

	WEST VIRGINIA DIVISION OF JUVENILE SERVICES	<u>POLICY NUMBER:</u> 128.00	<u>PAGES:</u> 4
<u>CHAPTER:</u> Administration and Management	<u>REFERENCE AND RELATED STANDARDS:</u> WV Code Chapter §49-2-903; ACA 3-JTS-1C-04/05/06; ACA 3-JDF-1C-04; and ACA 3-JCRF-1C-06; Prison Rape Elimination Act (PREA), §115.313, PBS		
<u>SUBJECT:</u> Staffing Requirements			
<u>DATE:</u> October 1, 2015			

PURPOSE

It is the policy of the West Virginia Division of Juvenile Services to ensure the staffing requirements for all categories of personnel are periodically reviewed so that the residents have access to staff, programs, and services. Additionally, the Division mandates that each facility will have a minimum staffing requirement that includes all mandatory posts per shift per day.

CANCELLATION

This policy has been revised and supersedes Policy 128.00 dated October 1, 2013.

APPLICABILITY

This Policy applies to all Division of Juvenile Services' Facilities.

DEFINITIONS

Direct Care Staff: Employees responsible for the supervision and control of residents in housing units, recreational areas, dining areas, and other program areas of the facility. This can include employees who are presently assigned to or exclusively supervise residents. Any employee who supervises a resident must have obtained the required training prior to supervision.

PROCEDURES

1. The staffing requirements for all categories of personnel are determined to ensure that juveniles have access to staff, programs, and services.
 - a. These positions will meet the minimum requirements of one (1) direct care staff person to eight (8) residents during waking hours and one (1) direct care staff person to sixteen (16) residents during sleeping hours. The following factors will be considered:

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- i. Accepted juvenile detention and correctional practices,
 - ii. Any judicial, federal, internal or external oversight bodies findings of inadequacy,
 - iii. Components of the facility's physical plant, including blind spots,
 - iv. Composition of the resident population,
 - v. Number and placement of supervisory staff,
 - vi. Institution programs occurring on a particular shift,
 - vii. Any applicable State or local laws, regulations, or standards,
 - viii. The prevalence of substantiated and unsubstantiated incidents of sexual abuse, and
 - ix. Any other relevant factors.
- b. Programs: Program/treatment staff will be scheduled Monday through Friday with 12 hour coverage, at a minimum, and weekends and holidays with 8 hour coverage, at a minimum. The absence of these employees will not affect the safety and security of the facility.
- c. Security: Each Facility Superintendent/Director will establish a minimum number of security posts for each shift. This does not take into account emergency situations, transports or other functions that may need additional staff. The absence of security staff not working a mandatory post will not affect the safety and security of the facility.
- d. Support Staff (Those not listed above): The absence of these employees will not affect the safety and security of the facility.
- e. Contract Staff: The absence of these employees will be covered by the contract agreement with the service provider.
2. The Division PREA Coordinator/Committee will audit each facility at least yearly to ensure adequate levels of staffing are maintained to protect residents against sexual abuse. This audit will take into consideration:
- a. Staffing plan, to include:

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- i. Generally accepted juvenile detention and correctional/secure residential practices
 - ii. Any judicial findings of inadequacy
 - iii. Any findings of inadequacy from Federal investigative agencies
 - iv. Any findings of inadequacy from internal or external oversight bodies
 - v. All components of the facility's physical plant (including "blind spots" or areas where staff or residents may be isolated)
 - vi. The composition of the resident population
 - vii. The number and placement of supervisory staff
 - viii. Institution programs occurring on a particular shift
 - ix. Any applicable State or local laws, regulations, or standards.
 - x. The prevalence of substantiated and unsubstantiated incidents of sexual abuse
 - xi. Any other relevant factors.
- b. Prevailing staffing patterns
 - c. The facility's deployment of video monitoring systems and other technologies
 - d. Resources that will be committed to ensure adherence to the staffing plan.
3. The Facility Superintendent/Director will develop and utilize a system to determine the number of staff needed for mandatory positions. The system considers at a minimum: holidays, regular days off, annual leave, and average sick leave.
 4. Each Facility Superintendent/Director will establish which posts are mandatory and when they are to be staffed.
 - a. These posts will be staffed at all times. Staff will remain on post until relieved.
 - b. Minimum staffing requirements equal the number of mandatory posts.
 - c. Any request for scheduled leave shall not be approved if it conflicts with minimum staff requirements.

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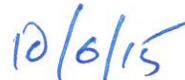
5. Security staff shall be utilized to meet minimum staffing requirements. However, qualified programs/treatment and support staff shall be utilized before authorizing overtime. The use of program/treatment and support staff should be limited as much as possible. Every time non-security staff is used for this reason, it must be justified on the shift log. Each facility will implement a written plan to accomplish this.
6. The Shift Supervisor will document via incident report any time that the minimum staffing requirement cannot be met due to limited and exigent circumstances and what measures were utilized to protect the safety and security of the facility.
7. The Facility Superintendent/Director will develop a written plan that allows for the suspension of programs and/or functions due to mandatory posts not being staffed.
8. The Facility Superintendent/Director can document that the overall vacancy rate among staff positions authorized to work directly with juveniles does not exceed 10 percent for any 18-month period.
9. Written job descriptions and job qualifications for all positions in the facility are available to all employees through the West Virginia Division of Personnel. Each job description includes, at a minimum, the following: job title, responsibilities of the position, required minimum experience, and education.
10. Each facility will have in place an operational procedure to ensure the standards and practices of this policy are followed.

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:


Director


Date