
Policy Number: 204.100
Title: Juvenile Work Opportunities and Resident Pay Plan
Effective Date: 3/5/1901/02/25

PURPOSE: To provide ~~youth~~ department juvenile resident pay plan in order to provide juveniles with a financial incentive for school participation, ~~a stipend to encourage family engagement,~~ and financial compensation for paid work positions on facility grounds.

APPLICABILITY: Minnesota Correctional Facility – Red Wing (MCF-RW) juvenile programs

DEFINITIONS: ~~None~~

Dayton – a living unit for youth who are on safety-based separation or in the reintegration program.

Juvenile work committee – a committee that meets regularly to identify appropriate job placements. Committee members include such examples as: the work readiness supervisor, work site supervisors, and living unit staff as deemed appropriate.

Safety-based separation – youth are separated from peers and on-going programming in a locked or unlocked area from which they are not free to leave for the amount of time necessary to ensure the safety of youth, staff, and facility operations. There are three types of safety-based separation: safety stabilization period (SSP), administrative separation, and medical separation.

Treatment team – living unit and other facility programming staff who work with the youth on a daily basis. Team members include representatives from the living unit, education, special education, case management, mental health, recreation, and nursing services, and a county probation officer (PO), other representatives, and parents/legal guardians.

PROCEDURES:

~~A. Pay Plan Committee~~

- ~~1. Juvenile facilities must maintain a pay plan committee that:
 - ~~a). Writes and administers the pay plan for the facility;~~
 - ~~b). Meets when necessary;~~
 - ~~c). Determines the appropriate pay level for residents;~~
 - ~~d). Monitors and enforces compliance with the pay plan; and~~
 - ~~e). Reviews requests for additions, changes, and exceptions to the pay plan.~~~~
- ~~2. The pay plan committee chair must retain all meeting minutes and pay plan recommendations.~~
- ~~3. All changes and exceptions to the pay plan recommended by the committee must be approved by the warden/superintendent/designee and the assistant commissioner of facility services.~~

A. Work eligibility

1. Paid work opportunities comply with Minn. Stat. Chapter 181A regarding child labor to include:
 - a) Youth under the age of 14 are not eligible;
 - b) Youth under the age of 16 cannot work during school hours;
 - c) Youth under the age of 16 cannot work before 7:00 a.m. or after 9:00 p.m.;
 - d) Youth under the age of 16 cannot work more than 40 hours a week or more than eight hours in a 24-hour period;
 - e) Full-time students cannot work later than 11:00 p.m. the evening before a school day or before 5:00 a.m. on school days; and
 - f) Youth under the age of 18 must not perform work found to be particularly hazardous for their age or detrimental to their wellbeing as established by the Commissioner of the Minnesota Department of Labor and Industry.
2. Youth join the work readiness group if they:
 - a) Are 16 years of age or older;
 - b) Have received their General Educational Development (GED) or diploma; and
 - c) Do not present a risk to the safety of peers, staff, or the secure operation of the facility.
3. Youth who have not received their GED or diploma may be approved by the treatment team to work intermittently or part-time as long as it is not during school hours.

B. Pay Scale and Status ~~and Scale~~

1. Youth Residents are paid every other week based on a two-week pay period. Youth income does not exceed the weekly maximum to be eligible for free meals in the U.S. Department of Agriculture (USDA) National School Breakfast and Lunch Programs. ~~(Secure detention residents are not paid an allowance or stipend; see also sections E and F, below.)~~
2. Full-time students receive an allowance ~~for based on~~ participating in school academic programming, both in the open school program and in Dayton the security unit.
 - a) ~~Youth Residents who attend school full-time~~ are paid \$1.00 per school day, including holidays that fall on normal school days with a maximum pay of \$5.00 per week.
 - b) ~~Youth are paid if they Residents who~~ miss school for a personal ~~due to receiving a~~ visit, to attending ~~ing~~ a special education staffing or treatment team meeting, or to participating ~~ing~~ in other facility programs/services related to their treatment or individualized goals ~~are still paid.~~
 - c) Full-time sStudents ~~do are~~ not get eligible for pay raises.
3. Full-time workers ~~(residents assigned to the work readiness group program full-time)~~ are paid by the hour, based on the following pay scale.
 - a) Step one – \$0.50 per hour for actual hours worked;
 - b) Step two – \$0.75 per hour for actual hours worked; and

- c) Step three – \$1.00 per hour for actual hours worked.

~~3. Half time worker/half time student.~~

~~Residents who attend school half time and work half time receive \$0.50 for each half day of school attended and an hourly rate for actual hours worked based on the current pay scale/step (see B.2., above).~~

4. Intermittent and part-time workers (for example e.g., recreation worker, cottage worker)

a) ~~Residents~~ who attend school full-time and work minimal hours during non-school hours get in a special position receive full-time student pay and-

b) ~~These residents also receive~~ an hourly rate for actual hours worked, based on the ~~current~~ pay scale/step.

5E. Youth Residents who miss school for the following reasons are not paid:

a)1. Refusing to attend school while on ~~safety-based separation~~ disciplinary room time (DRT) or administrative hold (AdHold);

b)2. Being at court, on furlough, in the hospital, in jail, or on fugitive status;

c)3. Being on lay-in status; or

d)4. Completing community service for which they receive credit toward restitution ordered by the court or county.

6F. Youth Residents who miss work for the following reasons are not paid:

a)1. ~~Work suspension~~ The work supervisor determines the resident is not performing the resident's assigned tasks;

b)2. Receiving a visit;

c)3. Attending a special education staffing or treatment team meeting;

d)4. Participating in the other facility programs/services related to their ~~ir~~ resident's treatment or individualized goals;

e)5. Being on lay-in status;

f)6. Being on ~~safety-based separation~~ DRT or AdHold;

g)7. Being at court, on furlough, in the hospital, in jail, or on fugitive status; or

h)8. Completing community services for which they ~~y~~ resident receives credit toward restitution ordered by the court or county.

7. Work site supervisors may withhold pay when youth do not complete their job tasks without a valid reason.

8. Youth are reduced to step one in pay level when they are re-assigned:

a) Because they refused to work; and

b) After they are terminated.

95. If the pay scale does not meet the needs of the facility, the warden/superintendent may submit a written exception request and rationale to the assistant commissioner of facilities services if the pay scale does not meet the needs of the facility.

C. Work hours

1. Full-time workers normally do not work more than six hours per day, five days per week, and 30 hours per week.
2. Youth may be allowed to work beyond the normal work day or week (for example, for snow removal) if approved by the work site supervisor and work readiness supervisor as long as it does not exceed the allowed maximums for minors.
3. The rate of pay for extended work hours is at the youth's current straight time rate of pay.

D. Work and job assignment

1. Education office staff notify the work readiness supervisor when a youth earns a GED or diploma.
2. Living unit staff:
 - a) Complete a Work Readiness Pre-Employment Screening Tool;
 - b) Review the screening results at cottage committee; and
 - c) Forward the completed form to the work readiness supervisor and the work site supervisors.
3. The work readiness supervisor and the work site supervisors review the work readiness screening tool. The juvenile work committee meets to review specific youth with unique needs or circumstances.
4. The work readiness supervisor or work site supervisor reviews the Work Readiness Expectations with youth on their first day in the Work Readiness Group.
5. Youth are initially assigned to the general Work Readiness Group.
6. Youth may complete a Youth Work Application for a specific job. All eligible youth who apply are offered an interview.
7. The work readiness supervisor schedules job interviews. The work readiness supervisor and work site supervisor interview applicants.
8. The work site supervisor makes the final selection based on interview results and the treatment team's input and approval.
9. Youth may apply for another job after they have been in their current job for 30 days.
10. Administrative re-assignment may be done as an exception, not a rule. Youth who are administratively re-assigned may not receive an increase in pay.

EE. Work Evaluations and Pay Raises

1. Finance staff create a ~~resident compensation~~ calendar that identifies ~~dates for~~ pay raise dates.
2. Staff complete a Youth Worker Evaluation monthly for each youth assigned to them. These evaluations are stored in the youth's electronic file.
32. Youth~~Residents who receive average or above average work evaluations~~ are eligible for a raise ~~from based on the following schedule:~~
 - a) Step one to step two, after 30 days in the job assignment; and
 - b) Step two to step three after 90 days in the job assignment.
43. Youth with~~Resident workers who receive:~~
 - a) No rating below average get a raise;
 - b) At least one ~~a~~ below-average rating do not get a raise~~receive pay raises~~;
 - c) At least one poor rating may lose one step of pay.
54. Each consecutive below-average evaluation results in the loss of one pay step until the ~~youth resident~~ reaches the starting pay rate. Youth are never paid less than the starting pay rate and may be re-assigned to the general Work Readiness Group if their work performance does not improve.
6. Work site supervisors store performance and payroll documentation in the youth's electronic file.

~~D. Family Engagement Stipend~~

1. ~~Residents in the long term program receive \$3.00 per pay period to maintain telephone contact with their parents/legal guardians.~~
2. ~~The stipend is deposited in the resident's account regardless of the resident's living status.~~

F. Consequences for poor work performance

1. Work site supervisors may provide consequences for youth for work-related incidents or poor performance.
2. Work site supervisors tell youth either verbally or in writing about their poor performance and/or what they did that violated program, work, and/or safety standards. Consequences may include:
 - a) Loss of privileges (LOP).
 - b) Verbal warning – youth may get a lower rating on their next work evaluation.
 - c) Written warning – youth may get a below average rating on their next work evaluation.
 - d) Suspension – youth may get a below average rating on their next work evaluation.
 - (1) Youth are temporarily removed from the work area.
 - (2) Youth are not paid.
 - (3) The amount of time youth are suspended is equivalent to the severity of their behavior.
 - e) Termination – youth are reduced to step one pay.
 - (1) Youth are immediately removed from the work area.
 - (2) Youth may be re-assigned to the general Work Readiness Group or full-time student status.

(3) Youth may write a kite to appeal their termination.

~~E. Residents who miss school for the following reasons are not paid:~~

- ~~1. Refusing to attend school while on disciplinary room time (DRT) or administrative hold (AdHold);~~
- ~~2. Being at court, on furlough, in the hospital, in jail, or on fugitive status;~~
- ~~3. Being on lay-in status; or~~
- ~~4. Completing community service for which they receive credit toward restitution ordered by the court or county.~~

~~F. Residents who miss work for the following reasons are not paid:~~

- ~~1. The work supervisor determines the resident is not performing the resident's assigned tasks;~~
- ~~2. Receiving a visit;~~
- ~~3. Attending a special education staffing or treatment team meeting;~~
- ~~4. Participating in the other facility programs/services related to the resident's treatment or individualized goals;~~
- ~~5. Being on lay-in status;~~
- ~~6. Being on DRT or AdHold;~~
- ~~7. Being at court, on furlough, in the hospital, in jail, or on fugitive status; or~~
- ~~8. Completing community services for which the resident receives credit toward restitution ordered by the court or county.~~

G. Payroll

1. Staff~~Work supervisors process complete~~ payroll documents for the workers assigned to them and:
 - a) Send them to the payroll coordinator; and
 - b) Retain payroll documentation electronically.

2. The payroll coordinator:

- a) Verifies the information on the payroll documents;
- b) Submits them to be processed and paid; and
- c) Retains payroll document files for seven years.

32. Education office staff process payroll documents for full-time ~~and part-time~~ students.

~~3. Staff persons who process payroll also maintain the electronic documentation.~~

4. Finance staff conduct periodic audits of payroll records according to procedures in ~~DOC~~ Policy 204.010, "Incarcerated Person~~Offender~~ Assignment and Compensation Plan."

HA. Pay Plan Committee

1. ~~The juvenile facilities must maintain a pay plan committee that:~~
 - a)- Writes and administers the pay plan for the facility;
 - b)- Meets when necessary;
 - c)- Determines the appropriate pay level for youth residents;
 - d)- Makes sure work site supervisors follow. Monitors and enforces compliance with the pay plan; and
 - e)- Reviews requests for additions, changes, and exceptions to the pay plan and makes recommendations to the warden/designee.
2. The pay plan committee chair keeps must retain all meeting minutes and pay plan recommendations.
3. All changes and exceptions to the pay plan recommended by the committee must be approved by Tthe warden/ superintendent/designee and the assistant commissioner of facilities services review and approve or deny all recommendations from the pay plan committee.
4. The pay plan committee must submit a Comprehensive Assignment Plan under Policy 204.010, "Incarcerated Person Assignment and Compensation Plan".

I. Restitution and community service

1. The department of corrections (DOC) and MCF-RW do not pay youth to participate in community service activities.
2. Youth may complete community service and be paid from their county to go toward paying off county or court ordered restitution.
3. Youth may submit a request with their corrections security caseworker (CSC)/clinical program therapist (CPT) to participate in community service activities.
4. The CSC/CPT reviews the request with the work readiness supervisor. If approved, the CSC/CPT:
 - a) Develops a plan in coordination with the county or court agent who oversees the ordered community service;
 - b) Contacts the volunteer coordinator to assist in identifying activities;
 - c) Documents and reports dates and times of activities to the county or court agent; and
 - d) Ensures that completion of county or court ordered community service does not interfere with normal program and education activities.
5. If a work site supervisor supervises community service activities, they document and report hours completed to the CSC/CPT instead of to the youth payroll coordinator.

INTERNAL CONTROLS:

- A. Pay plan committee recommendations are retained by the pay plan committee chair.
- B. Payroll staff retain electronic documentation.

ACA STANDARDS: ~~4 JCF 5H 01, 4 JCF 5H 02, 4 JCF 5H 04~~

REFERENCES: Minn. Stat. Chapter 181A (Child Labor) and §§ 241.01, subd. 3a(b); 242.43

REPLACES: Policy 204.100, "Juvenile Resident Pay Plan," ~~6/6/17~~3/5/19; and Instruction 204.100-1RW, "Juvenile Offender Work Program," 10/4/16.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: ~~None~~ Youth Worker Evaluation (204.100A) (public pdf of 204.100A)
Youth Work Application (204.100B) (public pdf of 204.100B)
Work Readiness Pre-Employment Screening Tool (204.100C) (public pdf of 204.100C)
Work Readiness Expectations (204.100D) (public pdf of 204.100D)

APPROVED BY:

~~Commissioner of Corrections~~
~~Deputy Commissioner, Community Services~~
~~Deputy Commissioner, Facility Services~~
~~Assistant Commissioner, Operations Support~~
~~Assistant Commissioner, Facility Services~~

Instructions

204.100-1RW, "Juvenile Offender Work Program"