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**Inmates Working at Correctional Facilities**

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**Statute and Rule:** ORS 479.630, OAR 918-282, OAR 918-309-0100

**Date:** April 1, 2008

**Subject:** Use of licensed inmates to perform electrical work in correctional facilities

**Question:** Can correctional facilities use licensed inmates to work within the scope of their individual electrical licenses in our correctional facilities?

**Answer:** **The Electrical and Elevator Board and Chief Electrical Inspector grant limited use of inmate labor to provide maintenance and repair to State of Oregon correctional facilities. This interpretation allows inmates to work within the scope of their electrical license under the supervision, direction and control of the Department of Corrections Supervising Electrician, provided the electrical work is limited to work allowed under the Master Permit Program in OAR 918-309-0100. This interpretation does not alter existing rules concerning supervising electrician rights and responsibilities.**

**Analysis:** The use of inmate labor to perform electrical maintenance and repair was not contemplated when the licensing and permitting laws of Oregon were first established. Oregon Revised Statute provides rights and responsibilities of those licensed as electricians. The laws do not provide an avenue to condition or suspend an electrical license due to incarceration. Due to the unique nature of an inmate not being considered an “employee” as defined by workers compensation laws, confusion as to whether they could be used as electricians has existed.

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