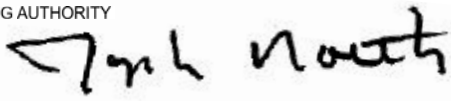
 <p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	<p>TITLE</p> <p>Guidelines for Construction Projects</p>		<p>NO. 4071</p> <p>DATE 03/23/2021</p>
<p>SUPERSEDES</p> <p>DIR. #4071 Dtd. 04/10/19</p>	<p>DISTRIBUTION</p> <p>A</p>	<p>PAGES</p> <p>PAGE 1 OF 7</p>	<p>DATE LAST REVISED</p>
<p>REFERENCES (Include but are not limited to)</p> <p>OSHA Standards; ACA Expected Practices 5-ACI-1A-11, 2-CO-1C-17; National Fire Protection Association 70E</p>		<p>APPROVING AUTHORITY</p> 	

- I. **PURPOSE:** The purpose of this directive is to standardize the guidelines for construction projects within the Department of Corrections and Community Supervision (DOCCS).
- II. **POLICY:** This directive governs the control and use of tools by contractors in the performance of work in the secure environment of a correctional facility. The following policies are designed to protect the security of the facility, contractors, and employees.
- III. **RESPONSIBILITY:** The facility Superintendent is responsible to ensure that these guidelines are fully implemented:
 - A. Security
 1. Any time a contractor or sub-contractor is performing work within the secure perimeter of a correctional facility, Correction Officer coverage will be provided as deemed appropriate by the Deputy Superintendent for Security (DSS). If the construction site is within a controlled fenced area, an area inaccessible to inmates which is outside the facility secure perimeter, or when construction sites are in close proximity to one another or to an existing post, the DSS has discretion to modify security coverage or determine if security coverage is necessary. In all cases, sufficient security coverage must be provided to maintain the project schedule (generally eight hours of site work per day) and to maintain the security requirements of the facility.
 2. Any time when work may interfere with the welfare or operation and security of the facility or its personnel, the facility officials must stop the contract work. In the event of an emergency of any kind, contract workers will follow the directions of the security staff on duty. Failure to follow this direction will not be tolerated and may result in removal from the facility.
 3. Contract workers will be fingerprinted, without charge, by the facility ID Officer and shall be subject to approval by DOCCS. As a result of information gained through fingerprinting, anyone deemed inappropriate to work in a correctional facility will not be allowed access.
 - a. Persons with open criminal histories: Contractor applicants with an arrest and/or conviction history shall not be automatically disqualified to serve. Each applicant shall be evaluated on a case-by-case basis. As a rule, the following will apply:

- (1) Prospective contractors with unclear arrest dispositions, active warrants, detainers, or Orders of Protection that are found through their criminal history check may be excluded from working as contractors until such incidents are resolved.
 - (2) Those formerly incarcerated persons, parolees, probationers, and persons with warrants, detainers, Orders of Protection, and open arrests who apply as contractors will be excluded from working as contractors until such incidents are resolved.
 - (3) A formerly incarcerated person or parolee may be considered for contractor work in a facility one year following their release from incarceration; however, care should be taken to ensure contractors are not assigned work at their release facility or a facility where they spent a majority of their incarceration. Former New York State inmates or former inmates from another county, city, federal, or another state's system may not be permitted inside a facility unless reviewed and approved by the facility Superintendent, in consultation with the assigned Assistant Commissioner for Correctional Facilities.
 - (4) A formerly incarcerated person shall not be considered for contractor work if they were prosecuted and found guilty, in a court of law, of assault of correctional staff, aggravated harassment of an employee, attempted escape from a correctional facility, promoting or possessing prison contraband, hostage incident, or rioting.
 - (5) A formerly incarcerated person's record of institutional adjustment and, if applicable, adjustment to probation or parole supervision, will be evaluated and considered prior to approval. Disciplinary sanctions imposed for similar actions as listed in Section III-A-3-a-(4) or, in addition, being found guilty of behavior such as: assault on inmates, gang-related behavior, mass demonstration or radicalization of other inmates, sexual misconduct, etc., may exclude an individual from consideration.
 - (6) During the period after release, the formerly incarcerated person shall have demonstrated a positive adjustment to a law-abiding community life by providing employment history and a recommendation by their Probation/Parole Officer, if applicable.
 - (7) During the period after conviction, a non-incarcerated person shall have demonstrated a positive adjustment to a law-abiding community life by providing employment history and a recommendation by their Probation/Parole Officer, if applicable.
- b. Ex-former employees who have been terminated or who have resigned rather than face dismissal will not be allowed to provide contractor services.
4. The work hours and schedules outlining when contract workers, including truck drivers, may enter and leave the facility will be established by the facility administration. Access will be provided to the job site eight hours per day. All approved contract workers should anticipate an additional one and a half hours of processing time into and out of the facility.

- All workers will enter and leave the facility through the same gate and will be subjected to frisk procedures. Contract workers will be escorted to and from the job site by a facility staff member. Contractors other than Construction or Project Superintendents and truck drivers, as approved, will not be allowed to leave the facility during the workday. They should bring their lunches and eat in the work areas. Contractors who are more than 15 minutes late for their scheduled entrance time may be denied entry, with the exception of the Construction Superintendent or Project Manager.
5. Civilian clothing shall not be left unattended on facility property. No clothing will be left at the facility. All additional clothing must be removed from the facility daily. Each contractor will be responsible for personal clothing. Any loss of such must be reported immediately to the Correction Officer on duty. Green clothing may not be worn by contract workers.
 6. Two photographic identification cards will be provided and maintained by the facility for each contract worker. One card will be issued for each contractor for use at all times while on facility property and returned upon exiting facility grounds. The duplicate card will be retained by the facility for the facility file. Additionally, each person entering the facility shall be hand-stamped using the ultraviolet hand-stamping technique and will sign a logbook indicating time entering and exiting.
 7. Contact, communication, or exchange of any article with inmates is strictly prohibited. Any attempts by inmates to contact or communicate with contractors must be reported immediately to the facility staff on duty.
 8. Firearms, ammunition, knives, or other weapons (e.g., mace, pepper spray, etc.), handcuff keys, alcohol, illegal drugs, explosives, and excessive civilian clothing will not be allowed on facility premises. Persons under the influence of drugs or alcohol will not be allowed on facility property and may be permanently removed from the construction project. Prescription medication must be brought to the attention of security staff upon arrival; a single day supply will be allowed into the facility.
 9. Parking of vehicles on State property will be permitted only in those areas designated by the facility, if available. All vehicles will have windows closed, ignition off, and doors and trunks securely locked with keys removed at all times. The vehicles will contain no firearms, ammunition or any other weapons, alcohol, illegal drugs, explosives, or excessive civilian clothing at any time. Vehicle locks shall be kept in operating order. Vehicles are subject to a search while on facility property with the owner/operator present. All speed limits must be adhered to while on facility grounds. Vehicles and equipment that could be employed to effect an escape, or to breach the perimeter controls of a facility, will be stored in a secure area outside the perimeter fence, where practical. No vehicle will be let in any other area without proper authorization. Open beds of pickup trucks will be empty. Pickup trucks with bed caps or covers and enclosed trailers must have the ability to secure all areas of the vehicle. When heavy equipment must be left inside the facility, it will be disabled as per the facility's direction.

All vehicles, including construction vehicles, left unattended inside the perimeter will be equipped with locking fuel caps or siphon proof gas tank inlet, as well as an external locking device for the steering wheel (club).

10. Once filled, Conex boxes/large trash containers utilized in a correctional facility as part of a construction project must remain in the facility for two facility counts before they can be removed with the approval of the DSS or designee. Containers will be thoroughly searched by security staff when being removed from the facility.
 11. Electronic devices such as cellular phones, wireless phones, tablets, pagers, laptop computers, personal digital assistants, any device with global positioning (GPS) capabilities, any device with audio recording capabilities, cameras, or other similar devices are prohibited except as described below.
 - a. Telephone access will be provided to the contractor, who will be responsible for the cost of all calls at a pre-determined price per minute. The use of cellular telephones outside the perimeter fence is permitted. The possession of cellular telephones within the perimeter fence is strictly prohibited. If a communication device is approved for use on facility property by the facility Superintendent or designee for a specific task, it must be placed on the contract tool inventory list and strictly accounted for. The device will be removed from the facility on a daily basis and cannot interfere in any way with any of DOCCS facility radio systems.
 - b. Laptop computers (with or without modems) necessary for the installation, maintenance, or repair of equipment will be allowed with initial approval from the facility Superintendent or designee. These must be placed on the contract tool inventory list and removed daily from the work site.
 - c. Only those pagers necessary for the performance of the contract will be allowed, and this is with prior approval from the facility Superintendent or designee.
 - d. Cameras will be allowed when necessary for the performance of the work project only, upon approval of the facility Superintendent or designee for a specific purpose that is noted on the gate clearance. Photographs taken on facility grounds will be reviewed by a security staff member designated by the facility DSS. All cameras must be removed daily from the facility.
 12. Any situation not covered by the above provisions must be brought to the attention of the Correction Officer or assigned facility staff member. The Correction Officer will notify their supervisor. The supervisor will address the situation, including notification to the Superintendent or designee, if necessary.
- B. Tools and Equipment: The contract worker(s) must maintain and provide the facility DSS and Tool Control Officer with a complete itemized inventory of all tools and blueprints entering and exiting the correctional facility. The contract worker(s) shall assist security staff in checking tools in and out of the facility and assume responsibility for the tools. All contractors and subcontractors, employees, tools, materials, and vehicles entering a secured area must be checked in and out through an area designated by the facility (i.e., sally port). Contractors shall notify facility staff immediately if a tool is discovered missing.

Every effort should be made by the contractor to limit the number of tools brought into the facility. Only appropriate tools that are anticipated to be required for the current project should be included in the tool inventory.

1. Tools Remaining in Facility (Inventory verified/signed by staff daily)
 - a. When approval is granted by the facility Superintendent or DSS, certain tools may remain in the facility during the completion of the project. In these cases, the contractor must provide a metal storage container capable of being double-locked (two separate locks to secure the tool within the container; one key controlled by the contractor, and a second key to be controlled by the facility) for storage of the tools. Each lock will be keyed differently. All costs to be borne by the contract worker. Containers for tool storage should never be stored in tunnels or pipe chases.
 - b. [Form #4071B](#), "Tool Accountability for Outside Contractors," will be utilized for signature by staff, documenting the approval and accuracy of the submitted daily tool inventory. Staff will account for the tools daily, prior to the contractor exiting the facility, by signing [Form #4071B](#). [Form #4071B](#) will then be attached to the tool inventory and placed in the tool container with a copy to the facility DSS.
2. Tools Removed Daily (Inventory verified/signed by staff daily)
 - a. The following extremely hazardous tools must be removed from the facility daily:
 - (1) Blueprints
 - (2) Bolt-cutters, Locksmith tools
 - (3) Pneumatic and power nailers
 - (4) Razor knives with removable blades
 - (5) Powder-activated tools (ram-set, Hilti, etc.), Powder Loads allowed when no other method will suffice; Powder Loads/cartridges, unused and used will be accounted for upon exit also
 - (6) Demolition and rescue saws (K-12 type, gasoline or electric)
 - (7) Torches (all cutting – mixing gauges & torch heads)
 - (8) Metal cutting blades and/or discs, including grinder wheels
 - (9) Grinders, Sawzalls, Cutting blades (i.e., hacksaws, etc.)
 - (10) Respirators (e.g., HEPA, Avon C-50, N-95, SCBA, filters, etc.)
 - (11) Ladders over 6'
 - (12) Additional tools designated as extremely hazardous by facility officials may also be required to be removed daily
 - b. [Form #4071B](#) will be utilized for signature by staff, documenting the approval and accuracy of the submitted daily tool inventory.
Security staff will account for tools daily upon entering and exiting the facility, and by signing [Form #4071B](#). [Form #4071B](#) will then be attached to the tool inventory with a copy to the facility DSS.

3. Ladders and scaffolding will be secured by chain and locked to a stationary object when not in use and stored in a secure area. A ladder count by size shall be maintained by the person in charge of the work areas, and a copy is to be sent to the DSS and the Tool Control Supervisor. Ladders over 6' must be removed daily from the facility.
4. Blueprints must be included on [Form #4071B](#) on a daily basis. In exceptional circumstances, other arrangements for the blueprint security and accountability may be made if approved by the DSS. Blueprints must be turned over to the facility at the conclusion of the project.
5. The facility will not receive, unload, or store any items or materials, tools, or equipment for contract workers. Shipments of material or supplies for the project may not be sent from, or sent in the care of, the facility with the exception of security equipment (i.e., keys, locks), which will be shipped directly to the facility arsenal. Storage of building materials and equipment on facility premises will be permitted in areas designated by the facility Superintendent or designee.
6. All materials and equipment must be delivered into the facility through the designated gate and will exit the same gate. Deliveries must be made during normal business hours, or as directed by the facility.
7. The use of institutional equipment or inmate labor is not permitted.

C. Fire & Safety

1. Open fires at the construction site will not be permitted. Surplus dirt, rubbish, and waste material, particularly combustible materials such as paper, packing boxes, cardboard, or scrap lumber will be removed from the premises each night or more often as directed. The worksite must be cleaned daily of all debris that would jeopardize the safety and security of the facility. Any work that would constitute a breach to the security of the facility must be addressed to the satisfaction of the DSS or equivalent prior to the end of the workday.
2. All caustic and volatile materials such as gasoline, oil, or other fuels will be stored as directed and proper precautions taken as directed by the DSS. Safety Data Sheets (SDS) are to be provided prior to the project by the contractor. Flammable materials must be contained in OSHA approved safety cans while being carried throughout the facility. The Deputy Superintendent for Administration (DSA) will advise outside contractors of any hazardous chemicals/materials that may be encountered in the normal course of their work at the facility. During initial job meetings with outside contract workers, the DSA or designee will review hazardous chemical/materials that the contractor may use to ensure that the products are properly accounted for and secured when not in use. The worksite must be cleaned daily of all debris that would jeopardize the safety and security of the facility. Any work actions that would constitute a breach to the security of the facility must be addressed to the satisfaction of the DSS prior to the end of the workday.
3. No smoking is allowed indoors.

4. Contractors are responsible for their own confined space entry, equipment, and rescue procedures. When contractors are working in a permit-required space, they must notify the facility permit issuer and obtain a permit from the facility designee prior to entry (no permit is issued for more than one shift). The contractor shall debrief the facility permit issuer of any hazards that were confronted or created in the permit spaces.
5. Contractors will be required to follow facility electrical lockout/tagout procedures and NFPA 70E, "Standard for Electrical Safety in the Workplace," prior to performing work. These procedures must be reviewed by the facility Plant Superintendent or facility designee.
6. Contractors will be required to adhere to OSHA Standards and practices to ensure a safe work environment.
7. Any dirt, rubbish, and construction debris must be thoroughly inspected prior to being removed from the facility, either visibly or by using a long metal rod to push through. Any container with construction debris left unattended (dumpsters) should be held inside the facility through two facility counts before being removed from the facility.
8. The Facility Fire/Safety Officer has the responsibility to report any safety issues that they may observe to the DSS or the Office of General Services (OGS). OGS shall immediately follow-up with an inspection to the worksite, to observe and correct any safety issues to prevent any injuries to contractors or staff.

D. Contractors and Related Employees

1. The OGS Engineer in Charge will act as a liaison between the facility and the contractor.
2. Hiring of help and meetings regarding the hires are to take place outside the institutional ground at the choice of the interested parties.
3. Each contract worker will be issued a copy of [Form #4071A](#), "Guidelines for Construction Projects." These guidelines and this directive must be explained to each contract worker for the contracting company by a DOCCS employee. All contractors will acknowledge receipt of this directive and the information in [Form #4071A](#) by signature on page 7 of the form.
4. Job stewards are to discuss labor relations outside the facility, away from the premises. Representatives of labor organizations will not be permitted in the construction area unless accompanied by a foreman for the contractor or OGS with approval of the Superintendent or designee.
5. Any person visiting the construction site other than authorized contractor or employee, must be approved by the Superintendent or designee, prior to their arrival. Construction overtime will not be permitted without the consent of OGS or the Project Manager, in consultation with the facility Superintendent, DSS, or designee, in sufficient time to provide proper security coverage.
6. Gifts or gratuities to Department personnel are prohibited.

New York State Department of Corrections and Community Supervision
Guidelines for Construction Projects

The following rules and regulations are designed to protect the security of the facility, contractors, and employees:

SECURITY

1. At any time when work may interfere with the welfare or operation and security of the facility or its personnel, the facility officials must stop the contract work. In the event of an emergency of any kind, contract workers will follow the directions of the Correction Officer or the facility employee on duty. Failure to follow the direction of facility staff will not be tolerated and may result in removal from the facility.
2. Alcoholic beverages or illegal drugs of any kind will not be allowed on facility premises. Persons under the influence of drugs or alcohol will not be allowed on facility property or into the facility and may be permanently removed from the construction project. Prescription medication must be brought to the attention of security upon arrival; a single day supply will be allowed into the facility.
3. Firearms, ammunition, knives, or other weapons (mace, pepper spray, etc.), handcuff keys, and explosives will not be allowed on facility premises at any time.
4. All workers will enter and leave the facility through the same gate(s) and will be subjected to frisk procedures. Workers will be escorted to and from the job site by a Correction Officer or assigned facility staff member. Employees other than construction or project Superintendents and truck drivers, as approved, will not be allowed to leave the facility during the workday. They should bring their lunches and eat in the work areas.
5. Two photographic identification cards will be provided and maintained by the facility for each contract worker. One card will be issued for each contractor for use at all times while on facility property and returned upon exiting facility grounds. Additionally, each person entering the facility shall be hand-stamped using the ultraviolet hand-stamping technique and will sign a logbook indicating time entering and exiting.
6. Parking of vehicles on state property will be permitted only in those areas designated by the facility, if available. All vehicles will have windows closed, ignition off, and doors and trunks securely locked with keys removed at all times. The vehicles will contain no firearms, ammunition or any other weapons, alcohol, illegal drugs, explosives, or excessive civilian clothing at any time. Vehicle locks shall be kept in operating order. Vehicles are subject to a search while on facility property with the owner/operator present. All speed limits must be adhered to while on facility grounds.

Vehicles and equipment that could be employed to effect an escape, or to breach the perimeter controls of a facility, will be stored in a secure area outside the perimeter fence, where practical. No vehicle will be let in any other area without proper authorization. Open beds of pickup trucks will be empty. Pickup trucks with bed caps or covers and enclosed trailers must have the ability to secure all areas of the vehicle.

When heavy equipment must be left inside the facility, it will be disabled as per the facility direction. All vehicles, including construction vehicles, left unattended inside the perimeter will be equipped with locking fuel caps or siphon proof gas tank inlet, as well as an external locking device for the steering wheel (club).

7. Electronic devices such as cellular phones, wireless phones, pagers, laptop computers, personal digital assistants, any device with global positioning (GPS) capabilities, any device with audio recording capabilities, cameras, or other similar devices are prohibited except as described below.
 - a) Telephone access will be provided to the facility contractor, who will be responsible for the cost of all calls at a pre-determined price per minute. The use of cell phones outside the perimeter fence is permitted.

The possession of cell phones within the perimeter fence is strictly prohibited. If communication devices are approved for use on facility property by the Superintendent or designee for a specific task, they must be placed on the contract tool inventory list and strictly accounted for. They will be removed from the facility on a daily basis and cannot interfere in any way with any of DOCCS facility radio systems.
 - b) Laptop computers (with or without modems) necessary for the installation, maintenance, or repair of equipment will be allowed with the approval from the facility Superintendent or designee. These must be placed on the contract tool inventory list and removed daily from the work site.
 - c) Only those pagers necessary for the performance of the contract will be allowed, and this is with prior approval of the Facility Superintendent or designee.
 - d) Cameras will be allowed when necessary for performance of the work project, only upon approval from the Facility Superintendent or designee for a specific purpose and noted on the gate clearance. Photographs taken on facility grounds will be reviewed by a security staff member designated by the facility Deputy Superintendent for Security (DSS). All cameras must be removed daily from the facility.
8. No civilian clothing shall be left unattended on facility property. No clothing will be left at the facility. All additional clothing must be removed from the facility daily. Each worker will be responsible for personal clothing. Any loss of such must be reported immediately to the Correction Officer on duty. **GREEN CLOTHING MAY NOT BE WORN BY WORKERS.**

9. Contact, communication or exchange of any article with inmates is strictly prohibited. Any attempts made by inmates to contact or communicate with contractors must be reported immediately to the Correction Officer on duty.
10. Conex boxes/large trash containers utilized in a correctional facility as part of a construction project, once filled, must remain in the facility for two facility counts before they can be removed with the approval of the DSS or designee. Containers will be thoroughly searched by security staff when being removed from the facility.
11. Any situation not covered by these instructions must be brought to the attention of the Correction Officer or assigned facility staff member. The Correction Officer will notify their supervisor. The supervisor will address the situation, including notification of the Superintendent or designee if necessary.

TOOLS AND EQUIPMENT

1. The contractor must maintain and provide the facility DSS and Tool Control Officer with a complete inventory of all tools entering the facility. The contractor shall check tools in and out of the facility and assume responsibility for tools checked in. The contractor must notify assigned facility staff immediately if a tool is discovered missing. Store all authorized tools in a facility approved lockbox provided by the contractor when not in use.

All extremely hazardous tools present a higher risk to a correctional setting and must be removed daily. These tools are as follows:

- Blueprints
- Bolt-cutters, Locksmith tools
- Razor Knives and removable blades
- Powder-activated tools (e.g., ram-set, Hilti, etc.) Powder Loads allowed when no other method will suffice; Powder Loads/cartridges, unused and used will be accounted for upon exit also
- Pneumatic nailers, power nailers
- Demolition/rescue saws (K-12 type, gasoline or electric)
- Torches (all cutting – mixing gauges & torch heads)
- Metal cutting blades and/or disc including grinder wheels
- Grinders, Sawzalls, Cutting blades (i.e., hacksaw, etc.)
- Respirators (e.g., HEPA, Avon C-50, N-95, SCBA, filters, etc.)
- Ladders over 6'
- Additional tools designated by the facility as extremely hazardous may also be required to be removed daily.

The Tool Control Supervisor and the DSS shall determine if any other tools within the facility should be designated extremely hazardous. This includes HEPA Masks, N-95 Masks, Avon C-50 Protective Masks, self-contained breathing apparatus, respirators, and filters. All disposable respirator masks must be accounted for, inventoried, and disposed of properly.

All other tools must also be removed from the facility daily unless prior arrangements can be made at the facility level. Blueprints are regarded as tools and should be handled accordingly. All blueprints are to be secured, accounted for, and turned over to the facility at the conclusion of the project.

2. Fastening devices which use an explosive charge to drive the fastener will not be allowed, except in situations where no other method will suffice. The contractor must request, in writing, permission to use these tools, and all explosives will be strictly monitored on a daily basis. Tools and charges (both live and spent) will be accounted for and removed from the worksite each day.
3. The facility will not receive, unload, or store any items or materials, tools, or equipment for contractors. Shipments of material or supplies for the project may not be postmarked for, or sent in the care of, the facility with the exception of security equipment (i.e., keys, locks), which will be shipped directly to the facility arsenal.
4. Storage of materials and equipment on the facility premises will be permitted only in areas authorized by the Facility Superintendent or designee. All ladders and scaffolding will be properly secured by chain and locked to a stationary object when not actually in use and stored in a secure area. Ropes will be secured in a double-locked job box or similarly secured container when not actually in use and stored in a secure area. All metal cutting blades and/or discs (i.e., hacksaws, sawzalls, etc.), cutting torches (mixing gauges and torch heads), powder loads, or extremely hazardous tools must be removed from the facility at the end of each workday. Only one dozen blades will be permitted at one time with each group. If blades are broken, all pieces are to be turned over to the Correction Officer on duty, who will note the inventory accordingly.
5. All materials and equipment must be delivered into the facility through the designated gate. Deliveries must be made during normal business hours, or as directed by the facility.
6. Use of institutional equipment or inmate labor is not permitted.
7. If arrangements can be made with the Facility Superintendent or designee for certain tools to be left in the facility, the contractor will provide a metal storage container capable of being double-locked (one key controlled by the contractor and a second key to be controlled by the facility). Each lock will be keyed differently. All costs to be borne by the contractor.

FIRE & SAFETY

1. Open fires at the construction site will not be permitted. Surplus dirt, rubbish and waste material, particularly combustible materials such as paper, packing boxes, cardboard, or scrap lumber will be removed from the premises each night or more often as directed. The worksite must be cleaned daily of all debris that would jeopardize the safety and security of the facility. Any work that would constitute a breach to the security of the facility must be addressed to the satisfaction of the DSS or equivalent prior to the end of the workday.

2. All caustic and volatile materials such as gasoline, oil, or other fuels will be stored as directed and proper precautions taken as directed by the institution. Safety Data Sheets (SDS) are to be provided prior to the project by the contractor. Flammable materials must be contained in OSHA approved safety cans while being carried throughout the facility.
3. No smoking is allowed indoors.
4. Contractors are responsible for their own confined space entry, equipment and rescue procedures. When contractors are working in a permit-required space, they must notify the facility permit issuer and obtain a permit from the facility designee prior to entry (no permit is issued for more than one shift). The contractor shall debrief the facility permit issuer of any hazards that were confronted or created in the permit spaces.
5. Contractors will be required to follow facility electrical lockout/tagout procedures and NFPA 70E, "Standard for Electrical Safety in the Workplace," prior to performing work. These procedures must be reviewed by the Facility Plant Superintendent or facility designee.
6. Contractors will be required to adhere to OSHA Standards and practice to ensure a safe work environment.
7. Any dirt, rubbish, and construction debris must be thoroughly inspected prior to being removed from the facility, either visibly or by using a long metal rod to push through. Any container with construction debris left unattended (dumpsters) will be held inside the facility through two facility counts before being removed from the facility.

CONTRACTORS AND RELATED EMPLOYEES

1. The Project Manager/Office of General Services (OGS) will act as a liaison between the facility and the contractor.
2. Hiring of help and meetings regarding the hires are to take place outside the institutional ground at the choice of the interested parties.
3. Job stewards are to discuss labor relations outside the facility, away from the premises. Representatives of labor organizations will not be permitted in the construction area unless accompanied by a foreman for the contractor or OGS with approval of the Superintendent or designee.
4. Any person visiting the construction site, other than authorized contractor or employee, must be approved by the Superintendent or designee prior to their arrival. All contractors and their employees shall receive a facility identification card before being allowed inside the facility.
5. Identification badges: Two photo identification badges will be furnished and maintained by the facility for each employee, including subcontractor's employees. One badge will be issued to each employee for use at all times while on facility property and returned upon exiting facility grounds. The duplicate will be retained by the facility for their file.

Additionally, each person entering the facility shall be hand-stamped using the ultra-violet hand-stamping technique to aid in identifying people leaving the facility.

6. Construction overtime will not be permitted without the consent of OGS or the Project Manager in consultation with the Facility Superintendent, DSS, or designee in sufficient time to provide proper security coverage.
7. Gifts or gratuities to Department personnel are prohibited.

PRISON RAPE ELIMINATION ACT (PREA)

Zero Tolerance: The Department has zero tolerance for sexual abuse or sexual harassment. Inmates and parolees have the right to be free from sexual abuse and sexual harassment. All allegations of sexual abuse, sexual harassment, or retaliation against staff or an inmate for reporting such an incident or participating in an investigation will be thoroughly investigated. Furthermore, any perpetrator of sexual abuse or sexual harassment will be prosecuted to the fullest extent permitted by law.

What is sexual abuse?

Sexual abuse is when an inmate or parolee is subjected to unwanted sexual contact with another inmate/resident or **any** sexual contact with a staff member (any employee, contractor, or volunteer). Sexual abuse is a crime. Under section 130.05 of NYS Penal Law, an inmate or parolee cannot legally consent to any sexual act with an employee, contract employee, or volunteer (i.e., "staff"). It is a crime for staff, including contractors, to engage in a sexual act with an inmate or parolee, even if the inmate or parolee "willingly" participates in the act or manipulates the staff member.

What is sexual harassment?

Sexual harassment includes verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures. Sexual harassment is prohibited.

Duty to Report: Contractors must report any incident of sexual abuse or sexual harassment to the Correction Officer or assigned facility staff member. If an inmate tells you that they have been sexually abused, immediately report that information to your designated facility contact.

Confidentiality: Reports of sexual abuse are confidential. Other than reporting to designated officials, the contractor shall not reveal any information related to a sexual abuse report except as required under policy for treatment, investigation, and other security and management decisions.

Acknowledgment: In accordance with Title 28 C.F.R. § 115.32/232(c), by signing below you confirm that you understand the orientation training that you have received. If you have any questions regarding this policy, clarification can be provided by the ADS/PREA Compliance Manager or Captain/PREA Point Person.

New York State Department of Corrections and Community Supervision

GUIDELINES FOR CONSTRUCTION PROJECTS

_____(initial) I acknowledge receipt of Directive #4071, "Guidelines for Construction Projects," and Form #4071A. This directive and the contents of Form #4071A have been explained to me by a NYS DOCCS employee and I agree to comply with the following terms:

- A copy of Directive #4071 and Form #4071A will be given to each individual contractor working at the facility.
- DOCCS information relating to inmates and/or parolees is confidential.
- Confidential information will not be used in any way, except for the purpose of the projects or assignments they are performing for DOCCS.
- Confidential information will not be shared with the public domain or unauthorized persons.
- All confidential information shall remain the property of DOCCS. DOCCS may use such confidential information for any purpose without obligation to recipient.
- Upon DOCCS' direction, confidential information, whether electronic, paper, or other media, within 48 hours of agreement termination will be destroyed by methodology chosen by DOCCS.

_____(initial) In accordance with Title 28 C.F.R. § 115.32/232/332(c), by signing below I confirm that my responsibilities under the agency's sexual abuse and sexual harassment prevention (PREA) policies as outlined in the "Guidelines for Construction Projects" was explained to me by a NYS DOCCS employee and that I understand the training that I have received.

Company Name

Contract Worker (sign)

Contract Worker (print)

Date

DOCCS Employee (sign)

DOCCS Employee (print)

cc: Deputy Superintendent for Security's Office

New York State Department of Corrections and Community Supervision

TOOL ACCOUNTABILITY FOR OUTSIDE CONTRACTORS

I acknowledge that on this date, I have accounted for the contractor tools contained on the attached contractor submitted tool inventory.

A copy of this completed form will be attached to the contractor tool inventory for tools removed daily, and placed in the metal storage container for tools stored within the facility, with a copy to the facility Deputy Superintendent for Security.

This form, if applicable, is to be completed daily.

Tools In:

_____ Company Name	_____ Contract Worker (sign)	_____ Contract Worker (print)
_____ Date	_____ DOCCS Employee (sign)	_____ DOCCS Employee (print)

Tools Out:

_____ Company Name	_____ Contract Worker (sign)	_____ Contract Worker (print)
_____ Date	_____ DOCCS Employee (sign)	_____ DOCCS Employee (print)

Sergeant Review of any tools securely stored in the facility:

_____ Date/Time	_____ Sergeant (sign)	_____ Sergeant (print)
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cc: Deputy Superintendent for Security's Office