

**AGENCY OF HUMAN SERVICES
DEPARTMENT OF CORRECTIONS**

**REPORT TO THE LEGISLATURE
OF THE STATE OF VERMONT**

**ACT 163: An Act Relating to Temporary Employees
Section 3: Department of Corrections Staffing Study**

March 15, 2015

**Submitted to:
The General Assembly**

Act 163, *An act relating to temporary employees, Section 3, Department of Corrections Staffing Study*, directed the Department of Corrections to conduct a study of all state correctional facilities to determine the appropriate number of permanent employees at each facility.

The Department issued a Request for Proposal in which the vendor would evaluate the adequacy of current staffing levels at each correctional facility, and in doing so would evaluate staffing levels as they relate to compliance with PREA standards 115.13 (a), (d). A contract was ultimately awarded to the Association of State Correctional Administrators (ASCA).

The following three areas are detailed in the following pages, and are the results of the study completed by ASCA:

1. Staff required to maintain current posts; as evaluated by ASCA
2. Recommendations for additional positions; as recommended by ASCA
3. Department of Corrections proposal to follow the recommendations provided by ASCA

In summary of the staffing analysis, ASCA has recommended that 60 staff are needed to maintain the currently allocated posts based on the ASCA recalculated shift relief factor, and funding of posts that are in use, but not funded (defined below). The Department proposes an 18-month pilot to self-fund approximately 30 of these positions through the shifting of personnel and funds. This would result in a revenue neutral impact to the State.

Additionally, ASCA recommends an additional 29 positions to *“ensure the critical correctional posts are staffed so the facilities operate in a safe, effective, and secure manner”*. The Department proposes that the 18-month pilot be allowed to take place before it requests these additional staffs. The Department would evaluate the outcomes of the pilot which would include a reassessment of the need for these added staffs, evaluating opportunities to improve efficiencies and operations and assessing opportunities to fill positions through attrition when a position can be moved, or consolidated.

The total number of positions ASCA recommends is 89. This is inclusive of both current posts and added posts.

Staffing Required to Maintain Current Posts

ASCA conducted an in depth analysis of all currently authorized positions at each facility. Compared those to the Shift Relief Factor (SRF) that the department has used to determine staffing needs, and also evaluated the hours that a particular person is not available to work the designated post. A staff person may not be available to work their designated posts for any of the following reasons:

1. The employee uses annual, personal, compensatory time off
2. The employee uses sick leave
3. The employee is on Family Medical Leave (FMLA)
4. The employee is attending training
5. The employee is on military leave
6. The employee is out on a workers compensation injury
7. The employee has been relieved of duty pending a personnel and/or criminal investigation

This analysis also took into consideration a number of posts that the department has created to maintain the safety, security and operations of its facilities. These positions range from unit officers to dedicated Intelligence officers. In summary, ASCA reports that all of these positions, except for one, are critical to the safe and secure running of facilities, and they recommend these posts continue, but with proper funding. The one position that they recommended was not necessary has already been removed and deployed back into the staffing matrix at Northwest State Correctional Facility.

What is a shift relief factor?

A shift relief factor estimates the number of hours (or days) required to fill a post during a given shift, when the person who is regularly assigned to that post on that shift is unavailable to fill that post because he or she is occupied elsewhere, either on annual leave, sick leave, attending training, injured, or otherwise not available for assignment to that post. To account for the time that the regularly assigned person is not available, additional staff time must be allocated to that post to ensure the duties assigned to that post are completed.

Importance of applying accurate shift relief factors

Because in almost every case, a single officer assigned to a post is not available to fill that post every day and every hour it is to be filled, agencies need to know how many additional staff they should have in order to fill all posts in the manner determined to be necessary and appropriate. By applying the appropriate shift relief factor to every post, and then summing the resulting numbers, an agency can determine the total number of personnel required to fill all posts in the prescribed manner without having to resort to assigning staff on an overtime basis to fill posts.

ASCA Recommendations:

ASCA recommends that the shift-relief factor (SRF) that the department has utilized was out-of-date, and as a result of updating the SRF, 29 additional positions were recommended to adequately fill existing positions throughout the department's facilities. These additions would reduce the overtime costs the department experiences, and equally as important gives a greater opportunity for correctional officers to have adequate time away from their work, decompress, maintain healthy lifestyles, and be with family.

Following is a table which details the recommended increase in staffing levels to maintain current posts and operations. The table demonstrates the SRF allocations currently used by the Department, recalculated SRF as completed by ASCA, and the net difference or number of positions being recommended as a result of the recalculation.

Staff Required to Fill Posts Based on Current Staffing Practice				
Facility	Staff Required based on			Change in Staff Required
	Existing FTE's	Existing Shift Relief Factor	ASCA Recommended Shift Relief Factor	
Southeast State Correctional Facility	37	47	50	+13
Northwest State Correctional Facility	89	101	108	+19
Northern State Correctional Facility	93	105	110	+17
Marble Valley Regional Correctional Facility	49	55	59	+10
Northeast Correctional Complex	69	84	89	+20
Chittenden Regional Correctional Facility	76	80	82	+6
Southern State Correctional Facility	111	126	129	+18
Total	524	598	627	+103
Less Temp positions (43 average)				+ 60

Recommendations for added positions; as recommended by ASCA

In addition to the twenty-nine staff recommended above, ASCA has recommended the addition of twenty-nine staff to ensure that facilities operate in a safe, effective and secure manner.

Staff Required to Fill Additional Posts Recommended by ASCA			
Facility	Staff Required Based on		Change in Staff Required
	Current Posts with ASCA SRF	Recommended Staff with ASCA SRF	
Southeast State Correctional Facility	50	54	+4
Northwest State Correctional Facility	108	107	-1
Northern State Correctional Facility	110	120	+10
Marble Valley Regional Correctional Facility	59	64	+5
Northeast Regional Correctional Facility	89	90	+1
Chittenden Regional Correctional Facility	82	90	+8
Southern State Correctional Facility	129	131	+2
Total	632	661	29

Following will detail the recommendations made by ASCA for additional staff. It should be noted that for all facilities ASCA has recommended reassigning a currently allocated Correctional Facility Shift Supervisor to an administrative supervisor, which will improve "floor-time" for other supervisors who

are often pulled away to manage administrative tasks. The Department will evaluate this recommendation, and anticipate that this will be completed in the next 60 days, or so.

In addition, ASCA has recommended that the Department develop an Intelligence team with dedicated staff to fill these roles. Additionally, ASCA recommends that the Department provide central oversight of this team. In the fall of 2014 the Director of Facility Operations gave direction to each facility to dedicate a staff person to intelligence because of a number of incidents, concerns that gang activity had increased, and as a measure to help reduce contraband introductions. Since that time, these staff has gathered significant information that has led to arrests, prevented the introduction of contraband, has allowed the department to separate and manage individual inmates who have demonstrated that they are engaged in gang, or security threat group activities. However, these positions were taken from the existing staff matrix, and therefore required backfill. ASCA commented, *"The establishment of a comprehensive intelligence structure and system is required to maintain the safety and security of facilities"*. This intelligence positions account for seven of the twenty-nine positions recommend; one for each facility except Southern State where the position exists and is allocated.

The recommend additions to staffing levels, as noted in the previous table, is inclusive of Shift Relief Factor, therefore the number of posts identified below will not match the number of staff required to fill those posts in the grid above. For example, in order to fill one post, on one shift, for 7 days a week the shift relief calculation would conclude that approximately 1.81 staff are needed to fill that post 365 days of the year. The table above does not account for any fraction of a position, but rounds to the nearest whole number. In the example, the recommended number of staff based on an SRF of 1.81, would equal 2 staff persons.

Southeast State Correctional Facility Recommendations:

1. Closing the 3rd shift main gate/perimeter officer, where floats or supervisors would manage any business that may occur during the 3rd shift hours. Because the main gate is approximately 75-yards from the nearest building where staff work on 3rd shift, and because a public road abuts this main gate, the department feels that this post should remain to ensure that any potential threats from the public side of the road can be identified and managed in a timely manner.
2. Correctional Officer is allocated to supervise the kitchen area during 2nd shift
3. Correctional Officer is allocated to provide coverage during visitation hours.

Northwest State Correctional Facility Recommendations:

1. Two posts are recommended for authorization in the B/C and D/E units.
2. Eliminate the Correctional Officer in the infirmary on 2nd shift. The department agrees with this recommendation, and has already removed this position having established new processes to ensure that med-lines are adequately supervised by correctional staff.

Northern State Correctional Facility Recommendations:

1. Correctional Officer is allocated to manage due process hearings and grievances
2. Correctional officer is allocated to provide supervision in the recreation yard
3. Correctional Officer is allocated as a 2nd main control officer

4. Correctional Officer is allocated to provide supervision to B building activities
5. Shift Relief be added to the A-1 Front Gate Officer
6. Correctional Officer is allocated to conduct inmate transports
7. A correctional Officer is allocated to provide full time coordination of training for staff
8. A Correctional Officer is allocated to provide coverage during visitation hours

Marble Valley Regional Correctional Facility Recommendations:

1. Correctional Officer is allocated as a Float III to ensure that ancillary duties and security coverage in the Educational Building are adequately covered.
2. Correctional Officer is allocated to provide coverage during visitation hours

Northeast Correctional Complex Recommendations:

1. The officer assigned to cover construction is reintegrated in the post matrix once construction is done. Construction is anticipated to end on February 13th, 2015 at which time that position will be reintegrated into the staffing matrix.

Chittenden Regional Correctional Facility Recommendations:

1. Correctional Officer is allocated to 1st and 2nd shifts as a 2nd main control officer; one of which will be the rank of Correctional Officer II.
2. Correctional Officer is allocated to 1st and 2nd shift as a Float to ensure ancillary duties can be met, and strengthen the security in and around medical services.
3. A Correctional Officer is allocated to provide coverage during visitation hours
4. Shift relief is provided to the transportation officer

Southern State Correctional Facility Recommendations:

1. Correctional Officer is allocated to 1st and 2nd shift to provide security in the recreation and educational areas of the facility.

Department's proposal to follow the recommendations of ASCA

Staff Required to Fill Posts Based on Current Staffing Practice; as recommended by ASCA:

The Department of Corrections is requesting the opportunity to pilot the self-funding of positions that have been recommended by the staffing analysis relative to maintaining the currently allocated posts. The analysis concluded that the DOC would require an additional 29 positions in order to correctly fill posts based on the current staffing practice. These are classified positions that would significantly reduce overtime and/or temporary employee hours. It is estimated that the total cost to the Department for each of these positions would be approximately \$48,965 for the first year, with the annual cost increasing based on contractual step increases and cost of living adjustments.

Based on the savings in these categories (OT and temp hours), as well as limiting staff burnout and attrition, and addressing other life safety concerns, the Department believes that these positions can be self-funded.

The department would like to pilot this measure for a period of 18 months, and report back to the Legislature the result of this exercise detailing any realized cost savings, improved attrition rates, and benefits realized by staff.

Staff Required to Fill Additional Posts Recommended by ASCA:

ASCA has recommended the addition of 29 staff (inclusive of relief) to fill posts that are not currently allocated. In recognition that adding staff has financial implications, the following lays out the framework for a phased approach to follow those recommendations provided by ASCA.

If funding is available, the Department respectfully submits that the following positions be granted at the beginning of FY2016. These positions are deemed the most critical to ensuring the safety, security and operations of facilities:

1. Authorization of the Bravo/Charlie and Delta/Echo units at the Northwest State Correctional Facility. Following the move of the female population back to Chittenden Regional and males returning to Northwest the staffing matrix had not been adjusted to accommodate a larger male population compared to the female population.
2. Authorization for 6 positions that would operate as Intelligence Officers. Informally, we have staff doing this now, but in most cases it is not full time, and those staff persons are taken away from post coverage to conduct any intelligence work; thereby creating the need to cover their normal posts. ASCA recommends that a cohesive, unified and consistent intelligence team will enhance the safety and security of facilities, inmates, visitors, and staff. The Department would welcome the opportunity to present some significant work completed by the informal intelligence teams. There have been many instances of where a planned introduction of contraband, usually drugs or tobacco, has been interceded as a result of the intelligence work. Intelligence staff has identified inmates who are threatening victims, or attempting to coerce and individual to participate in nefarious activities. We have identified numerous individuals who are considered to be in a security threat group, or gang, and whose potential influence on other inmates by way of intimidation or strong-arming have been mitigated through various changes to housing locations. There are many other examples, and those can be made available as requested.

If the 18-month trial period is approved, and at the conclusion of that trial period the department would evaluate its current staffing needs, and make any adjustments that would have no cost, or requirement for new positions that improve required coverage, safety and security.

It may be premature to formalize a long-term plan to fill the remaining 21 positions being recommended by ASCA as there are many dynamics that can influence this, including, but not limited to, cost savings realized from the trial period, changes in statute or federal regulations, and the state's financial health at the time. Therefore, the Department is recommending that at the end of the proposed 18-month trial period we offer a plan to fill the remaining 21 positions at that time.