

Australian Capital Territory

# Corrections Management (Prisoner Remuneration) Policy 2009

Notifiable instrument NI2009-153

made under the

***Corrections Management Act 2007*, section 14(1) (Corrections policies and operating procedures)**

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## 1 Name of instrument

This instrument is the *Corrections Management (Prisoner Remuneration) Policy 2009*.

## 2 Commencement

This instrument commences on the day after it is notified.

## 3 Policy

I make the

PRISONER REMUNERATION POLICY

attached to this instrument, to facilitate the effective and efficient management of correctional services.

James Ryan  
Executive Director  
ACT Corrective Services  
25 March 2009



Alexander Maconochie Centre (AMC)



## PRISONER REMUNERATION POLICY

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### **Purpose**

To outline the prisoner remuneration policy.

### **Authority**

#### Legislation

*Corrections Management Act 2007*, section 14.

### **Policy**

#### Principles

Prisoners must receive remuneration for participating in approved programs and employment.

This policy is inclusive of all approved prison employment, criminogenic programs and vocational education and training courses, modules and certificates available at the Alexander Maconochie Centre.

This policy provides for any combination of these approved program activities to be undertaken as having equal merit and rehabilitative value in relation to an approved Prisoner Rehabilitation Plan.

Three levels of remuneration are available based on the level of experience and knowledge required; level of responsibility/trust/initiative required; level of skill and ability required; and level of supervision.

Education programs and activities that are not approved as part of the Prisoners Rehabilitation Plan are not remunerated in the prisoner wage system.

### Unemployment Allowance

An unemployment allowance must be paid to Prisoners who:

- are temporarily or permanently medically unfit for employment (a medical certificate must be provided);
- for whom a work position is not currently available, including those on Management or Protection Orders; or
- on remand unless they are in receipt of a higher rate of remuneration for approved program participation.

### Prisoners on remand

Prisoners on remand are not required to be employed and where they do not work will be eligible for an unemployment allowance. If a remand prisoner chooses to work they must be paid in accordance with this procedure.

Prisoners on remand who undertake approved criminogenic programs and/or vocational education and training programs will be paid in accordance with this procedure.

### Employment Profiles

Each program employment area must have an approved employment profile that sets out the number of positions available in the area and what level of remuneration is applied to each of these positions.

Positions for Prisoners participating in approved criminogenic and approved vocational education and training programs as part of their Rehabilitation Plan will form part of the Alexander Maconochie Centre Prisoner employment profile.

Prisoners will commence approved activities at Level 1 remuneration. A Prisoner may only be promoted to a higher Level of remuneration when an appropriate classified position becomes available.

#### Level 1:

Prisoner is actively engaged in approved criminogenic program, and/or education, and/or employment; or any combination of these approved activities as per the prisoners Rehabilitation Plan and performing at a consistently acceptable standard.

#### Level 2:

Promotion to Level 2 will be based on merit, performance, experience, qualifications and involves accepting a high level of responsibility within the designated activity area/s. Appointment to Level 2 will involve job applications, interview, and current CV to be provided as per common external employment processes.

#### Level 3:

Promotion to Level 3 will be based on merit, performance, experience, qualifications and involves accepting a high level of responsibility within the designated activity area/s. Appointment to Level 3 will involve job applications, interview, and current CV to be provided as per common external employment processes.

### Prisoners may be dismissed

Prisoners may be stood down from an approved program by a work area supervisor for failing to meet the minimum acceptable performance or behavioural requirements of the program area. The Prisoner Employment Manager will review the employment status of all Prisoners who have been stood down and may subsequently dismiss them from that employment position.

Prisoners who are dismissed will be classified as Non Workers and will receive no remuneration from the date of dismissal for seven days. The Prisoner's employment status will be reviewed at the end of the seven day period after which the Prisoner may either be re-employed or be classified as unemployed. The reasons for dismissal must be recorded and the prisoner notified accordingly.

Sentenced Prisoners who refuse to participate in any approved programs, including work must not receive any unemployment allowance or any remuneration.

### **Management of Remuneration System**

#### Frequency of payment

Remuneration must be paid at least weekly to all prisoners entitled to its receipt. Payment must be authorised by the Superintendent and processed in accordance with the Prisoner Trust Funds procedure.

#### Attendance

Attendance at approved programs will be monitored and recorded through the confirmation function in Prisoner Electronic Diary entries. Prisoner payments will then be made on the number of confirmed hours the prisoner has spent in approved activities at the identified level of remuneration.

Payments will be made weekly into the Prisoners Trust Account based on the number of confirmed approved activity hours in each individual prisoner's electronic diary and the level of approved remuneration.

Prisoners will not be paid for any unauthorised absence from an approved activity.

#### Public Holidays

Prisoners engaged in approved programs activities on a public holiday will be remunerated at the same Level as a standard day.

#### Prisoner Working Hours

Prisoner working hours will be monitored to ensure compliance with area Employment Profiles. Prisoners will generally be required to complete a minimum of 30 approved program hours including employment per week. The maximum amount of remunerated hours is 42 per week. The Superintendent must ensure that all relevant provisions for workplace health and safety legislation are complied with at all times.

#### Industrial action

Prisoners must not be paid for participating in prisoner strikes involving the withdrawal of labour. If the Prisoners work program is affected by industrial action and resources are diverted elsewhere, remuneration must be paid at the normal rate.

Remuneration rates

Refer to appendix 1– Remuneration rates

**Forms/Templates**

Prisoner Employment Application Form

Prisoner Employment Agreement

**Related policies and procedures**

Prisoner Employment Policy

## Appendix 1 – Remuneration rates

### **Non Worker**      **Nil payment**

Prisoners classified as Non Workers will not receive any remuneration. This classification is for temporary use only and as such must be reviewed on a weekly basis.

**Unemployment**      **Per hour = \$0.50**  
**Per 6 hr day = \$3.00**  
5 days only = \$15.00 per week maximum

**Level 1**                      **Per hour = \$0.83**  
**Per 6 hr day = \$4.98**  
5 days = \$24.90 per week maximum  
6 days = \$29.88 per week maximum  
7days = \$34.86 per week maximum

**Level 2**                      **Per hour = \$1.17**  
**Per 6 hr day = \$7.02**  
5 days = \$35.10 per week maximum  
6 days = \$42.12 per week maximum  
7days = \$49.14 per week maximum

**Level 3**                      **Per hour = \$1.67**  
**Per 6 hr day = \$10.02**  
5 days = \$50.10 per week maximum  
6 days = \$60.12 per week maximum  
7days = \$70.14 per week maximum