



Ohio Administrative Code Rule 5120-3-07 Special labor.

Effective: April 1, 2018

(A) Inmates may be temporarily released from the institution to perform special labor, either as an institutional work assignment or an OPI assignment as authorized by section 5147.27 of the Revised Code. Special labor assignments may be made when the assignment promotes the rehabilitation of the inmate, serves the interests of the community, or provides operational assistance to the department or another agency of the state of Ohio.

(B) All special labor assignments shall be approved by the managing officer of the institution. An inmate must be classified as minimum security to be eligible for such an assignment. The managing officer shall verify that appropriate transportation arrangements have been made.

(C) Inmates assigned to special labor are subject to the direction and control of correctional employees; they are not employees of any public agency or private person or business entity. Consistent with this status, inmates may receive instructions from non-institutional personnel regarding work performance. Non-institutional personnel may be requested to provide performance evaluations of inmates assigned to special labor.

(D) When an inmate is on special labor release pursuant to this rule, the inmate shall:

(1) Be under the direct, immediate, and personal supervision and control of a correctional employee or;

(2) Be under direct, immediate, and personal supervision and control of a responsible person, approved by the managing officer or his designee, who is listed on the inmate's check-out card;

(3) Directly and promptly proceed to the destination using the approved method of transportation and route, and shall not deviate from the purpose and destination of the release;

(4) Remain at or within the area designated as the destination of the release;



(5) Obey all orders, commands, and instructions of the correctional employee or the responsible person to whom the inmate has been released;

(6) Abstain from consuming any alcoholic beverages and nonprescribed narcotics or other drugs while on release;

(7) Not violate any federal or state law, or any municipal ordinance;

(8) Work diligently and display proper conduct;

(9) Return to the institution before or at the time scheduled for return using the approved method of transportation, and shall not deviate from the institutional destination.

(E) Violations of paragraph (D) of this rule shall be subject to the disciplinary procedures of the department as set forth in rules 5120-9-07 to 5120-9-08.1 of the Administrative Code. The correctional employee or responsible person to whom the inmate is released shall have the duty to immediately report to the managing officer of the institution any violations of paragraph (D) of this rule which they observe or have knowledge of. All persons other than a correctional employee to whom an inmate is released shall sign a written acknowledgment of this duty.

(F) The warden of the institution shall immediately notify, in writing, the director of rehabilitation and correction and the appropriate law enforcement agencies of any escape, walkaway, or failure of an inmate to return from a special labor release made pursuant to this rule.

(G) Prior to the approval of an inmate's application for special labor release pursuant to this rule, a form setting forth the provisions for release will be provided to the inmate who shall sign his or her understanding and agreement to abide by and be bound by those requirements.

(H) Inmates who are released pursuant to this rule and who have received an OPI assignment as defined in rule 5120-3-02 of the Administrative Code shall be compensated according to the requirements of rule 5120-3-05 of the Administrative Code.



(I) Inmates who are released pursuant to this rule and who have not received an OPI assignment as defined in rule 5120-3-02 of the Administrative Code shall be compensated pursuant to rule 5120-3-08 of the Administrative Code unless voluntarily participating in an uncompensated program.

(J) The WPAC shall serve as the screening committee for the special labor release program. Procedures used in the selection process shall be the same as in rule 5120-9-53 of the Administrative Code.