

Chapter 137-80 WAC

CORRECTIONAL INDUSTRIES AND PROGRAMS

WAC

137-80-010	Purpose.
137-80-020	Definitions.
137-80-030	Establishment of offender programs.
137-80-031	Class I: Free venture industries.
137-80-032	Class II: Tax reduction industries.
137-80-033	Class III: Institutional work programs.
137-80-034	Class IV: Community work crews.
137-80-035	Class V: Restitution, work release, and community supervision or custody.
137-80-040	Sale of goods.
137-80-050	Proceeds of sale.
137-80-060	Inmate job opportunities.
137-80-070	Safety and health.
137-80-080	Industrial insurance.
137-80-090	Work crew costs and responsibilities.
137-80-100	Application limited to this chapter.

WAC 137-80-010 Purpose. These rules and regulations are adopted pursuant to and in accordance with chapter 34.05 RCW. The purpose is to provide standards and procedures necessary to ensure the implementation of a comprehensive offender work program. (See RCW 72.09.015(32).) The headings and captions for the above classes are used for convenience only and do not constitute a part hereof. The use of the term "class" to identify a work program does not restrict the department to a singular description of an offender work program within that class or the use of other offender work programs authorized by separate statute. The secretary may adopt policies providing further guidance for establishing, among other things, offender participation eligibility and security requirements for each class of work program.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-010, filed 9/24/15, effective 1/1/16. Statutory Authority: RCW 72.01.090. WSR 03-21-088, § 137-80-010, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 72.09.050 and chapter 34.04 RCW. WSR 82-18-042 (Order 82-11), § 137-80-010, filed 8/27/82.]

WAC 137-80-020 Definitions. (1) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time, or imposed as part of a sentence, and served in the community subject to controls placed on the offender's movement and activities by the department. (See RCW 9.94A.030.)

(2) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(3) "Community supervision" means a period of time during which a convicted offender, while living in the community, is subject to crime-related prohibitions and other sentence conditions imposed by a court. (See RCW 9.94B.020 (2).)

(4) "Contracting entity" means a for-profit corporation, a public benefit nonprofit corporation, or public agency, as these terms are defined herein.

(5) "Correctional facility" means a facility, prison, or institution operated directly or by contract by the secretary

for the purposes of incarcerating adults in total or partial confinement, as defined in RCW 9.94A.030.

(6) "Correctional industries advisory committee" or "committee" means the committee created under RCW 72.09.070 to make recommendations to the secretary regarding the implementation of RCW 72.09.100.

(7) "Crew supervisor" means a department or other public agency employee who provides security and custody supervision of offenders and coordinates offender transportation to offender work program sites.

(8) "Department" means the department of corrections.

(9) "DOSH" means the division of occupational safety and health, the part of the Washington state department of labor and industries (L&I) that develops and enforces safety and health rules.

(10) "For-profit corporation" means a corporation of two or more persons having a joint or common economic interest and is engaged in any lawful business under RCW 23B.03.010.

(11) "Good-will project" means a type of Class IV project, the cost of which is paid by the department of corrections and the criteria for which is determined by the secretary or designee.

(12) "Gratuity" means the sum of money paid to an offender, in accordance with an hourly rate scale approved by the department, when the offender works in an eligible class industry.

(13) "Not-for-profit corporation" or "nonprofit corporation" means a corporation or organization, no part of the income of which is distributable to its members, directors, or officers.

(14) "Offender" (formerly "inmate") means a person committed to the custody of the department including, but not limited to, persons residing in a correctional institution or facility and persons released from such facility on furlough, work release, or community custody, and persons received from another state, state agency, county, or federal jurisdiction. (See RCW 72.09.015(17).)

(15) "Offender work program" means comprehensive work programs designed to provide work skills, work experience and exposure to the work ethic for offenders.

(16) "Program director (director)" means the administrator of the correctional industries program appointed by the secretary.

(17) "Project agreement" means the written agreement required between a prison and a public benefit nonprofit corporation or a public agency for offenders to perform Class IV good-will projects.

(18) "Public agency" means any agency, political subdivision, or unit of local government of this state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any agency of the state government; any agency of the

United States; any Indian tribe recognized as such by the federal government; and any political subdivision of another state. (See RCW 39.34.020(1).)

(19) "Public benefit nonprofit corporation" means a corporation or an organization no part of the income of which is distributable to its members, directors, or officers and that holds a current tax exempt status as provided under 26 U.S.C. Sec. 501 (c)(3) or is specifically exempted from the requirement to apply for its tax exempt status under 26 U.S.C. Sec. 501 (c)(3). (See RCW 24.03.005.)

(20) "Secretary" means the secretary of the department of corrections or his/her designee.

(21) "Work location" means the location where offenders perform the services or create the products requested by the contracting entity; over which the contracting entity has the right of access or control and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now adopted or hereafter amended.

(22) "Work project description" means a localized agreement that operates under a master Class IV or Class V contract to detail the responsibilities of each party for each distinct project.

(23) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

(24) "Worker" means an offender who provides his or her personal labor, whether manual labor or otherwise, to the department or to another entity contracting with the department for such labor, as permitted by law.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-020, filed 9/24/15, effective 1/1/16. Statutory Authority: RCW 72.01.090. WSR 07-12-073, § 137-80-020, filed 6/5/07, effective 7/6/07; WSR 03-21-088, § 137-80-020, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 72.09.050 and chapter 34.04 RCW. WSR 82-18-042 (Order 82-11), § 137-80-020, filed 8/27/82.]

WAC 137-80-030 Establishment of offender programs. In order to provide a comprehensive work program the department, in following the recommendation of the legislature, has adopted the following classes of work programs and made variations thereof:

- (1) Class I: Free venture industries;
- (2) Class II: Tax reduction industries;
- (3) Class III: Institutional support industries;
- (4) Class IV: Community work crews; and
- (5) Class V: Restitution, work release and community supervision or custody.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-030, filed 9/24/15, effective 1/1/16. Statutory Authority: RCW 72.09.050 and chapter 34.04 RCW. WSR 82-18-042 (Order 82-11), § 137-80-030, filed 8/27/82.]

WAC 137-80-031 Class I: Free venture industries.

(1) The employer model industries in this class shall be operated and managed in total or in part by any for-profit or nonprofit corporation pursuant to an agreement between the corporation and the department. The corporation shall produce goods or services for sale to both the public and private sector.

(2) The customer model industries in this class shall be operated and managed by the department to provide Washington state manufacturers or businesses with products or services currently produced or provided by out-of-state or foreign suppliers.

(3) The department shall review these proposed industries, including any potential new Class I industries work program or the significant expansion of an existing Class I industries work program, before the department contracts to provide such products or services. The review shall include the analysis required under RCW 72.09.115 to determine if the proposed correctional industries work program will compete with any Washington business. An agreement for a new Class I correctional industries work program, or an agreement for a significant expansion of an existing Class I correctional industries work program, that unfairly competes with any Washington business is prohibited.

(4) The department shall supply appropriate security and custody services without charge to the participating firms.

(5) Offenders who work in free venture industries shall do so at their own choice. They shall be paid a wage comparable to the wage paid for work of a similar nature in the locality in which the industry is located, as determined by the program director of correctional industries. If the program director cannot reasonably determine the comparable wage, then the pay shall not be less than the federal minimum wage.

(6) An offender who is employed in the Class I program of correctional industries shall not be eligible for unemployment compensation benefits pursuant to any of the provisions of Title 50 RCW until released on parole or discharged.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-031, filed 9/24/15, effective 1/1/16.]

WAC 137-80-032 Class II: Tax reduction industries.

(1) The department may establish Class II industry work programs that are closely patterned after private sector industries but are designed primarily to reduce the cost of goods and services. Goods produced and services provided by Class II work programs shall be provided at a reduced cost and only be available to the department, other tax-supported agencies and nonprofit corporations.

(a) The industries selected for development within this class shall, as much as possible, match the available pool of offender work skills and aptitudes with the work opportunities in the free community. Offenders working in Class II work programs do so at their own free choice.

(b) Except as provided in RCW 39.26.251 and this section, the products and services of this class, including purchased products and services necessary for a complete product line, may be sold by the department to the following:

- (i) Public agencies;
- (ii) Nonprofit corporations;
- (iii) Private contractors when the goods purchased will be ultimately used by a public agency or a nonprofit corporation;
- (iv) An employee and immediate family members of an employee of the department;
- (v) A person under the supervision of the department and his or her immediate family members; and
- (vi) A licensed health professional for the sole purpose of providing eyeglasses to enrollees of the state medical program.

gram at no more than the health professional's cost of acquisition.

(c) The secretary may issue guidance governing the type and quantity of items that may be purchased for other than resale purpose and sold under (b)(iv) and (v) of this subsection.

(d) Clothing manufactured by an industry in this class may be donated to public benefit nonprofit corporations that provide clothing free of charge to low-income persons, but under no circumstance shall uniforms to be worn by correctional officers employed with the department be made or assembled by offenders under the custody of the department.

(2) Security and custody services shall be provided at state expense by the department.

(3) The department may establish Class II work programs operated and managed in partnership with a public benefit nonprofit corporation pursuant to a contract between the corporation and the department to provide goods and/or services. The work programs may provide job training to offenders and may allow those offenders who have successfully completed a public benefit nonprofit corporation's job training program to request work assignment to the work program.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-032, filed 9/24/15, effective 1/1/16.]

WAC 137-80-033 Class III: Institutional work programs. (1) Class III work programs are operated by the department to support internal prison operation and maintenance needs and if possible, offset tax and other public support costs. Offenders are assigned to Class III work programs.

(2) A contract is not required for Class III programs.

(3) Each prison will determine its own Class III work programs.

(4) Whenever possible, Class III programs will provide forty hours per week of basic work, or work training and experience, to help offenders to qualify for better offender work programs and/or work in the community upon release.

(5) With approval of the secretary, a facility may, by written contract, partner with a public benefit nonprofit corporation to provide job specific training and work to offenders within the prison. Work performed by the offenders must be designed to produce goods or services for public agencies and/or public benefit nonprofit corporations at a reduced cost.

After completion of training, offenders may request assignment to the Class III program in the prison in which they received job specific training. Offenders assigned to such Class III programs may be required by the program to fulfill occasional job related work requirements outside of the prison. Offenders approved for such occasional off-site Class III work will be:

(a) Approved, in advance, by the prison superintendent or designee, to leave the prison grounds;

(b) Escorted by, and under the supervision of, a correctional officer at all times;

(c) Required to return to the prison the same day. Overnight absences will not be permitted; and

(d) Covered by the department offender health plan in the event of illness or injury while away from the prison.

(9/24/15)

(6) The department will:

(a) Screen and select the offenders to work in Class III programs based upon eligibility criteria developed by the department;

(b) At state expense, provide the management, work supervision, security and custody services required for all Class III programs; and

(c) Compensate offenders for work in Class III programs.

(i) The compensation paid to offenders working under Class III job descriptions shall be the same across all prisons for work that utilizes the same or similar job descriptions; and

(ii) Compensation will be paid to offenders in accordance with a payment scale established by the department for Class III work.

(7) Offenders working in Class III work programs are not eligible for industrial insurance benefits. (See RCW 72.60.102.)

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-033, filed 9/24/15, effective 1/1/16.]

WAC 137-80-034 Class IV: Community work crews.

Offenders in Class IV work status reside in facilities contracted for, owned or licensed by the department and participate in programs that have both education and work components.

(1) Prisons may provide two types of Class IV services. The first or standard type (standard), will constitute the majority of Class IV work and be paid for by the recipient of the services. The second and far less frequent type of Class IV service, a "good-will project" (project), will be paid for by the department.

(2) The secretary or designee will determine the criteria for Class IV good-will projects.

(3) Class IV services may be initiated by the department or provided at the request of a public agency or a public benefit nonprofit corporation.

(4) Class IV services are performed in the community, generally in the county in which the prison is located.

(5) Offenders in the same facility, who perform Class IV work utilizing the same or similar job descriptions, shall be compensated equally for the services that they provide.

(6) Class IV services do not require skilled labor, are not performed on private property, unless owned or operated by a public benefit nonprofit corporation, and have minimal negative impact on existing private industries or the labor force in the county where the service is provided.

(7) For standard Class IV services:

(a) The department will require:

(i) A master contract, written with program input, in the department's office of contracts and legal affairs and signed by the department secretary or contracts administrator and an authorized representative of the public agency or public benefit nonprofit corporation requesting the work; and

(ii) The master contract must be signed by both parties before a work project description, which operates under the master contract to detail the responsibilities of each party for each project, is signed and services may begin.

(b) The public agency or public benefit nonprofit corporation that requests/receives the services will:

[Ch. 137-80 WAC p. 3]

(i) Sign a Class IV master contract and, for each distinct project, sign a work project description under that master contract;

(ii) Provide offenders with relevant job specific and site specific safety training as well as instruction in the use of any specialized equipment;

(iii) At no cost to the department, supervise the project and direct the work performed;

(iv) Pay the department directly:

(A) At the then current state mileage rate, for transporting offenders to and from the worksite each day; and

(B) Offender compensation for the work performed.

(v) At the start of each calendar quarter, pay the cost of worker's compensation insurance coverage directly to the Washington state department of labor and industries, for each hour of offender services received during the previous quarter;

(vi) At the start of each calendar quarter, report the total number of offender service hours received during the previous quarter, directly to the department of labor and industries.

(8) For good-will projects the department will:

(a) Require a written and signed "project agreement" before offenders may begin work:

(i) The project agreement template is available from DOC contracts and legal affairs for customization and completion at the facility;

(ii) The customized project agreement must be signed by the prison superintendent or designee and an authorized representative of the public benefit nonprofit or public agency; and

(iii) Must be sent to DOC contracts and legal affairs, within two calendar days after it is signed by both parties.

(b) At state expense, provide the management, work supervision, security and custody services required;

(c) Compensate offenders for work performed;

(d) At the start of each calendar quarter, pay the cost of offender worker's compensation insurance coverage directly to the Washington state department of labor and industries, for each hour of offender good-will services provided during the previous quarter;

(e) At the start of each calendar quarter, report the total number of offender good-will service hours provided during the previous quarter, directly to the department of labor and industries; and

(f) Have the option, at its own discretion for a specific project, to conduct the advance hazardous conditions and/or materials inspection itself or waive the requirement. Any waiver of the requirement will be based upon facility experience with the project site or the work to be performed.

(9) For all Class IV services:

(a) The department will:

(i) Screen and select the offenders for work crews based upon eligibility criteria developed by the department;

(ii) Review the public agency or public benefit nonprofit's hazardous conditions/materials report to assess whether or not to provide the requested services, require specific personal protective equipment (PPE) for offenders or require site remediation by the agency or nonprofit before offenders can begin the work;

(iii) Suspend offender work where/if hazardous materials or conditions are discovered and make appropriate notifications for further assessment;

(iv) Transport offenders to and from worksites;

(v) Provide custody and security supervision of the offenders; and

(vi) Provide or coordinate the educational components of the program.

(b) The department will not reimburse any public agency or public benefit nonprofit corporation that uses offender services, for liability insurance costs associated with the services provided by offenders to the public agency or public benefit nonprofit corporation;

(c) The public agency or public benefit nonprofit corporation that requests/receives the offender services will, in accordance with WAC 296-800-160, conduct an advance hazardous conditions and materials assessment, for each distinct project and report the results using DOC Form 03-247 or other similar hazard assessment and PPE selection worksheet, to the department.

(10) Class IV correctional industries programs operated in work camps established pursuant to RCW 72.64.050 are managed under separate intergovernmental and local agreements and are exempt from these requirements.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-034, filed 9/24/15, effective 1/1/16.]

WAC 137-80-035 Class V: Restitution, work release, and community supervision or custody. (1) Participants in this class are offenders who are:

(a) In court ordered community restitution programs;

(b) In work release status; or

(c) Under community supervision or custody.

(2) Class V programs require a master contract, written in the department's office of contracts and legal affairs and signed by the department secretary or contracts administrator and an authorized representative of the public agency or public benefit nonprofit corporation requesting the work. The master contract must be signed by both parties before a work project description, which operates under the master contract to detail the responsibilities of each party for each project, is signed and services may begin.

(3) Class V programs may be operated by the department or by another public agency. Services in this class may only be provided to public agencies or to public benefit nonprofit corporations. The department may, by written contract, operate Class V crews that include offenders under the jurisdiction of other governmental entities. The department's authority over offenders under the jurisdiction of other governmental entities will be limited to that which is necessary for those offenders to participate on department Class V crews.

(4) When Class V programs are operated by the department, the department will:

(a) Transport offenders to and from worksites;

(b) Provide custody and security supervision of the offenders;

(c) Review the public agency or public benefit nonprofit's hazardous conditions/materials report to assess whether or not to provide the requested services, require specific personal protective equipment (PPE) for offenders or

require site remediation by the agency or nonprofit before offenders can begin the work; and

(d) Suspend offender work where/if hazardous materials or conditions are discovered and make appropriate notifications for further assessment.

(5) The public agency or public benefit nonprofit corporation that receives the services will:

(a) In accordance with WAC 296-800-160, conduct an advance hazardous conditions and materials assessment for each distinct project and report the results using DOC Form 03-247 or other similar hazard assessment and PPE selection worksheet, to the department;

(b) Provide offenders with relevant job specific and site specific safety training as well as instruction in the use of any specialized equipment;

(c) At no cost to the department, supervise the project and direct the work performed by the offenders;

(d) Pay the department, at the then current state mileage rate, for transporting offenders to and from the project site each day;

(e) At the start of each calendar quarter, pay the cost of worker's compensation insurance coverage directly to the Washington state department of labor and industries, for each hour of offender services received during the previous quarter; and

(f) At the start of each calendar quarter, report the total number of offender service hours received during the previous quarter, directly to the department of labor and industries. (See WAC 137-80-080 and RCW 51.12.045.)

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-035, filed 9/24/15, effective 1/1/16.]

WAC 137-80-040 Sale of goods. (1) The director or his/her designee may sell all articles, materials, and supplies authorized by statute to be produced or manufactured in correctional institutions to any state agency, political subdivision of the state or as otherwise authorized by statute.

(2) The secretary shall require those institutions under his/her direction to give preference to those articles, materials, and supplies produced or manufactured by correctional industries when purchases are made for institution needs.

(3) The director may cause to be prepared annually, at such times he/she may determine, lists containing the descriptions of all articles and supplies manufactured and produced in state correctional institutions; copies of such list shall be sent to the supervisor of purchasing and to all departments, institutions and agencies of the state of Washington.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-040, filed 9/24/15, effective 1/1/16. Statutory Authority: RCW 72.01.090. WSR 03-21-088, § 137-80-040, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 72.09.050 and chapter 34.04 RCW. WSR 82-18-042 (Order 82-11), § 137-80-040, filed 8/27/82.]

WAC 137-80-050 Proceeds of sale. Except for any sum recommended by the committee to be returned to the state general fund, all net profits from institutional industries shall be placed in a special revolving fund (Class II account) and shall be used exclusively, without appropriation, in the expansion and improvement of Class II industries.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-050, filed 9/24/15, effective 1/1/16. Statutory Authority: RCW

(9/24/15)

72.09.050 and chapter 34.04 RCW. WSR 82-18-042 (Order 82-11), § 137-80-050, filed 8/27/82.]

WAC 137-80-060 Inmate job opportunities. (See RCW 72.09.120.) The director shall cause to be periodically prepared and distributed to a central location in each institution a list of correctional industries' and programs' job opportunities. This list shall include, but not be limited to, job descriptions and the educational and skill requirements of each job and shall be made available to institution personnel, institutional industries and offenders.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-060, filed 9/24/15, effective 1/1/16. Statutory Authority: RCW 72.01.090. WSR 03-21-088, § 137-80-060, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 72.09.050 and chapter 34.04 RCW. WSR 82-18-042 (Order 82-11), § 137-80-060, filed 8/27/82.]

WAC 137-80-070 Safety and health. (1) As required by the state division of occupational safety and health (DOSH), participants in offender work programs will be provided a safe and healthy workplace free from recognized hazards.

(2) All correctional industries and programs will adhere to relevant federal and state safety laws as well as to departmental safety policies and requirements.

(3) The department, as the custodial authority, will determine whether or not it is safe for offenders to perform the requested services in Classes IV and V. The department's determination will be based upon the results of a hazardous conditions and materials assessment, performed in accordance with WAC 296-800-160 by the recipient of the offender services and provided to the department, using DOC Form 03-247 or other similar hazard assessment and PPE selection worksheet.

(4) Offenders in Classes I, IV, and V shall receive work and safety training and any necessary personal protective equipment (PPE), in accordance with the contract scope of work, the work project description and chapter 296-800 WAC, Safety and health core rules.

(5) Offenders participating in Class III programs are not considered "employees" for DOSH purposes.

(6) For DOSH purposes, offenders participating in Class V programs may be considered "employees" or "workers" of the public agency or public benefit nonprofit corporation for which the services are performed. (See RCW 51.12.045.)

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-070, filed 9/24/15, effective 1/1/16.]

WAC 137-80-080 Industrial insurance. (1) No offender compensated for work in correctional industries shall be considered as an employee or to be employed by the state or the department.

(2) Offenders working in Classes I, II, and IV of correctional industries are eligible for industrial insurance benefits as provided by Title 51 RCW.

(3) Offenders working in Class III industries are ineligible for industrial insurance benefits.

(4) For offenders working in Class V, the cost to provide offenders with industrial insurance medical aid coverage will be paid for by the entity for which the offenders perform the work. To initiate coverage, the entity will complete, sign and

submit directly to L&I, the L&I application for elective coverage of excluded workers (application), before the occurrence of an injury or contraction of an occupational disease, by offenders to be covered. Entities will check application box number 10 (community service workers, 7203) of L&I Form F213-112-000 to initiate coverage.

(5) Any premiums or assessments due under Title 51 RCW for an offender's coverage shall be the obligation of the entity for which the offender is performing the work, and shall be paid directly to the department of labor and industries by that entity. Except that, L&I premiums due for offenders performing Class IV good-will projects shall be paid directly to L&I by the department of corrections.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-080, filed 9/24/15, effective 1/1/16.]

WAC 137-80-090 Work crew costs and responsibilities. (1) Nothing in this chapter shall be construed as limiting the regulatory authority of the department of labor and industries in determining health and safety compliance and employer status for purposes of DOSH and Title 51 RCW, the issuance or review of citations or corrective actions related to health and safety compliance in the workplace provided the offender crew, or in determining responsibility for payment of fees due under Title 51 RCW.

It is understood that the responsible divisions within the department of labor and industries shall act independently in any review of claims or citations. Public agencies and public benefit nonprofit corporations that contract with the department for offender services will be responsible for safety and health conditions at the worksite, will have the responsibility and the authority for ensuring that any hazardous condition is corrected, and as applicable, pay the cost of offender industrial insurance coverage. For standard Class IV services only, public agencies and public benefit nonprofit corporations, will be responsible for paying offender gratuities.

(2) The department will provide security and custody supervision of offenders to fulfill its mission to improve public safety and to maintain custody as required by state law.

(3) Any specific offender personal protective equipment that is required will be detailed in the work project description (WPD) for each distinct Class IV or Class V work crew project as well as in the project agreement for any Class IV good-will project. The party(ies) responsible for providing such PPE will also be designated in the WPD.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-090, filed 9/24/15, effective 1/1/16.]

WAC 137-80-100 Application limited to this chapter. The powers and authority conferred by this chapter shall be construed as limited to this chapter and nothing herein shall be construed as applying to any other offender work programs authorized by federal law or Washington state law. Neither shall anything contained herein be construed as limiting any other powers or authority of any public agency.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-100, filed 9/24/15, effective 1/1/16.]