

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2014

Bill Number: S.218 Name of Bill: An act relating to temporary employees

Agency/ Dept: AHS/Corrections Author of Bill Review: Monica Weeber

Date of Bill Review: Status of Bill: (check one):

☐ Upon Introduction ☐ As passed by 1st body ☒ As passed by both bodies ☐ Fiscal

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

This bill proposes to decrease the number of temporary employees in the workforce by setting forth standards by which temporary positions can be utilized. It also reduced the number of hours that temporary employees can work within a calendar year from 1, 520 to 1,280.

The bill also addresses adopting administrative rules for searches for individuals entering the secure section of a correctional facility, reporting on contraband, and pre-employment screening and background investigation for new staff. It also requires a staffing study of all correctional facilities to determine the appropriate number of permanent employees at each facility.

2. Is there a need for this bill? *Please explain why or why not.*

Temporary employees are an important part of the Department of Corrections workforce. During an average year, the DOC trains 125 temporary employees to work as Correctional Officers at any of the seven facilities in the state. On average, there are 80 temporary employees working at the DOC each day. Temporary employees provide the need coverage for planned and unplanned absences of full-time, permanent staff. The language in this bill will limit the department's ability to make use of these employees.

The Vermont Department of Corrections has the responsibility to maintain a safe working environment for staff and a safe living environment for inmates. Contraband within a correctional facility impedes the ability to provide the type of safe environment that is required. Many items have the potential of becoming a dangerous item when altered or modified. Searches need to be conducted to limit inmate accessibility to contraband. VT-DOC currently routinely searches all volunteers and visitors and bags and items entering the facility.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

Programmatic Impact: Currently, temporary correctional officers work up to 1500 hour annually (240 of those hours are spent on the initial training/academy). Reducing the hours from 1520 to 1280 will immediately impact

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the number of temporary staff to recruit and train. In effect this means we can only offer six months of employment to new recruits which we believe will result in a decline in applications and attendance at the academy.

The legislation will also impact the operations of the correctional facilities by limiting our ability to have a fully developed correctional officer pool.

Financial Impact: The financial impact would cover several areas. We expect to see:

- Increase cost at the academy to train more temporary CO's
- Increase cost on overtime to cover the lost hours at facilities
- Increase cost of shift differential to cover the lost hours at facilities

We estimate that the staffing study required in this bill would cost approximately \$100,000.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

We do not have information to comment on the impact on other departments.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? (for example, public, municipalities, organizations, business, regulated entities, etc)

We do not have information to comment on the impact on other departments.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

The VSEA will likely support the bill if more temporary workers were made permanent state employees.

DOC staff will also support the search and contraband components of this bill as it would lead to increased safety in correctional facilities.

6.2 Who else is likely to oppose the proposal and why?

7. Rationale for recommendation: *Justify recommendation stated above.*

This bill covers several issues. The department is supportive of the direction of the bill.

Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

Secretary/Commissioner has reviewed this document: Commissioner Pallito **Date:**
5.27.2014

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