



*State of North Carolina
Department of Public Safety
Prisons*

Chapter: R
Section: .0100
Title: **Safety Policy**
Issue Date: 04/04/22
Supersedes: 10/12/07

POLICY AND PROCEDURE

References	5 th Edition Standards for Adult Correctional Institutions
Related ACA Standards	None
North Carolina General Statute	95-129 , 95-130 , 95-148

.0101 PURPOSE

- (a) It is the policy of North Carolina Department of Public Safety (NCDPS), Prisons to subscribe to the State Employee's Work Place Requirements Program for Safety and Health. NCDPS Prisons through the exercise of its authority shall assure insofar as possible through a Comprehensive Correctional Safety and Health Program that every employee and offender in NCDPS Prisons will have a safe and healthful working condition and meet the standards provided in NCGS 95-129, 95-130, and 95-148.
- (b) The rights and duties of employers and employees as described in these standards shall henceforth become a part of the rules and regulations of NCDPS Prisons.
- (c) NCDPS Prisons will make a vigorous and diligent effort to achieve full compliance with these standards and will commit such resources as required to fully perform the responsibilities assigned to state agencies as described in the Statutes. To meet this goal, the Division will create and maintain a Safety Policy Manual, which will be issued and maintained under separate cover. Adherence to the policies contained therein shall be required by all facilities subject to the Department's rules and regulations, unless otherwise waived in writing by the Commissioner of Prisons, or designee.
- (d) Employees are hereby guaranteed the exercise of their rights under the Safety and Health Standards without being subjected to retaliation. These rights include the right to register complaints about unsafe working conditions; the right to be fully informed about disposition of complaints; and the right to be fully advised about violation of safety standards. These rights also include the right to participate in the safety program and to be represented at safety inspections.

.0102 SUPERVISORY AND EMPLOYEE RESPONSIBILITY

- (a) Supervisory Responsibility – It shall be the basic responsibility of each supervisor to plan and conduct safe operations. It shall be the duty and responsibility of each supervisor to

fully orient and instruct all employees in safe practices and procedures. Supervisors shall immediately take necessary corrective action to prevent reoccurrence or initiate such action as deemed necessary to correct any unsafe act or condition reported or observed. Allowing an unsafe condition to exist could be cause for disciplinary action.

- (b) Employee Responsibility – It shall be the responsibility of each employee to abide by all departmental rules and regulations and to comply with all laws pertaining to employee safety and health. Unsafe acts or conditions observed by any employee shall be reported immediately to the responsible supervisor.
- (c) **Offender** Responsibility – It shall be the responsibility of each **offender** to exercise reasonable care in **their** daily activities to prevent foreseeable injuries, and to avail **themselves** of personal protective and safety equipment provided by the **NCDPS Prisons** for specific tasks. **Offenders** may be engaged in a variety of work duties both within and outside the facility environment, and will be responsible for following all applicable safety regulations as directed by staff while performing any assigned work duties. **Offenders** may be required to wear personal protective equipment or protective clothing such as hard hats, safety glasses, steel-toed safety footwear, reflective vests, or other specialized safety equipment.

.0103 CONTRACTING AGENCY RESPONSIBILITY

The Department shall encourage all parties who contract with **NCDPS Prisons** to cooperate fully with the Division to assure contractor compliance with these standards. The Division shall alert contractors of any observed serious violations and shall utilize such sanctions as are consistent with contract terms in assisting the responsible contractor to enforce safety laws, rules and regulations. The Division should refrain from contracting with parties who fail to cooperate and comply with these standards.

This regulation is not intended to relieve parties of any liability they may have under existing law.



Commissioner of Prisons

April 04, 2022

Date

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