

| GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures | | |
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| Functional Area: FACILITY OPERATIONS | Reference Number: IID06-0006 | Revises Previous Effective Date: 6/01/05 |
| Subject: TRANSITIONAL CENTER RESIDENT PAYCHECK DEDUCTIONS AND ALLOWANCES | | |
| Authority: OWENS/HODGES | Effective Date: 8/01/09 | Page 1 of 6 |

I. POLICY:

The Transitional Center shall collect from the work-release resident's paycheck reimbursement for room and board, reimbursements for medical and dental expenses, and any other monies due the department by the work-release resident. Collection of medical and dental expenses should be balanced against competing Transitional Center mission objectives.

II. APPLICABILITY:

All Transitional Centers

III. RELATED DIRECTIVES:

- A. O.C.G.A.: 42-5-2; 42-5-59-(b)-(3)
- B. Board Rules: 125-3-6-.02; 125-3-6-.04-(4)-(d)
- C. GDC SOPS: IID02-0005; IID03-0001

IV. DEFINITIONS:

- A. Net Income -- Gross pay, less federal tax, state tax, FICA, and any other non-voluntary payroll deduction.
- B. Net-Net Income -- Net income, less the weekly maintenance fee defined in Section VI.A below. Used as the base figure for deducting medical expenses.

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- C. Non-voluntary Payroll Deduction -- Deductions such as state and federal taxes, which usually are deducted by the employer before payment of the employee. **NOTE: Work-release residents may NOT have their employer deduct money for voluntary savings or voluntary retirement plans.**
- D. Voluntary Deduction -- Deductions not usually collected while an offender remains incarcerated (such as child-support payments or fines), which the Transitional Center may collect from a specific work-release resident, by agreement with the controlling agency.
- E. Sixty Percent of Net-Net Income Formula -- Use this formula to deduct medical expenses, which meet the conditions of paragraphs VI.C 2.b, 3, and 5 below. Deduct sixty percent of the net-net income (definition IV.B above) from each paycheck, until the medical expenses have been paid. In cases where the deduction results in inability to accumulate necessary savings, the Superintendent may suspend part or the entire sixty-percent obligation, after consulting with the Director of GDC Health Services and the TC Field Operations Manager.
- F. Maintenance (Permanent) Resident -- Inmate assigned to a Transitional Center to assist in the daily operation of the facility or other state agency maintenance. This inmate is not on pre-release status, nor does he participate in work release (or earn wages). This inmate later may be considered for work release, based on the same criteria as any other prison inmate.
- G. Work-release Resident -- Inmate assigned to a Transitional Center to participate in Center programs and community employment (work release) before release from GDC. The assignment may occur based on selection by GDC criteria, or based on referral by the Board of Pardons and

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Paroles. This inmate does not earn wages until completing orientation and obtaining employment. Upon obtaining employment, the work-release resident assumes financial responsibility for certain expenses associated with his or her incarceration, to the extent described in this SOP. One of the resident's responsibilities is to save sufficient funds to establish housing upon release.

V. ATTACHMENTS:

Attachment 1 -Room and Board Waiver Request

VI. PROCEDURE:

The Transitional Center will ensure that the work-release resident pays for the costs of room and board and develops efficient money management skills. To support this goal, the Transitional Center will assess charges against the work-release resident's account as described below:

A. Room and Board:

1. Each work-release resident will be exempt from payment of room and board until he/she has completed the 30-day orientation period. If a resident obtains employment prior to the end of orientation, that resident will be charged room and board effective the first day of employment.
2. Thereafter, room and board will be charged at the current rate set by the Department.
3. Any voluntary deductions as defined in Section IV will be taken after the room and board deduction.

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4. Residents will not be required to pay room and board charges while required to pay rent for an outside living space as part of a pending parole plan. In these cases a room and board waiver is not necessary.

B. Room and Board Waiver:

1. Room and Board charges may be waived under unusual circumstances. These could be, but are not limited to, extended illness of the offender that temporarily prevents employment, difficulty obtaining employment that is not the fault of the resident, etc.
2. Approval - The Center Employment Manager / resident's counselor will submit a request to the superintendent to allow a resident to be placed on Room and Board Waiver status. The superintendent will review the request and if in agreement, submit that request (using Attachment #1) to the TC Field Operations Manager for final approval. The Field Operations Manager will notify the superintendent of his/her decision as soon as possible.
3. Tracking - The use of the Room and Board Waiver for any resident will be monitored by both the Superintendent and the Business Manager of the using Center. In the event a resident is earning a sufficient amount of funds the Superintendent should stop the waiver.

- C. **Personal Necessities:** The work-release resident will be issued a weekly allowance from his/her account, to pay for transportation and incidental costs of employment. The amount issued will be determined by the Superintendent or his/her designee. The availability of public transportation and in-house food service will determine the amount of the allowance. The

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Superintendent must document any exceptions in writing.

D. **Medical Bills:** Billing and/or payment protocols shall be established by GDC's Health Services Unit. Appropriate Transitional Center staff shall have access to these payment protocols.

1. **Work-Release Residents (Earning):** In general, work-release residents shall be responsible for their medical expenses for injury and illness, using the 60-percent-of-net-net formula. However, if illness results directly from an authorized Center activity, the work-release resident shall not be responsible for the expenses. The Superintendent will make the final determination whether the illness resulted directly from an authorized Center activity, whenever such question arises.

a. **Full payment:** This pay deduction should be taken until the entire amount of the bill is paid or until the resident leaves the Transitional Center program.

b. **Exceptions:** In individual cases where this deduction results in unsatisfactory ability to accumulate savings, the Superintendent may suspend part or the entire sixty percent obligation, in consultation with the Director of GDC Health Services.

c. **Work-Related:** Work-release residents injured in the course of free-world employment should file claims through the employer's worker's compensation policy or other insurance policies provided by the employer. Work-release residents are responsible for injuries occurring during transit to and from free-world employment.

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- d. **Activities at Center:** The work-release resident will NOT bear primary responsibility for medical expenses incurred as the result of work detail assignments in and around the center, recreation activities, and assigned maintenance projects, including transportation-related accidents associated with these activities, and other required daily functions. In these cases, the work-release resident's responsibility is the same as a state prison inmate's responsibility would be under similar circumstances. If a question arises as to whether a recreation activity, which resulted in an injury, was authorized the Superintendent will decide the issue.
2. **Non-Earning Work-Release Residents and Maintenance Residents:** Work-release residents who have not received their first paycheck, and maintenance residents, are responsible for medical co-payments only, in the same fashion as inmates at a state prison.
3. **Negligence and Misconduct:** All work-release residents and maintenance residents are responsible for medical expenses stemming from their acts of negligence or misconduct, as established by a disciplinary conviction for some part of the same set of acts and events which led to the medical expense(s). Reimbursement for expenses from such acts shall be taken from the resident's account, and/or incoming pay according to the 60-percent-of-net-net formula, without regard to the impact on savings (to the \$10.00 minimum balance).

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4. Work-Release Resident -- Departure from Transitional Program: When a work-release resident leaves the transitional program, responsibility for payment of remaining medical debts is distributed in the manner described below.
 - a. Discharge (Max-out) & Parole: Once a work-release resident leaves the transitional program either by discharge or parole, he or she is relieved of all remaining medical debts incurred at the Center.
 - b. Removal from Program: A work-release resident who is transferred back to prison carries medical debts stemming from his or her negligence and misconduct, but not other medical debts.
 - c. Escape: When a work-release resident either escapes or enters unauthorized absence status, as defined by procedure, the center will freeze their account, collect a \$200 escape fee, and collect monies for any remaining debts including medical expenses, until the account is exhausted or all debts are paid.