



OREGON YOUTH AUTHORITY
Policy Statement
Part II – Youth Services (Facilities)




Subject

Youth Work Programs

<i>Section – Policy Number:</i> E: Programming – 7.0	<i>Supersedes:</i> II-E-7.0 (10/10)	<i>Effective Date:</i> 12/30/2014	<i>Date of Last Revision:</i> 04/30/2021 (due to OAR amended)
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Related Standards and References:	<ul style="list-style-type: none"> ▪ ORS 420.060 through ORS 420.074 (Employment Program) ▪ 18 USC 1761 (Prison-made goods, Transportation or importation); Ashurst-Sumners Act ▪ OAR 416-415 (Offender Work Programs) ▪ OAR 416-800 (Criminal History Checks) ▪ BOLI form: Annual Employment Certificate Application for Minors (WH-216-1) ▪ American Correctional Association, <i>Standards for Juvenile Correctional Facilities</i>; 4-JTS-5H-01, 03, 04 (Juvenile Compensation) ▪ OYA policy: 0-2.1 (Professional Standards) 0-2.4 (Conflict of Interest) 0-2.2 (Relationships with Youth and Their Families) I-B-3.0 (Youth Trust Accounts) I-B-3.1 (Offender Welfare Accounts) II-A-1.5 (Agency Case Review and DOC Transfer Protocol) ▪ OYA forms: YA 2026 - JJIS form (Youth Work Program Job Description) YA 4012 (Youth Work Program Application) YA 4013 (Youth Job Hazard Analysis) YA 1400 (Community Employer Criminal Records Check Consent) YA 4503 (Community Employer Acknowledgment) YA 4504 (Supervised Work Crew Customer Acknowledgement)
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Related Procedures:	<ul style="list-style-type: none"> ▪ FAC II-E-7.0 Onsite and Offsite Work Assignments ▪ FAC II-E-7.0(a) Overnight Fire Work Crews
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Policy Owner: Facilities Services Assistant Director	Approved:  Fariborz Pakseresht, Director
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I. PURPOSE:

This policy sets standards for staff when authorizing and implementing OYA facility youth work programs and assignments.

II. POLICY DEFINITIONS:

DOC youth: A person in the legal custody of the Department of Corrections (DOC) and the physical custody of OYA.

Facility work program: A type of work program in which youth are supervised while performing a job or a service administered within an OYA close-custody facility's secure perimeter.

Offsite work program: A type of work program in which youth are supervised while performing a job or service beyond an OYA close-custody facility's property.

Onsite work program: A type of work program in which youth are supervised while performing a job or service on an OYA close-custody facility's property but beyond the facility's secure perimeter.

Stipend: Monetary incentive for participation in a work program to promote positive youth development, reformation, and rehabilitation.

Work program: An OYA-approved program in which youth perform a job or service as part of their treatment, education, or vocational training curriculum.

Work program owner: A designated OYA management staff member who oversees a specific work program and the program's policy compliance.

Work release: A type of OYA work program in which youth are temporarily released from an OYA close-custody facility or are authorized to leave the facility grounds to perform a job or service in a community setting without supervision.

Youth: A person in the legal and physical custody of OYA, or a person in the legal custody of the Department of Corrections (DOC) and the physical custody of OYA.

III. POLICY:

OYA work programs emphasize each participant's potential to lead a positive, productive life. Youth who participate in OYA work programs gain the knowledge, skills, and proficiencies for employment or further education upon return into the community.

Youth in OYA facilities are expected to participate in the care of the facility and its property and in approved work activities that contribute to the daily maintenance and operation of the facility. OYA must ensure youth do not perform work prohibited by state or federal laws. OYA youth may not travel outside of Oregon to participate in a work program.

IV. YOUTH WORK PROGRAMS

A. Work Program Approval

1. All work programs that propose using facility work program assignments must be approved by the facility's superintendent or camp director prior to implementation.
2. All work programs that propose using onsite or offsite work program assignments, or a work release component must be approved by the OYA Facility Services Assistant Director prior to implementation.
3. A [YA 4012](#) (Youth Work Program Application) must be completed to document the approval.

The application must include the following, at a minimum:

- a) Work program purpose statement;
 - b) Detailed work program description;
 - c) Youth supervision plan (including staff-to-youth ratios);
 - d) Startup costs and revenue source for the costs;
 - e) Stipend disbursement plan (if program includes stipends);
 - f) Potential price list for youth services or products;
 - g) Work program product or service availability;
 - h) Education, vocational training, or job skill certificate associated with the work program; and
 - i) How the work program correlates to youth participation in:
 - (1) Private gainful employment;
 - (2) An educational or vocational program; or
 - (3) A specific program to develop independent living or work skills.
4. A job hazard analysis must be documented on a [YA 4013](#) (Youth Job Hazard Analysis) and submitted with the application.
 5. Work program approval authority and Business Services staff (if appropriate) must review the application within 21 days of receiving the application.

6. Notification of the work program approval or denial must be made to the originator upon completion of the review.

B. Youth Work Program Owner

Each youth work program must have a designated work program owner who is an OYA management staff member who oversees the work program and its adherence to this policy.

C. Supervision of Youth on Work Programs

1. Staff and others who may supervise or escort youth who are participating in work program assignments must:
 - a) Successfully complete OYA training on basic security practices;
 - b) Carry a mobile communication device; and
 - c) Be familiar with OYA policy regarding appropriate relationships with youth, mandatory reporting of youth abuse or harassment, supervision of youth, and transporting youth.
2. Only an employee or agent of a local, state, or federal governmental agency (including OYA staff) may supervise or escort youth.

D. Additional Requirements for Non-OYA Work Program Supervisors

1. The work program owner must ensure a [Community Employer Acknowledgement \(YA 4503\)](#) or [Supervised Work Crew Customer Acknowledgement \(YA 4504\)](#) is completed if the assigned youth workers are not supervised by OYA staff.
2. Potential youth work program private employers or supervisors who are not OYA staff must be screened with a criminal records check by designated OYA staff prior to employing or supervising OYA youth.

The criminal records check process and evaluation must follow OAR 416-800 (Criminal Records Checks). Consent for the criminal records check must be documented on OYA form [YA 1400](#).

V. WORK PROGRAM ASSIGNMENT CATEGORIES

A. Chores

OYA requires all youth to clean and care for their personal sleeping and housing areas, and contribute toward the cleaning and maintenance of common areas in facility general housing areas. These routine tasks are not considered part of youth work programs.

- B. All youth work program assignments must be identified and classified as one of the following categories:
1. Facility work program assignment: A type of work assignment in which youth are supervised while performing a job or a service administered within an OYA facility's secure perimeter.
 2. Onsite work program assignment: A type of work assignment in which youth are supervised while performing a job or service on an OYA facility's property but beyond the facility's secure perimeter.
 3. Offsite work program assignment: A type of work assignment in which youth are supervised while performing a job or service beyond an OYA facility's property.
 4. Work release: A type of work assignment in which youth are temporarily released from an OYA facility or are authorized to leave the facility grounds to perform a job or service in a community setting without supervision.

VI. YOUTH WORKER CRITERIA

- A. Work program owners must ensure youth assigned to work in the work program meet the minimum criteria listed below. Work assignments must be within the youth's capabilities and limitations.
1. All work assignments
 - a) Completed an initial medical and mental health assessment ([YA 4409](#));
 - b) Are age-appropriate for the work to be performed;
 - c) Received a copy of the work assignment description (YA 2026 -JJIS form);
 - d) Completed the National Institute of Occupational Safety and Health (NIOSH) Youth Worker Safety Training Program;
 - e) Reviewed related job hazard analyses prior to performing job assignments; and
 - f) Completed the OSHA Youth Worker Safety Training Program and applicable OYA-approved Training Vignettes.
 2. Onsite and offsite work assignments

In addition to the criteria listed in subsection 1 above, work program owners must ensure youth assigned to work on onsite work assignments meet the additional criteria listed below.

 - a) Are at least 16 years of age;

- b) Have no history of escape from a close-custody or secure facility;
- c) Have no major behavior violations (Level 0, 1, or 2) within the last three months;
- d) Have a current suicide risk level of 4 or 5. If the youth is currently at a suicide risk level of 4, there must be a documented history of the youth's stability and commitment to not harming self or others; and
- e) Exhibit consistent high-level positive programming and progress toward community placement.
 - (1) Youth adjudicated or convicted of a sex offense must have participated in sex offender treatment; have a community safety plan, current RNA, ERASOR (as applies), active case plan, and (as requested) a psychological or psycho-sexual assessment.
 - (2) Youth with substance abuse treatment needs must have completed core substance abuse treatment (e.g., Cannabis Youth Treatment, or Pathways).
 - (3) All other youth must have completed core treatment recommended by the multidisciplinary team (MDT).
- (f) For DOC youth: Have 36 months or less remaining until community placement.

3. Work release

In addition to the criteria listed in subsections 1 and 2 above, work program owners must ensure youth assigned to work release meet the additional criteria listed below.

- a) Have successfully participated in a supervised work program beyond an OYA facility's secure perimeter for at least 60 days;
- b) Have no conviction or adjudication for a sex offense or crime with a sexual element;
- c) Have no conviction or adjudication for a stalking offense;
- d) Have no active court restraining or stalking order;
- e) Have no major behavior violations (Level 0, 1, or 2) within the last six months;
- f) Have no detainers;

- g) Not have been sentenced under ORS 137.635, 137.700, 137.707, or any other provision of law that prohibits eligibility for any form of temporary leave from custody; and
 - h) For DOC youth: Have six months or less remaining until community placement.
- B. In addition to the above criteria, the Facility Services Assistant Director, superintendent, camp director, or work program owner may consider additional screening criteria when determining whether to approve a youth for assignment to a work program.
- C. Criteria eligibility waiver
- 1. Facility work assignment

The Facility Services Assistant Director, superintendent, or camp director may waive criteria for a youth to participate in a facility work assignment, unless the youth is not legally able to participate in the work program.
 - 2. Onsite work assignment, offsite work assignment or work release

The Facility Services Assistant Director may waive eligibility criteria for a youth to participate in an onsite work program, offsite work program or work release, unless the youth is a DOC youth or is not legally able to participate in the work program.
- D. DOC youth
- 1. DOC youth participation in onsite work programs, offsite work programs, and work release must be reviewed and approved or denied through the agency case review process. (See OYA policy [II-A-1.5](#) Agency Case Review and DOC Transfer Protocol.)
 - 2. The Department of Corrections must approve of a DOC youth's participation in an onsite work program, offsite work program, or work release prior to the youth's participation.
- E. Sensitive cases
- Youth participation in onsite work programs, offsite work programs, and work release: Youth whose cases are community sensitive due to the nature of their crimes, or are high-profile crimes must be reviewed and approved or denied through the agency case review process. (See OYA policy [II-A-1.5](#) Agency Case Review and DOC Transfer Protocol.)

VII. YOUTH WORK PROGRAM RECOGNITION, STIPENDS, AND REVENUE

- A. Work program owners must ensure each youth's work performance is evaluated on a regular basis.

B. Youth worker recognition

1. Work program owners must ensure youth who successfully complete work programs receive a certificate of completion or other recognition of achievement.
2. Stipends

A work program owner may grant a stipend to a youth who participates in a work program.

- a) Stipends must be granted at a rate and manner established by the Facility Services Assistant Director, superintendents, and camp directors to ensure consistency throughout all OYA facilities.

See [Attachments A and B](#) for stipend rates.

- b) Stipends must be deposited into youth special trust accounts according to OYA policy [I-B-3.0](#) (Youth Trust Accounts).

C. Work program revenue

The program owner must ensure any revenue generated from the sale of services or items produced by the work program is deposited into an Offender Welfare Account according to [I-B-3.1](#) (Offender Welfare Accounts) to help sustain work program costs.

D. Availability of youth work program services and products

1. In compliance with the [Ashurst-Sumners Act](#), youth products and services must not be available outside of Oregon.
2. OYA staff must follow guidelines established in OYA policies [0-2.1](#) (Professional Standards) [0-2.2](#) (Relationships with Youth and Their Families) and [0-2.4](#) (Conflict of Interest) regarding how youth work program products or services may be available to staff, their relatives, and the Oregon general public.

VIII. LOCAL OPERATING PROTOCOL REQUIRED: NO

Attachment A: OYA Work Program Stipends – Comprehensive List

Work Program Level	Entry	Intermediate	Advanced	Varied
Stipend Rate	\$.25 to \$1.25 per hour Only award \$1.25 per hour according to facility incentive program, or if the facility lacks other work program levels.	\$.25 to \$2 per hour	\$1.25 to \$12 per hour [OYA-funded stipend no more than \$5 per hour]	Determined per product sold or service completed, or by type of certification required.
Work Program	Facility Work Program with basic skill required.	Facility Work Program with intermediate skill required.	Facility Work Program with advanced skill required.	Facility Work Program with skills from basic to advanced, or certification required.
		Onsite Work Program with intermediate skill required.	Onsite Work Program with advanced skill required.	Onsite Work Program with skills from basic to advanced, or certification required.
			Offsite Work Program with advanced skill required.	Offsite Work Program with skills from basic to advanced, or certification required.
			Work Release	Work Release with skills from basic to advanced, or certification required.

Attachment B: OYA Work Program Stipends – Funded by OYA

Work Program Level	Entry	Intermediate	Advanced
Stipend Rate	\$.25 to \$1.25 per hour Only award \$1.25 per hour according to facility incentive program, or if the facility lacks other work program levels.	\$.25 to \$2 per hour	\$1.25 to \$5 per hour
Work Program	Facility Work Program with basic skill required.	Facility Work Program with intermediate skill required.	Facility Work Program with advanced skill required.
		Onsite Work Program with intermediate skill required.	Onsite Work Program with advanced skill required.

Added 4/1/2019