

**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. Incarcerated individuals 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 participants to qualify for better prison 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 incarcerated individuals within the prison. Work performed 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, individuals may request assignment to the Class III program in the prison in which they received job specific training. Individuals assigned to such Class III programs may be required by the program to fulfill occasional job related work requirements outside of the prison. Individuals 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.

(6) The department will:

(a) Screen and select individuals 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 individuals for Class III work:

(i) In accordance with a payment scale established by the department for Class III work; and

(ii) At the same rates across all prisons for work that utilizes the same or similar job descriptions.

(7) Incarcerated individuals 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 20-13-054, § 137-80-033, filed 6/12/20, effective 7/13/20; WSR 15-20-010, § 137-80-033, filed 9/24/15, effective 1/1/16.]