40
3	1.55
4	1.80
5	2.30

Various adaptations, including overtime and bonus schemes, have been developed to provide incentives, encouraging inmates to work. This resulted in a variety and proliferation of inconsistent pay structures throughout the five regions of the Service. Because of these shortcomings and comments of the Parliamentary Sub-Committee on penitentiaries in 1977, The Correctional Service of Canada has developed a new pay program.

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General

The new inmate pay program is designed to equitably provide inmates with pay according to their job. Under this plan inmates who participate in assigned employment, including education and training, agriculture, institution services, industrial production, and other employment, will receive a rate of pay which recognizes their work contribution.

- Each and every inmate job will be identified and defined
- Rates of pay will be assigned to every job and inmates will earn pay according to the job grading
- Each identified job will occupy only one inmate
- Refusal to work will be considered a disciplinary matter and the privilege of receiving pay will be revoked
- Inmates willing to work, but for whom no work is available will receive a base rate of pay or allowance.

When developing the new pay program, consideration was given to the possibility of paying inmates the full federal minimum wage, \$3.50 an hour. The complexities and costs associated with paying the minimum wage and recovering income tax, unemployment insurance, room and board, Canada Pension Plan contributions, and medical deductions, were judged prohibitive and unnecessary. A more realistic option was developed which would pay to the inmate what is known as *disposable income*. This represents that amount of money remaining to a person working in the community after the above deductions have been made. The lowest rate of pay which will be granted to working inmates will, therefore, be \$3.15 a day, which represents the daily disposable income of a single employee earning the federal minimum wage. In addition, the new rates of pay will vary by security level to provide greater incentive for eligible inmates to move to lower levels of security, particularly minimum security.

New Pay Scales

The first task in developing the new inmate pay system was to identify and prepare job titles and definitions which are nationally consistent from institution to institution. In keeping with the over-all objectives of regional and institution needs, job titles and definitions were kept short and in a general format.

Approximately 700 jobs have been identified and defined. Job levels were generally determined according to how essential the job is, the knowledge and training required, complexity and difficulty inherent in the job, and the consequence of error. All jobs were assigned a rate of pay from levels 2 to 5. Level 1 is a subsistence level for inmates unemployed or are unable to work.

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Daily rates of pay according to security levels are shown below (excluding pay levels for inmates involved in education and training programs, and patients in psychiatric centres. See page 4 for these pay rates).

Pay Level	SECURITY		
	Max. \$	Med. \$	Min. \$
1	1.60	1.60	1.60
2	3.15 - 3.70 - 4.25	3.70 - 4.25 - 4.80	4.80 - 5.35 - 5.90
3	3.70 - 4.25 - 4.80	4.25 - 4.80 - 5.35	5.35 - 5.90 - 6.45
4	4.25 - 4.80 - 5.35	4.80 - 5.35 - 5.90	5.90 - 6.45 - 7.00
5	4.80 - 5.35 - 5.90	5.35 - 5.90 - 6.45	6.45 - 7.00 - 7.55

Within each of these rates are three increments of 55 cents each.

Regulations administering these increments are stated in the relevant Commissioner's Directives.

#### Inmate Employment Board

Every institution will have an Inmate Employment Board, chaired by the Assistant Warden, Education and Training where applicable; or the Assistant Director, Industries, or the Assistant Director, Technical Services. When none of the above are available, the Assistant Warden, Socialization will be appointed. Staff members of the Board represent the various work sectors in the institution, including a representative from Case Management. The Inmate Employment Board will be responsible for the over-all administration of inmate pay, including:

- assessment and assignment of inmate jobs
- removal of inmates from jobs
- increase and decrease in pay
- upgrading or downgrading inmate job levels
- informing staff and inmates of the application of rules and regulations affecting the new pay program.

Also, all staff who supervise inmates at work stations will be responsible for reporting to the Inmate Employment Board attendance and performance of inmates under their charge. Detailed procedures governing the role of the Inmate Employment Board are stated in Divisional Instruction 1211.

#### Work Day

Full-time work week requires a minimum of 30 hours for maximum security institutions, and 35 hours for medium and minimum security institutions. The work week may vary from institution to institution, but will not be less than stated above.

Commissioner's Directive 236 states, "... inmates will be required to remain at their work assignments during all of their work period unless they must leave their work assignment at the request of management or when management has agreed to an inmate's request because of special circumstances".

Under the new pay plan, inmates will only be allowed absence from their work for specified reasons and periods of time while still receiving the full pay to which they are entitled. Policy and procedure regarding paid and unpaid absences, callouts, sickness, and holidays is stated in Commissioner's Directives 232 and 1210.

#### Education and Training

Pay rates for inmates in education and vocation training. Further details are included in Divisional Instruction 1238.

Rates	SECURITY		
	Max. \$	Med. \$	Min. \$
1	3.15	3.70	4.80
2	3.70	4.25	5.35
3	4.25	4.80	5.90
4	4.80	5.35	6.45

#### Psychiatric Centres

Inmates who require transfer to psychiatric centres will be assessed as *patients*, rather than persons in occupational or production activities. Remuneration in the psychiatric centres is primarily based on attitude, performance, cooperation, socialization, attendance, and conduct. Four pay rates apply.

#### Level \$ daily

1 -- 1.60	3 -- 4.25
2 -- 3.15	4 -- 4.80

Inmates in provincial psychiatric centres are subject to provincial policies and procedures.

Additional information on federal policy and procedures are stated in Divisional Instruction 1208.

#### Overtime

Overtime will be paid only for hours worked in excess of the weekly working hours in each institution, and will be paid at the hourly rate of one-fifth of the daily rate. Inmates who hold two jobs in the institution will be paid overtime for hours in excess of the normal working hours for each job. Wardens and Superintendents will be responsible for ensuring strict control over payment of overtime, so that the total yearly overtime expenditure does not exceed 5 per cent of the total institution annual inmate pay budget.

#### Inmate Savings

Money earned by inmates will be directed into two accounts: *savings and current*. Under the new pay plan, 25 per cent of earnings must be directed to the savings account. A minimum of \$350.00 must be held in the account before requests for withdrawals are permitted. Funds from the savings account will not be permitted to purchase goods for use in the institution.

Funds cannot be transferred from the savings account to the current account. All monies brought into the institution on admission, or received on the inmate's behalf as gifts or contributions during incarceration, will be deposited in the inmate's savings account, and will not be available for spending in the institution.

Under the new pay plan, inmates have an opportunity to save more money to assist in their return to the community. For example, an inmate serving 3½ years who is earning the mid-scale pay rate of \$5.35 a day, and working the average 250 days a year, could accumulate gross earnings of \$4,681.00 before deductions.

Compulsory savings at 25 per cent would amount to \$1,170.00 which, in addition to interest (at 10 per cent for example) would result in a total savings of \$1,328.00 by the time the inmate is ready for release.

#### Deductions, Forfeitures, Withdrawals

Permissible deductions and forfeitures from an inmate's earnings include:

- Inmate Welfare Fund contributions at \$1.00 a pay period. This is a minor increase from what inmates contributed prior to the new pay plan
- Payment for property damage. If an inmate is found liable for damaging or destroying government property, the costs for replacement or repair may be taken from earnings

- Canteen credit advances. On admission or transfer to a new location, an inmate may use a \$15.00 credit advance for canteen purchases

- Repayment of loans from Inmate Welfare Fund

- \$3.00 a pay period for recreation and entertainment purposes. This is the inmate's contribution toward the purchase of social, recreation and entertainment supplies, such as film rentals, purchase of sports equipment, booking live entertainment, and supplies for inmate publications. The Inmate Committee will participate in planning expenditures related to these monies.

If an inmate's approved earnings in a pay period is less than \$10.00, the deductions and forfeitures will not apply for that pay period.

Inmates will pay more for cigarets and tobacco products starting with an increase of approximately 12 per cent June 1, 1981, and additional increases September 1, December 1, 1981, and March 1, 1982. This increase is the provincial tax, which previously had been paid by The Correctional Service of Canada.

Withdrawals from an inmate's savings account will be permitted only on that amount exceeding \$350.00, and may be made for:

- Income tax payments
- Insurance premiums
- Payment of legal fees
- Payment of court fees and/or fines imposed by a court
- Payment of outside loans with chartered banks, trust companies or credit unions
- Canada or provincial savings bonds
- Certificates and licenses (trades and/or birth)
- Day parole and temporary absence expenses
- Family assistance where need has been validated.

Other policy and procedure is contained in Commissioner's Directive 205.

### Shared Commitment

Introduction of a new program, such as this, will not be without problems and difficulties. These will be overcome with time and patience. Anticipating problems, and to ease conversion to the new pay plan, the Inmate Employment Board in the institutions will be closely monitoring implementation of the program. If serious and unforeseen problems occur, refer them to the Inmate Employment Board. The Board will recommend corrective action to the Regional Manager, Inmate Pay at Regional Headquarters, who will discuss a recommendation with national headquarters.

The new pay system is one initiative in the over-all objective of developing meaningful and productive employment for inmates in The Correctional Service of Canada. A principle aim of CSC is to provide a broad range of work and program opportunities to satisfy the diverse interest of those incarcerated, to meet the requirements of the institution, and to better prepare inmates for their ultimate return to the community. Although achievement of correctional objectives requires a shared commitment between the community, corrections staff, and the offender, it is ultimately inmates who must make the important choices and accept final responsibility for personal development.

If an inmate is capable of earning and providing for himself, but is either denied the opportunity to do so, or has all his needs provided for him unconditionally, his dignity as a human being is jeopardized and contempt for his benefactors could follow. Providing inmates with privileges, such as temporary absences, increased remuneration, or remission of sentence in addition to the basic conditions of care and comfort required by law, when the inmate makes no effort to merit these privileges, is not realistic. The Correctional Service of Canada expects all inmates to be involved in some form of constructive activity or work. If inmates choose not to do so, they will only be accorded the basic conditions of care and comfort which the Correctional Service has a responsibility to provide by law.

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