
 Corrections and Community Supervision DIRECTIVE	TITLE Consumption of State Food		NO. 4312
			DATE 02/27/2019
SUPERSEDES DIR. #4312 Dtd. 03/25/2015	DISTRIBUTION A B	PAGES PAGE 1 OF 3	DATE LAST REVISED
REFERENCES (Include but are not limited to) Directives #4022, #4750; Employees' Manual 12.11	APPROVING AUTHORITY 		

- I. **POLICY:** It is the policy of the Department of Corrections and Community Supervision (DOCCS) that no employee or employee guest will consume DOCCS food except as provided for in this directive.

State purchased food is not intended to be used to provide working meals, coffee, and snacks for meetings, etc., between employees and guests, or for office social functions. Such expenses are appropriately covered by the employees or guests participating in such meetings and functions. In situations where it is a major benefit to the Department and to the State of New York to provide food to employees or guests, a waiver may be requested as provided in Section III below.

Funding provided for food in the Support Services Program at the Food Production Center and at the facility level is to be utilized only to provide food to inmates in accordance with menus authorized by the Division of Nutritional Services. The cost of food purchased for any other approved use must be charged to other operating funds (i.e., Facility Direction, Miscellaneous Supplies).

Where facilities have an ongoing history of providing incentive meals to inmates or inmate units for such programs as unit cleanliness, the program may be continued. However, the meals are to be prepared using food items regularly available from the statewide menu and they are to be approved by the Director of Nutritional Services. Costs are not to exceed normal and routine meal costs as determined by the Director of Nutritional Services.

II. **EXCEPTIONS/PROVISION OF FOOD TO DEPARTMENT EMPLOYEES OR GUESTS**

- A. Registered volunteers are eligible for a meal when providing volunteer services at a facility. (Reference Directive #4750, "Volunteer Services Program")
- B. DOCCS personnel may participate in a meal when invited to a Special Event as "community guests" and when payment has been made for the meal by the sponsoring inmate organization. (Reference Directive #4022, "Special Events Program")
- C. Correction Officer Trainees and Parole Officer Trainees assigned to a Department Training Academy and who pay an appropriate maintenance fee deducted from their salary check will be fed at the Training Academy.
- D. The Superintendent or a designee will sample one meal at breakfast, lunch, and dinner for appearance, quality, and content, record the results on [Form #1544](#), "Meal Evaluation Report," and retain the form for three years. Food Service personnel participating in meal preparation may sample food for taste, but are not authorized to consume full meals.

- E. As provided in Section VIII in the Housing Guidelines for Corrections Emergency Response Team (CERT) Operations (revised 11/96), employees involved in emergency CERT/Crisis Intervention Unit (CIU) operations are provided food during the duration of the emergency.
- F. Employees participating in Shock Training are provided meals during the duration of the training. Costs are reimbursed from Central Office Supervision of Inmates accounts. Individuals from other governmental units participating in Shock Training are provided meals. The cost of these meals is paid by the unit of government for which the training is provided.
- G. When a Critical Incident Stress Management (CISM) team has been deployed to a facility, the facility may provide a snack and beverages to the participants.
- H. When audits of your facility are being conducted by Departmental staff (e.g., ACA pre-audit, tool audit, etc.) the facility may provide a meal from an approved menu provided by the Office of Nutritional Services.
- I. Trainings approved to be held at your facility (e.g., RMHU, BHU, etc.) will have meals provided from an approved menu provided by the Office of Nutritional Services.
- J. Non-Departmental staff conducting ACA audits will be provided with meals using food from the existing food service inventory in the facility.

III. REQUESTS FOR WAIVER TO PROVIDE FOOD TO DEPARTMENT EMPLOYEES OR GUESTS

- A. A Department sponsored function which is to include food paid for by Department funds requires prior approval of the Director of Nutritional Services using [Form #4312A](#), "Request for Waiver to Provide Food for Employees at Department Functions."
- B. Justification for such events must be provided and must include the following information:
 - 1. The purpose and necessity of the meeting;
 - 2. The specific nature of State business being conducted;
 - 3. The location of the meeting;
 - 4. The number of participants, including names and titles and their relationships to the business being conducted; and
 - 5. The cost of the meal.
- C. Approval of the waiver will, among other factors, depend on a showing that:
 - 1. The meeting is of benefit to the Department;
 - 2. The cost of the meals is reasonable;
 - 3. Proper Agency personnel are attending;
 - 4. Alcoholic beverages are not included in the cost; and
 - 5. Appropriate adjustments in per diems are made for those individuals in travel status receiving meal allowances.

D. Approval Process

1. [Form #4312A](#) is to be generated by the Facility Superintendent or Central Office Division Head.
2. Funding Section:
 - a. Facility Funds: Facility Institution Steward and Facility Superintendent signatures are required.
 - b. Central Office Funds: Central Office business office and Deputy Commissioner signatures are required.
 - c. Central Office Food Account Funds: Director of Nutritional Services signature is required.

A copy of [Form #4312A](#) is to be sent to the Director of Nutritional Services, regardless of funding.

- E. [Form #4312A](#) must be authorized by the Director of Nutritional Services.
- F. The approved [Form #4312A](#) is to be filed with the applicable voucher or journal voucher.