STATEMENT OF AVAILABILITY

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SUMMARY of REVISION/REVIEW

Changed from Administrative Regulation to Policy. Reformatted to match Policy 001.01.

APPROVED:

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Nebraska Department of Correctional Services
PURPOSE

To establish and maintain an effective and consistent safety program throughout all Nebraska Department of Correctional Services’ (NDCS) facilities and operations, directed specifically toward the elimination or reduction of job related injuries/illnesses and to ensure procedure and practice provide that all institutional work, industry and vocational education programs meet minimum applicable federal, state or local work, health, fire, and safety standards. (4-4455)

GENERAL

The policy of NDCS is to provide safe working conditions for all team members, contract team members, interns, volunteers, and inmates, and provide a safe environment for visitors. In order to effectively provide such conditions:

I. The NDCS safety coordinator shall administer the safety program.

II. All administrators and supervisors shall implement and aggressively support the safety program by their leadership and example. They shall take positive initiative in the establishment and maintenance of safe practices and a safe environment for all team members, contract team members, interns, volunteers, and inmates under their supervision.

III. All team members, contract team members, interns, and volunteers shall follow safe practices and cooperate with safety program guidelines so that work is conducted in a manner that will hold exposure to risk to a minimum. They will follow all safety rules, take no unnecessary chances, use safety guards and safety equipment and make safety an integral part of their job.

PROCEDURE

I. DEPARTMENT SAFETY COORDINATOR

The Nebraska Department of Correctional Services shall have a safety coordinator responsible for establishing departmental safety policy, providing assistance in safety related matters, and maintaining an effective safety program for NDCS to ensure adherence to applicable safety and fire codes in all institutions and central office. This includes fire safety practices, flammable, toxic and caustic material use/storage.

The safety coordinator shall conduct comprehensive safety inspections of each NDCS facility. These inspections will be conducted on a quarterly basis. The inspection will consist of an overall safety program review and assessment to insure compliance with applicable safety, health and fire standards, regulations, codes and rules. Items checked will be reports, inspections, visits, contracts, etc. required by the Occupational Safety and Health Administration (OSHA), Environmental Protection Agency (EPA), National Fire Protection Association (NFPA), National Electrical Code (NEC), Nebraska Fire Codes in accordance with the Nebraska State Fire Marshal and current American Correctional Association (ACA) standards and Health/Food Code in accordance with United States Department of Health & Human Services (DHHS) and US Food & Drug Administration (FDA). Spot inspections will be done in random areas to insure program effectiveness and team member support. The Safety Coordinator will hold quarterly Safety Team member meetings to ensure that the safety team member stays current with all Codes, Standards, and rules as promulgated by the above mentioned Agencies. (4-4455)

The NDCS Safety Coordinator will also assume all duties of the facility safety specialist in regards to the central office.
II. FACILITY SAFETY SPECIALIST

The following facilities shall have a Safety Specialist: Nebraska State Penitentiary/Community Correctional Center of Lincoln, Lincoln Correctional Center/Diagnostic and Evaluation Center, Nebraska Correctional Center for Women, Omaha Correctional Center/Nebraska Correctional Youth Facility/Community Correctional Center of Omaha, and Tecumseh State Correctional Institution. Those facilities that do not have Safety Specialist will assign all safety duties to a qualified team member. This individual will receive training in applicable institutional safety codes, rules and regulations. This will include familiarity with OSHA, EPA, NFPA, NEC, ACA, USDA, FDA, DHS and Nebraska Fire Codes in accordance with the State Fire Marshal. They will receive training in the use of appropriate instrumentation for compliance with and documenting code compliance, they will receive training in the appropriate use of checklist and forms to help in preparing necessary reports and they will have the authority to make corrections when deficiencies are found. The responsibilities of the facility safety specialist (or qualified team member) shall include:

A. The development, implementation and maintenance of a facility/program/central office specific safety program. (4-4218)

B. The development, coordination and updating of procedures to implement the safety program. These procedures shall specifically address the safety provisions of current ACA standards and other federal, state and local rules and regulations applicable to their facility. (4-4455)

C. Accomplishing and documenting a thorough and comprehensive monthly fire, health and safety inspection of all areas of the facility.

D. Schedule and coordinate annual facility fire inspections (fire marshal or city fire department, as appropriate). Notify NDCS Engineering and the NDCS Safety Coordinator of the time and date of the scheduled inspection. Forward a copy of the inspection report to NDCS Engineering and the NDCS Safety Coordinator when received.

E. Establishing a program of weekly fire, safety, and health inspections of all areas of the facility by designated and qualified team members. Prior to team member’s first weekly inspection, the safety specialist will provide the designated team member with training in applicable regulations and inspections, including the use of checklists and methods of documentation. This training will be documented.

F. Developing a system to insure written documentation of deficiencies/discrepancies noted on weekly and monthly inspections. This system shall include a method of follow up to insure actions taken on deficiencies/discrepancies are timely and effective.

G. Maintaining documentation of all safety and health inspections, safety training, evacuation training and fire drills conducted in their facility.

H. Establishing procedures to insure notification and involvement of the facility safety specialist and appropriate supervisory team member in the investigation and reporting of all incidents of work-related injury accidents and illnesses.

1. Nebraska Workman’s Compensation Court WNCC-Form 1, First Report of Alleged Occupational Injury or Illness, is a DAS form provided by NDCS Human Resources will be used for reporting all on-the-job team member injuries/illnesses. Inmate Accident and/or Injury Report form (Attachment A) will be used to document and
report inmate injury accidents/illnesses. These reports shall be completed in a timely manner, usually before the team member’s end of shift. In cases where the team member is unable to complete the report because of their injury, their immediate supervisor will complete the NWCC-Form 1.

Complicated or significant accidents or those involving multiple or serious injuries will be thoroughly investigated and written up in memo form by the immediate supervisor, in addition to the completion of the normal (Attachment A). Copies of these reports will be forwarded within three working days to the Warden, Program Manager, or in the case of central office the Safety Coordinator who will serve as the Director’s designee. These administrators will review each report for completeness and to assure all appropriate corrective actions have been taken to help prevent further occurrences from happening.

2. The safety specialist (or qualified team member) will assist team members as required in completing the investigation of both team member and inmate accidents and work related illnesses.

3. The facility’s human resource department will complete the major portion of the NWCC-Form 1 from personnel records and information provided by the injured team member. For those team members who are not team members of the facility, but work at the facility such as team members of Cornhusker State Industries, Medical, etc., the human resource department will forward copies of the accident injury report within three working days of receipt to the appropriate program administrator for completion of the investigation and review procedures as stated in section II. H. 1. The safety specialist should help to complete or review the form entry “how injury/illness occurred”, under the “occurrence treatment section.” This entry is of primary interest from the safety point of review as this should indicate the “cause” of the accident/illness, and will be valuable in preventing future similar accidents.

Cause is best defined as the occurrence or situation, which made the accident inevitable. As an example, “slipped on wet floor” would be an inadequate entry. If wet floors made slipping inevitable, the Department would have many more accidents. Something more is required to make the accident happen; inattention to conditions, being distracted, etc., in addition to the wet floor.

4. Timeliness, accuracy and completeness in accomplishing the NWCC-Form 1 is important. This form is the input into the Workers’ Compensation program, which covers medical costs and compensation if unable to work due to a work related injury. Additionally, information from this form is entered into an accident data base program from which statistics may be extracted for use in future accident prevention training programs.

5. Distribution of the accident/injuries forms will be as follows:

a. NWCC Form 1, First Report of Alleged Occupational Injury or Illness.

Warden (or designee), for purposes of the Central Office the copy will go to the NDCS Safety Coordinator as the Director’s designee. For those team members that report to administrators outside the facility, such as
Cornhusker State Industries, Medical, etc., a copy of the NWCC Form 1 will be sent to their program administrator.

b. Facility Safety Specialist or the assigned qualified team member.

c. NDCS Human Resources

d. State Risk Manager (2 copies)

e. Team member’s Personnel File

Inmate Accident and/or Injury Report form (DCS-A-ssn-001)

1) Original goes to the Inmate Medical File.

2) One Copy goes to the Safety Specialist or the assigned qualified team member (for Central Office it will go to the Safety Coordinator).

3) An additional copy will be sent to the Cornhusker State Industries Central Office for any injuries involving Inmates at CSI shops/programs.

6. The immediate supervisor of the team member or inmate will be the primary person responsible for investigation and completion of the applicable form involving workplace injuries. For inmate injuries occurring away from the work location, the first team member the inmate reports the injury to, will be responsible for completion of the initial report using (Attachment A).

I. Establishing a facility safety committee to bring team members and employers together in a non-adversarial, cooperative effort to promote safety at each facility by making recommendations regarding methods of addressing safety and health hazards.

1. Each safety committee shall be made up of an equal number of representatives in management (i.e.; rules and regulation team members) and team members (those team members represented by a bargaining unit).

2. Generally, management representatives will remain as permanent members, bargaining unit team members may serve for a specified length of time.

3. Selection of team member representatives will be made by the safety committee and should be voluntary.

4. The safety committee should meet monthly, or at a minimum every other month. Safety committee activities should include, but not be limited to:

   a. Establishing safety objectives and procedures for the facility.

   b. Reviewing inspection reports to identify trends.

   c. Investigation of serious accidents or hazards and analyzing accident/hazard trends.
d. Performing facility inspections.

e. Providing a source for ideas and suggestions for improving the safety of the facility.

f. Follow-up on recommendations from past inspections or accidents.

g. Identifications and selection of safety training topics for team members.

J. The Safety Specialist (or qualified team member) will submit a brief summary of safety activities during the previous quarter to the NDCS Safety Coordinator the first week of each new quarter. Summaries should include:

1. General monthly inspection results and significant inspection discrepancies and corrective actions taken.

2. Summary of weekly inspections (number scheduled vs. number accomplished, etc.).

3. Significant safety problems, to include corrective actions taken or proposed.

4. A summary of both team member and inmate accident/injuries. The summary will be divided into two parts – one Inmate and one Team member. This summary should include a brief description of:

   a. Type of injury

   b. Where it occurred and how it happened

   c. Was the urinalysis positive or negative (for Inmate Injury see Policy 211.02, Team member Procedures for Drug Testing).

For team member injuries involving use of force it should be defined to whether the use of force was planned or spontaneous.

5. Copies of facility Safety Committee meeting minutes.

REFERENCE

I. STATUTORY REFERENCE – None noted

II. NDCS POLICIES

A. Policy 112.35, Team Member Medical Monitoring Surveillance Program

B. Policy 211.02, Team Member Procedures for Drug Testing

III. ATTACHMENTS

A. Inmate Accident or Injury Report (DCS-A-ssn-001)
IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS

A. Standards for Adult Correctional Institution (ACI) (4th edition): 4-4218, 4-4455