

**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.]