

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 324.00.01	Page 1 of 9
	Original Effective Date: 03/01/83	New Effective Date: 05/29/24
	Supersedes: 324.00.01	Dated: 11/26/18
	Administrator's Approval: Sarah Cooper, Administrator – 05/03/24	
	Required Posting or Restricted:	
<input checked="" type="checkbox"/> PIOC <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: Chapter 324 Work and Study Release		
Subject: Work and Study Release		

POLICY

The Division of Adult Institutions may allow PIOC who are housed at minimum security facilities to be considered for work and study release.

REFERENCES

Wisconsin Statutes s. 303.065 – Work Release Plan for Prison Inmates
Wisconsin Administrative Code s. DOC 303.72 – Major penalties
Wisconsin Administrative Code s. DOC 303.80 – Contested major disposition
Wisconsin Administrative Code s. DOC 303.81 – Contested major disposition: waiver of due process hearing
Wisconsin Administrative Code s. DOC 303.84 – Due Process hearing: witnesses
Wisconsin Administrative Code s. DOC 309.50 – Segregated Account Funds
Wisconsin Administrative Code s. DOC 309.52 – Canteen
Wisconsin Administrative Code Ch. DOC 324 – Work and Study Release
Wisconsin Administrative Code s. DOC 324.13 – Process for termination of work and study release
Wisconsin Administrative Code Ch. DOC 325 – Temporary Release Under Supervision
DAI Policy 300.00.02 – Inmate Taxes
DAI Policy 300.00.35 – Americans with Disabilities Act
DAI Policy 309.00.01 – PIOC Work Placement
DAI Policy 309.55.05 - Postsecondary Education Opportunities for PIOC
DAI Policy 309.45.02 – Inmate Trust System Deductions
DAI Policy 309.55.01 – Inmate Compensation Plan
DAI Policy 325.00.08 – Minimum Custody Inmate Offsite Authorization

DEFINITIONS, ACRONYMS, AND FORMS

Close Family Member – PIOC natural, adoptive, step and foster parents; spouse, children, grandparents, grandchildren or siblings. A parent surrogate is within the definition of parent if PIOC substantiates that a claimed surrogate did in fact act as a parent to PIOC, although the parent surrogate was not an adoptive, foster or step parent.

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-370 – Work/Study Release

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DOC-372 – Work Release Agreement

DOC-372A – Study Release Agreement

DOC-2570 – Inmate Offsite Review

DOC-2571 – Community Site Assessment

DOC-2571A – Community Site Visit Checklist

GED – General Equivalency Diploma

HSED – High School Equivalency Diploma

Permanent lay-off – A lay-off is deemed permanent when the work release participant has not been given a tentative date of return or a short term lay-off has exceeded 21 days.

Primary Programs – Substance Use Disorder, cognitive behavior, domestic violence, sex offender treatment, education, anger management and employment programs.

Short term lay-off – A lay-off of 21 calendar days or less in duration with a tentative return to work date.

Study Release – A program which grants selected PIOC the privilege of leaving the confines of state correctional facility to participate in community-based education program.

VUNA – Voluntary Unassigned

Work Release – A program which grants selected PIOC the privilege of leaving the confines of state correctional facility to participate in employment programs. Work release applies only to placement for employment.

Work Release Compensation – Includes work release wages, tips, paid leave, workers compensation, unemployment compensation, bonus or cash gifts from the work release employer.

Work Release Lay-Off – A period of forced inactivity by the work release participant.

Work/Study Release Participant – Community employer or educator who is approved by the Warden/designee to be involved in the work or study release program.

Work/Study Release Placement – PIOC actively reporting to a work/study assignment and has consent from the work release participant and Warden/ designee.

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Work/Study Release Suspension – Work release employer or Warden/designee may withdraw consent for any reason, with or without notice to PIOC. PIOC is removed from the work/study release placement pending termination decision by the Warden/designee. PIOC remains work/study release eligible non-active.

PROCEDURE

I. General

- A. Work and study release apply only to PIOC housed in a minimum-security facility.
- B. Participation in work and study release opportunities are not guaranteed.
- C. PIOC are responsible to notify Child Support Agencies to send wage deductions to the Business Office once they have an active placement.
- D. PIOC shall file Federal and State income tax returns in accordance with applicable laws and DAI Policy 300.00.02.
- E. For study release, PIOC shall ensure DOC personnel have access to their grades and attendance information.
- F. PIOC shall maintain an acceptable level of performance as determined by the DOC.
- G. PIOC shall comply with all work and study release site safety practices and wear all recommended or required personal protective equipment.

II. Community Work/Study Site Assessment

- A. Work Release Coordinator/designee shall:
 1. Complete a DOC-2571 and forward to Warden/designee.
 2. Conduct annual orientation to include rules and regulations, staff access to break rooms, lockers and other PIOC accessible areas.
 3. Not place PIOC at a site:
 - a. With a close family member.
 - b. With any person on PIOC approved visiting list.
 - c. Where a potential conflict exists.
 - d. Where PIOC would have access to:
 - i. Personal identifiable information of members of the public.
 - ii. Another individual's financial transaction card numbers, checking or savings account numbers, or social security number.
- B. Work sites which include PIOC access or handling of financial transaction cards or cash may be approved by the Warden/designee if the employer agrees to place PIOC in this type of job.
- C. Work release site checks shall be conducted on a monthly basis and documented on the DOC-2571A.

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D. Study release placements site checks shall be completed a minimum of every two weeks and documented on the DOC-2571A.

E. Conduct annual Work/Study Release Site Assessments on a DOC-2571

III. PIOC Eligibility

A. PIOC must be classified community custody, have met the criteria for work/study release and have the approval of the Warden/designee to participate in a work/study release assignment. PIOC may be eligible, but not placed or active in the program.

B. The facility shall establish an initial monitoring period before deciding on work/study release placement.

1. This monitoring period shall not exceed 90 days from the date PIOC is transferred to the facility from another non-work release facility.

2. This monitoring period may be reduced for PIOC transferring from another work release site and having a positive work release placement .

C. Designated staff shall evaluate PIOC for eligibility for work release based on the criteria established in DAI Policy 325.00.08 and information included on the DOC-2570.

D. Identified programming needs shall take precedence over work/study release placement. When a PIOC has been removed from a work or study release placement for program participation, they may be considered for eligibility upon completion of the program.

E. Warden/designee shall notify the Work Release Coordinator/designee of the approval or denial of the DOC-2570.

IV. Study Release

A. Study release may be considered for PIOC without a GED/HSED when academic programming is not offered at the DOC facility.

B. Facilities may consider assistance in proctoring GED/HSED tests from their coordinated back up institutions. Prior to testing, self-study materials may be made available at the centers.

C. Designated staff shall evaluate PIOC eligibility for study release based on the criteria established in DAI Policy 309.55.05, DAI Policy 325.00.08 and DOC-2570.

V. Work/Study Release Procedure

A. Work Release Coordinator/designee shall review the DOC-372 with PIOC and acknowledge the form with a signature.

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- B. Work Release Coordinator/designee shall advise work release PIOC of responsibilities and provide appropriate orientation. School administrators shall be advised of notification requirements for absences.
- C. PIOC are not allowed to participate in any union activity outside of the actual placement site.
- D. Each facility shall identify designated staff to provide a copy of the DOC-370 to the Business Office. The DOC-370 shall be completed for the following activities:
 - 1. Initial placement.
 - 2. Modifications to the current placement.
 - 3. Removal of placement.
- E. Facility security staff shall implement the facility's escape and apprehension procedures for any PIOC who:
 - 1. Fails to report to their work/study release placement.
 - 2. Leaves work/study release placement without facility permission.
 - 3. Fails to return to the facility from a work/study release placement.
- F. The Work Release Coordinator/designee shall investigate rule violations and report all findings to the Warden/designee.

VI. Transportation

- A. Facility staff shall arrange transportation for PIOC to and from work/school. PIOC shall be transported by:
 - 1. Staff or PIOC driver.
 - 2. Approved outside resource.
- B. Assigned staff shall update and maintain a work/study transport schedule which is visible for staff and PIOC.

VII. Work Release Compensation

- A. Funds shall be placed in a segregated trust account and applied to room, board and transportation charges as determined by the DOC.
- B. Work/study release funds may be accessed with the approval of the Warden/designee for the following:
 - 1. Payment of formal financial obligations at PIOC request directly to the established place of business where the debt is owed.
 - a. Money owed to friends/family members does not constitute a formal obligation unless there is a court decision.
 - b. The distribution priority schedule in 309.45.02 shall be followed for court ordered obligations.
 - 2. Payment for supplies required for Work/Study release.
 - 3. Payment for support of PIOC dependents.

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4. Payment of wages to PIOC on Work/Study release until the current canteen limit under DOC Administrative Code ch. 309.52 (1)(b) is reached.
- C. Non-cash bonuses, gifts or work events shall be pre-approved by the Warden/designee.
- D. Cash bonus shall be placed in PIOC work release account.
- E. Tips
1. Shall be paid by the work release employer either by separate money order or included in PIOC regular paycheck.
 2. Personal checks shall not be accepted as tips.
 3. PIOC shall not be allowed to retain cash tips.
- F. PIOC shall remain active in work release while on paid leave.
- G. PIOC may only contribute the minimum allowable amount required by the employer for 401K/Retirement/Pension plans. It is not required for these funds to be held at a bank designated by DOC.
- H. PIOC shall not have additional taxes withheld from their wages unless written approval is received from the Warden/designee.
- I. PIOC receiving Worker's Compensation are still employed and continue to receive work release compensation.
1. PIOC shall work as directed when offered light duty tasks or assignments by the employer.
 2. Work Release Coordinators shall direct PIOC concerns to the company Human Resources Department and act as liaison between PIOC and Human Resources.
- J. PIOC receiving unemployment compensation shall not be considered active, but payments received shall be considered work release compensation. The DOC does not determine eligibility for unemployment compensation.
- K. PIOC who are active in work release may have funds transferred from their work release account to their regular account.
1. The transfer amount shall not exceed the allowable canteen limit and not exceed funds available at the time of transfer.
 2. The transfer shall occur no more than once every two weeks.
 3. PIOC shall have two months from the date of the missed transfer to request money from their work release account be transferred to their regular account.
- L. PIOC on active work or study release shall not be compensated in VUNA status.

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VIII. Work Release Expenses

- A. Work Release Coordinator shall provide a copy of the DOC-372 and DOC-370, if appropriate, to the Business Office.
- B. PIOC authorize DOC to determine payment and withholdings for any known obligations by signing the DOC-372.
- C. Facility staff shall forward any information to the Business Office to establish obligations including but not limited to the following:
 - 1. County or other state court ordered obligations.
 - 2. Civil judgments.
 - 3. Child support arrears.
- D. The Business Office shall confirm the costs owed and establish automated deductions.
- E. With consent of the Warden/designee, PIOC may have deductions taken from wages to:
 - 1. Join a trade union in conjunction with placement.
 - 2. Enroll in employer paid family health insurance for dependent coverage only. PIOC may not access this benefit.
 - 3. Enroll in a retirement program, only at the minimum level required by the employer.
 - 4. Pay work release expenses required by the job directly to the employer (i.e., tools, uniforms.)
- F. Room, board and transportation charges shall be deducted from work release compensation in accordance with DAI Policy 309.45.02.
 - 1. Tax shall be included in the board charges.
 - 2. The Business Office shall prorate the last check received if some of the hours earned occurred after release and termination from PIOC work release placement.
- G. DOC shall review the percentages for the current room, board and transportation charges annually and adjust accordingly.

IX. Removal from Work/Study Release Placement

- A. PIOC shall not participate in job actions or strikes. Work placement shall be temporarily suspended until the job action or strike is resolved.
- B. PIOC shall be removed from work/study placement when injury is not work related and Health Services determines PIOC is unable to perform the duties of the work/study release placement.
- C. Current work/study release placement ends when PIOC leaves that facility.

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- D. Identified programming needs take precedence over work/study release placement.
 - 1. PIOC who refuses a primary program and is currently on work release shall be removed from work release for a minimum of 90 days and placed in VUNA status.
 - 2. PIOC who refused a primary program shall be placed in VUNA status and shall be postponed for work release consideration for a minimum of 90 days.
- E. PIOC shall be removed from their work/study release placement when programming becomes available and may re-apply for eligibility upon completion of the program.
- F. PIOC may be allowed to continue their work/study release assignment if it does not interfere with programming when program is available at the current site.
- G. The work release employer may withdraw consent for any reason, with or without notice to PIOC.
- H. A work/study release placement may be terminated by the Warden/designee in response to documented adverse community reaction to the placement.
- I. PIOC who are negatively removed from work/study release shall be placed in VUNA status and shall not be compensated for a minimum of 90 days in accordance with DAI policy 309.00.01.
- J. Work release lay-offs:
 - 1. Short term lay-off – PIOC shall remain in active work release status.
 - 2. Permanent lay-off – Placement is deemed terminated due to withdrawal of consent to the placement by the work release employer.
- K. PIOC shall not continue to work at a site placement when non-PIOC employees performing similar work at the same site are being laid off.
- L. A work release placement may be terminated by the Warden/designee based on:
 - 1. Changes in PIOC program need.
 - 2. Negative work evaluation.
 - 3. PIOC conduct
 - 4. Safety and security reasons.
 - 5. Failure of PIOC to comply with provisions of the DOC-372.
 - 6. The duration of the study release has expired.

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility:		
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New Effective Date: 00/00/00	Supersedes Number: 324.00.01	Dated: 00/00/00
Chapter: 324 Work and Study Release		
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Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

FACILITY PROCEDURE

- I.
 - A.
 - 1.
 - a.
 - B.
 - C.
- II.
 - A.
 - B.
 - C.