

Proposed Text

In the following text:

Single strikeout indicates deleted text.

Single underline indicates added text.

Title 15 Crime Prevention and Corrections
Division 8.0 California Prison Industry Authority
Section 15 CCR § 8000

§ 8000. Definitions.

“Background Clearance” ~~means a process by which an individual submits his or her fingerprints to the Department of Justice so that CALPIA can obtain any criminal history information of the individual from the Department of Justice.~~ is a process CALPIA uses to obtain an applicant’s criminal history record. A criminal history is obtained from the Department of Justice after an individual provides their fingerprints.

“Board” ~~means~~ is Prison Industry Board, ~~also known as PIB (the PIB).~~

“CALPIA” ~~means~~ is the California Prison Industry Authority, ~~also known as PIA, Prison Industry Authority. (the CALPIA or CALPIA).~~

“CALPIA Program” ~~means~~ is a CALPIA work (includes training, and education) program, specific to CALPIA for incarcerated individuals. Assorted programs within CALPIA Programs are designed to teach incarcerated individuals various trades and necessary skill sets including education and life application skills.

“Certificate of Attendance and Participation “ (CAP) ~~means~~ is a certificate of educational completion. This certificate is issued by the California Department of Corrections and Rehabilitation (CDCR) Developmentally Disabled Program (DDP) for inmate students with severe cognitive disability to document completion of a ~~prescribed~~ high school alternative course of study for employment applications, Department of Rehabilitation (DOR) services, and graduation participation. The CAP is issued by CDCR through its Office of Correctional Education (OCE).

“Controlled Substance” ~~means~~ is a substance, drug, narcotic, opiate, hallucinogen, depressant, or stimulant as defined by California Health and Safety Code Section 11007. ~~Also included are~~ and prescribed medications containing substances identified in Health and Safety Code Section 11007.

“Drug” is a substance ~~intended for used~~ in the diagnosis, cure, mitigation, treatment, or prevention of disease, ~~and~~ as defined in Health and Safety Code Section 11014.

“Employee” ~~means~~ is ~~an individual~~ a person hired under the authority of the by CALPIA General Manager through California State civil service rules (Government Code Section 18500 *et. seq.*). The definition of “employee” includes the General Manager. The term employee does not include incarcerated individual.

“Enterprise” ~~means~~ is a CALPIA operation, including and not limited to ~~organized business practices that comprise manufacturing, and agriculture and various other operations under the authority of CALPIA.~~

“External Accreditation Certificate” ~~means~~ is a certificate issued by an accredited external organization ~~that is~~ under contract with CALPIA to train ~~incarcerated individuals to certain standards and then~~ certify that the incarcerated individuals is competent in a specific skill set.

“Family Member” ~~means~~ is a person related to another person through kinship, marriage, adoption, foster relationship, registered domestic partnership, or civil union.

“General Manager” means an individual appointed or contracted by the PIB to serve as the Chief Executive Officer of CALPIA.

“Health or Safety Complaint” means any written allegation made by a CALPIA incarcerated individual worker regarding unhealthful or unsafe conditions or hazards ~~at their place of employment.~~

“Incarcerated Individual Allocation” means the current number of incarcerated individual workers needed in a specific enterprise to maintain adequate production levels; ~~to supporting~~ the volume of sales orders and service contracts.

“Incarcerated Individual Candidate Pool” means a pool of incarcerated individual candidates from all security level designations who have been screened by the facility/institution's Classification Committee and after program review have been found eligible for placement in CALPIA work/training programs ~~at specific facility/institutional enterprises.~~

“Incarcerated individual compensation” means payment to ~~the an~~ incarcerated individual worker with a graduated pay schedule based on the quality and quantity of work performed and the skill required of the incarcerated individual worker.

“Institution” means a community-access facility, community correctional facility, camp, or subfacility of an institution under the jurisdiction of the California Department of Corrections and Rehabilitation (CDCR) and headed by a warden.

“Intoxicant” means ~~any type of a substance that intoxicates; i.e., is not identified as a controlled substance or drug that~~ diminishes an individual's working abilities ~~that would normally be accomplished with the same characteristics (excluding controlled substances or drug (such as prescription medicine) from those of a sober individual (i.e. not intoxicated or drunk; characterized by reason, sanity, or self-control; showing mental and emotional balance, straightforward and serious; not exaggerated).~~ Intoxicants include, but are not limited to, toluene, paint thinner, fingernail polish, lacquer, gasoline, and kerosene.

“Learning disability” means a broad range of cognitive deficits. Under the Americans with Disabilities Act of 1990 (ADA) definition, individuals with learning disabilities may have difficulty in one or more of the following: listening, speaking, reading, writing, spelling, and mathematics. They ~~also~~ may have problems in reasoning, remembering, organizing, managing time, and social skills. Specific learning disabilities are not the same as learning problems that result from ~~mental retardation~~ cognitive impairment, blindness visual impairment, deafness hearing impairment, or emotional disturbance.

“PIB” means the Prison Industry Board, also known as Board.

“Prescription” means an order for a controlled substance ~~given individually for the person(s) for whom prescribed, directly or indirectly from the prescriber, and as defined in Health and Safety Code Section 11027.~~

“Prison Industries Revolving Fund” means the fund described in Penal Code Section 2806.

“Test of Adult Basic Education (TABE)” means ~~a test designed to assess reading, mathematics, language, and spelling skills. It also assesses basic skills in work-related contexts.~~

“Transient population” means a population of incarcerated individuals who are at an institution for a brief period of time such as at a reception center or incarcerated individuals whose sentences are shorter in duration.

“Unauthorized Electronic Communication Device” means ~~a devices that are~~ not issued by the State of California and ~~are~~ not labeled with an “Authorized for State Use” sticker. Unauthorized electronic communication devices include, but are not limited to, cell phones, computers, hybrid

cellular/Internet/wireless devices, personal digital assistants (PDAs), cameras, video recorders, fax machines, and pagers, including components and parts of devices.

“Under the Influence” ~~means~~ when an employee's working abilities are impaired and the employee does not have the ability to perform ~~his or her~~ their duties with the same characteristics of a sober person due to alcohol, drugs, controlled substances, or a combination thereof.

“Workplace” ~~means~~ all offices, warehouses, enterprises, ~~and/or~~ the showroom under the authority of CALPIA, regardless of location.

Authority: Sections 2801 and 2809, Penal Code.

Reference: Sections 2800, 2801, 2803, 2805, 2806, 2807, 2808, 2809 and 2811, Penal Code; and Sections 6303 and 6304.3, Labor Code.