 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 309.00.01	<b>Page</b> 1 of 8
	<b>Original Effective Date:</b> 01/06/03	<b>New Effective Date:</b> 03/16/20
	<b>Supersedes:</b> 309.00.01	<b>Dated:</b> 10/16/18
	<b>Administrator's Approval:</b> Makda Fessahaye, Administrator	
<b>Required Posting or Restricted:</b>		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Inmate Work Placement		
<b>Guidance Document</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Posting date</b> 03/09/20		

**POLICY**

The Division of Adult Institutions shall establish guidelines for facilities to maintain a process for placement, removal or transfer of all compensated inmate work assignments.

**REFERENCES**

Wisconsin Administrative Code Ch. DOC 309 – Resources for Inmates

Wisconsin Administrative Code Ch. DOC 313 – Prison Industries

DAI Policy 309.55.04 – Mandatory Education

DAI Policy 300.00.25 – Primary Programs Status

DAI Policy 309.55.01 – Inmate Compensation Plan

**DEFINITIONS, ACRONYMS, AND FORMS**

BCE – Bureau of Correctional Enterprise

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-0780 – Inmate Performance Evaluation

DOC-1408 – Inmate Work/Program Placement

DOC-2310 – Inmate Position Description


**PROCEDURE****I. Facility Work Assignments**

- A. The criteria for assigning, removing or continuing an inmate work placement includes:
1. Potential threat to security of the facility.
  2. Security level of facility.
  3. Assigned custody.
  4. Institutional adjustment.
  5. Medical/clinical needs including any physical or mental disabilities, behavioral disorders or vulnerabilities.
  6. Vocational and educational needs, interests and abilities.

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7. Performance in primary programs or work assignment.
  8. Refusal or termination of primary program or work assignment.
  9. Attitude and motivation.
  10. Limitations on participation due to work assignment availability.
  11. Complexity of training requirements for the work assignment.
  12. Needs of the facility.
  13. Expiration of two year time period within a department.
- B. Facilities shall designate staff to develop a procedure for placement, evaluation and removal of inmates from facility work assignments. Designated staff shall:
1. Screen appropriateness for hire.
  2. Complete DOC-1408.
  3. Complete DOC-2310.
  4. Track work placements, transfers and removals for accurate inmate compensation.
  5. Complete DOC-0780 a minimum of every six months or as needed.
- C. Facility work assignments shall be for no more than two years.
1. The Warden/designee shall approve or deny recommendations to extend work assignments beyond the two year limit.
  2. Extensions shall be reviewed every six months or more frequently, if deemed necessary. Facilities shall develop a procedure for six month re-evaluations.
  3. Inmates removed from a facility work assignment as a result of the two year limitations shall not be reassigned another work assignment in that department for two years.
  4. Inmates who are removed from their work assignment prior to the completion of the two year period, may be reinstated to that department for the remainder of the two year period with approval of the department head.
- II. BCE Work Assignments**
- The BCE Director/designee shall ensure that BCE work assignments and removals are completed in accordance with Wisconsin Administrative Code Ch. DOC 313.
- III. Removal from Work Assignment Placement**
- A. Inmates who receive disciplinary separation from a conduct report disposition shall be eligible for a work assignment upon release from that status but not less than (90) ninety days from the disposition.
- B. Facilities shall establish procedures to notify the Business Office of changes in pay status.

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**Administrator's Approval:** \_\_\_\_\_

\_\_\_\_\_ **Date Signed:** 02/27/20

M....., .....

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

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<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Inmate Work Placement		
<b>Will Implement</b> <input type="checkbox"/> As written <input checked="" type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b> Warden Gary Boughton		

**DEFINITIONS, ACRONYMS, AND FORMS**

**Involuntary Unassigned (Institution Needs):** Inmates in this status may be eligible for work assignments. These inmates may be assigned cleaning details, snow removal, or other temporary work activities unless a restriction is in place. Refusal to work while in this status may result in disciplinary action.

**Voluntary Unassigned:** Inmates who refuse or are negatively removed from a work or full time paid program assignment shall be placed in voluntary unassigned status and shall not be compensated for a minimum of 90 days.

**Institution Jobs Committee:** The assignment and/or removal of inmates from work assignments will be facilitated by an Institution Jobs Committee which may include, but is not limited to; the Security Director, Unit Representative, Food Service Administrator, Deputy Warden, Financial Program Supervisor, Inmate Accounts Financial Specialist, and Program Director.

DOC-761 - Interview/Information request

**FACILITY PROCEDURE****I. Work Placement**

- A. The Institution Jobs Committee shall place all inmates in involuntary unassigned status and on the WSPF hire list with the following exceptions:
1. Inmates who choose not to accept a work assignment shall be placed in voluntary unassigned status.
  2. Inmates with a current documented medical/clinical need precluding them from accepting a work assignment as determined by WSPF HSU/PSU staff. These inmates shall be placed in involuntary unassigned status but excluded from the hiring list.
  3. Inmates with security concerns as determined by the Security Director/designee. These inmates are placed in involuntary unassigned status but excluded from the hiring list.
- B. Job postings shall be posted on the inmate bulletin boards on the housing units. All interested applicants shall sign the posting to apply for a work assignment. An inmate may hold only one assignment unless approved by the institution jobs committee due to institution needs.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

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- C. Work supervisors shall consider the applicants' institution adjustment, work performance history, program involvement, nature of any past offenses and sentence structure prior to hire. Additional criteria such as aptitude and/or specific skills required may also be considered. Attempts shall be made to offer job assignments to those with disabilities.
- D. Inmates shall be in a work assignment for a minimum of ninety (90) days before being hired for a new work assignment. An exception to the ninety days can be granted by the Jobs Committee if it is deemed a work placement will meet the institution's needs. School/program placement or school completion shall not be subject to the ninety (90) days minimum.
- E. Work supervisors shall meet with the inmate they intend to hire and review the DOC-1408 with the inmate. The inmate shall sign the form under "Inmate Signature." Inmate refusal to sign or declining the assignment shall be considered a refusal to accept the position offered. Staff shall document the refusal on the form and sign the form. The inmate shall be placed into voluntary unassigned status for a minimum of ninety (90) days.
- F. Work supervisors shall complete and sign the DOC-1408 and submit to Inmate Accounts no less than five (5) days prior to the anticipated start date.
- G. The DOC-1408 shall be reviewed for security concerns by the Institution Jobs Committee. Any concerns shall be forwarded to the Security Director/designee for review.
- H. All status changes and pay rates shall take effect as determined by the Business Office and the date documented on the DOC-1408.
  1. Approved DOC-1408 shall be copied and routed to appropriate areas.
  2. Disapproved DOC-1408 shall be returned to work area supervisors with an explanation of disapproval, based on the criteria outlined in DAI policy 309.00.01. A copy of the DOC-1408 with the disapproval shall be provided to the inmate.
- I. Inmates starting a new inmate work assignment may be on probation for ninety (90) calendar days. The probationary period shall start on the first day of work. Upon completion of probation, recommendations for eligible promotion shall be made using the DOC-1408 submitted to Inmate Accounts.
- J. All temporary job assignments or backfilling shall be approved by the Unit Supervisor or Department Head. Necessity and duration of such temporary assignments shall be considered prior to the supervisor granting approval.

**II. Evaluations**

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- A. Work supervisors shall complete evaluations at the completion of the initial probation period and a minimum of once every six months after probation is completed using DOC-0780.
- B. When issues arise with poor work performance, work supervisors shall complete DOC-0780 to document concerns. Poor work evaluations should not be completed more than once in two weeks. A conduct report should be completed as appropriate.
- C. Work supervisors shall discuss all evaluations with the inmate upon completion before sending them to Inmate Accounts for distribution.
- D. If the warden authorizes an extension of an assignment beyond the two year period, evaluations may be more frequent.

**III. Work Assignment Removals**

- A. Voluntary removal
  1. Inmates who voluntarily terminate their work or education assignment shall do so by submitting a DOC-761 to the area work supervisor.
  2. The area work supervisor shall submit a DOC-1408 with the termination date to Inmate Accounts. All changes shall be effective on the termination date.
  3. Inmates voluntarily terminating an assignment shall be placed in voluntary unassigned status. Placement in voluntary unassigned status shall be for a minimum of ninety (90) days.
- B. Performance Removal
  1. An inmate who receives a work or program related conduct report shall be reviewed for possible removal from the work or program assignment.
  2. An inmate who receives an unsatisfactory Inmate Performance Evaluation (DOC-780) shall be reviewed for possible removal from the work or program assignment.
  3. Inmates violating work or program rules may be reviewed for possible removal from the work or program assignment.
  4. Inmates who are absent from a work or program assignment for more than thirty (30) days may be reviewed.
  5. Inmates who are negatively removed for poor performance from their work or program assignment shall be placed in voluntary unassigned status for a minimum of 90 days.
  6. Inmates receiving disciplinary separation shall automatically be terminated from their work or school/program assignment effective the date of the disposition.
  7. Staff shall complete a DOC-1408 for all work or program removals. The specific reasons for removal shall be clearly documented.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

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- C. The Security Director may remove or prevent an inmate from accepting a specific work assignment if it is determined to present a security or safety risk to the inmate or the institution.

**IV. Appeal Process**

- A. Inmates may appeal work removal decisions through the inmate complaint review process (ICRS) with the exception of two year time limit removals and extension denials made by the Warden/designee.
- B. Inmates may appeal the jobs committee decision concerning a work assignment removal to the Warden within 10 days after receipt of the decision by submitting DOC-761.

**V. Time limits and Extensions**

- A. The two year time limit shall be strictly enforced.
1. The work supervisor shall notify the inmate approximately ninety (90) days prior to end date.
  2. Inmates approaching the two year time limit are encouraged to seek other employment.
  3. Inmates shall be placed into involuntary unassigned status after a two year removal. The area work supervisor shall submit a DOC-1408 to remove the inmate from the assignment to inmate accounts.
- B. Work supervisors shall ensure work assignment coverage. In assignments requiring a training period, a worker may be hired in advance of vacancy to assure work flow is not interrupted. The work supervisor shall request a position from the jobs committee for the new worker.

**RESPONSIBILITY****I. Staff**

- A. Jobs Committee
1. Assign and remove inmates from work assignments.
  2. Generate master list of all work assignments.
- B. Security - Review requested work assignments for security concerns.
- C. Work Supervisor
1. Review position description with inmate.
  2. Work supervisors shall complete evaluations upon completion of the initial probation period and a minimum of once every six months after probation is completed using DOC-780.

**II. Inmate**

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

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- A. Review and sign position description and work rules as applicable.
- B. Participate in work or program assignments as available.
- C. Appeal removal from a work assignment by submitting a DOC-761 within ten days to the Warden's Office.
- D. After 90 days in voluntary unassigned status, an inmate may request to be placed into involuntary unassigned status if appropriate work or program assignments are unavailable. Submit a DOC-761 to the business office to request placement into involuntary unassigned status.