



WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Wendy Montils

Name of Individual Certifying this Document/Proposed Document

Office of Management & Budget Director

Title


Wendy Montils

Signature

6/25/19

Date Signed

Department of Corrections – Wisconsin
Office of the Secretary
Wis. Stat. § 227.112(6)
DOC-2910 (6/2019)

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 309.55.01	Page 1 of 6
	Original Effective Date: 10/01/82	New Effective Date: 10/21/16
	Supersedes: 309.55.01	Dated: 06/27/16
	Administrator's Approval: James Schwochert, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 309 Resources for Inmates		
Subject: Inmate Compensation Plan		

POLICY

The Division of Adult Institutions shall compensate inmates in approved work or program assignments.

REFERENCES

Wisconsin Statutes Ch. 302 – Prisons; State, County and Municipal
Wisconsin Administrative Code s. DOC 303.11(6) – Temporary Lockup: use
Wisconsin Administrative Code s. DOC 308.04(12)(g) – Administrative Confinement
Wisconsin Administrative Code s. DOC 309.55 – Compensation
Wisconsin Administrative Code Ch. DOC 313 – Prison Industries
DAI Policy 309.00.01 – Inmate Work Placement
DAI Policy 309.55.04 – Mandatory Education
DAI Policy 325.00.09 – Project Crews
2001CV3481 – Wisconsin Circuit Court Case

DEFINITIONS, ACRONYMS, AND FORMS

A&E – Assessment and Evaluation

AODA – Alcohol and Other Drug Abuse

ATR – Alternative to Revocation

BCE – Bureau of Correctional Enterprises

Community Service Work Crews – Inmate workers performing voluntary clean-up and other community service duties. In many cases this is done in order to reduce the number of hours of community service inmates were given at sentencing. Inmates in these work crews are not usually compensated for their work.

DAI – Division of Adult Institutions

DOC – Department of Corrections

Full Time – Full-time is seven hours per day for education and eight hours per day for program assignments per Wisconsin Administrative Code s. DOC 309.55.

Half-time – Half-time programs are equivalent to four hours per day.

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Primary Programs – Alcohol and drug programs, cognitive based programs, domestic violence, sex offender treatment, education, anger management.

Program enrollment – Enrollment in a school, vocational training or other program to which the inmate has been assigned by Classification.

Project Work Crews – Inmate workers performing off-site services for local government and non-profit agencies.

Quarter-time – Quarter-time programs and programs which are less than quarter-time are equivalent to two hours per day.

TLU – Temporary lock up

PROCEDURE

I. Facility Work and Program Pay

- A. Facilities shall assign an inmate compensation committee or individual to review and approve all new inmate compensation assignments. This committee or individual shall:
 1. Document and periodically review the inmate job assignments needed in order to adequately complete facility work.
 2. Review job assignments for appropriateness of assigned pay range in conjunction with job duties or skills needed.
- B. Inmate compensation is based on a biweekly period with amounts computed on an hourly basis.
 1. Schedules shall be created in a computerized accounting system to reflect the amount of time an inmate is scheduled to participate in work or program assignment(s).
 2. Inmates shall be paid a wage based on expected hours and hourly rate assigned to job.
 3. Hours may vary based on facility needs. The only changes made to this schedule shall be the exceptions identified under Sections VIII and X.

Range	Hourly Rate
Unassigned	\$0.05
Range 1	\$0.12
Range 2	\$0.19
Range 3	\$0.26
Range 3A (Educ/Prog)	\$0.15
Range 4	\$0.35
Range 5	\$0.42

- C. TLU and protective status inmates shall continue to be paid at the same rate they were paid immediately prior to being placed in that status. Inmates in administrative confinement shall be paid at the involuntary unassigned rate.

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- D. Inmates enrolled in programs that do not allow the inmate to maintain a paid job shall be paid at a full-time Range 3A rate (e.g., residential AODA).
- E. For all other treatment programs assigned by Classification:
 - 1. The facility shall make arrangements in the inmate's work schedule which allow the inmate to attend the program. The work schedule shall not be changed for this, or
 - 2. The facility shall pay the inmate at least quarter-time Range 3A rate for participation as defined in Wisconsin Administrative Code s. DOC 309.55.
- F. ATR inmates in a program assignment shall be paid at a full-time Range 3A rate.
- G. Inmates assigned to an offsite project work crew are to be paid in accordance with DAI Policy 325.00.09.
- H. Inmates who work offsite on another facility's grounds are to be paid at a standard rate of \$1.00 per hour for actual hours worked. The facility is not charged an administrative fee.

II. Weekend and Holiday Compensation

Compensation shall be increased by \$.02 per hour for weekend and legal holiday work. This applies only to work assignments.

III. Involuntary Unassigned

- A. The involuntary unassigned compensation rate shall be applied to inmates who are eligible, available, and waiting for placement in approved work or program assignments where such work or program assignments exist, but are not currently available.
- B. The involuntary unassigned compensation rate shall be used to supplement those in quarter or half-time programs or part-time work assignments.
- C. Inmates in involuntary unassigned status may be used for temporary facility needs work.
- D. A&E inmates shall be compensated at the involuntary unassigned rate.

IV. Voluntary Unassigned

- A. Inmates who refuse or are negatively removed from a work or primary program shall be placed in voluntary unassigned status and shall not be compensated for a minimum of 90 days unless already enrolled in a different primary program than the one in which the inmate refused or was negatively removed.
- B. The Warden/Superintendent can waive the 90 days voluntary unassigned status for an inmate negatively removed from a work assignment if a primary

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program assignment becomes available or if required by facility operational needs.

- C. After 90 days in voluntary unassigned status, an inmate may request to be assigned to involuntary unassigned status if appropriate work or program assignments are unavailable based on facility procedure.

V. Higher Compensation Rates

- A. In exceptional circumstances, facilities may, with prior written approval of the Division Administrator, compensate inmates at a higher rate. This may include, but is not limited to:
 - 1. Project crews.
 - 2. Inmate off-site drivers.
 - 3. Earned Release Program.
 - 4. Challenge Incarceration Program.
 - 5. Inmates working at other facilities.
- B. BCE inmate compensation shall be guided by Wisconsin Administrative Code Ch. DOC 313.

VI. Hours in Compensation Status

- A. An inmate may work more than one assignment, but shall not be compensated for more than 40 hours per week.
- B. Every attempt shall be made to consistently use involuntary unassigned inmates for situations requiring additional hours to be worked, including emergency situations.
- C. If a work area is regularly unable to complete its work assignments with the current inmate worker staffing, additional positions shall be created.
- D. In an urgent or emergency situation or for inmate drivers in minimum security facilities, the Warden/Superintendent may approve additional hours. These exceptions are paid at the hourly rate.

VII. Inmates Housed in Contract County Jails

- A. Inmates transferred from a facility to a contract county jail shall be compensated at the involuntary unassigned rate.
- B. Inmates placed in a county jail work assignment shall be compensated by the jail and no longer receive involuntary unassigned compensation.
- C. No compensation shall be paid under this section to an inmate who is placed in restrictive housing status by the contract county jail.

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VIII. Exceptions to Compensation

No inmate shall be compensated while in transit for more than one day, out to court or in disciplinary separation.

IX. Probationary Pay

A. Probationary periods shall not exceed six months. An inmate shall achieve full performance and pay within this time period or be removed.

B. Probationary pay rates may start at two ranges lower than the rate assigned to the position.

X. Lay in and Sick Cell Status

A. Inmates in lay-in status shall not be compensated.

B. Inmates placed in sick cell status shall be paid at the involuntary unassigned rate for their regularly scheduled hours.

C. Inmates in sick cell status as a result of an injury sustained in a facility job related accident shall be compensated at the rate earned in their previous work status.

Administrator's Approval: _____ **Date Signed:** _____
James Schwochert, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number: 309.55.01	Page 6 of 6
New Effective Date: 00/00/00	Supersedes Number:	Dated:
Chapter: 309 Resources for Inmates		
Subject: Inmate Compensation Plan		
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.
 - B.
 - 1.
 - 2.
 - a.
 - b.
 - c.
 - 3.
 - C.

II.

III.

RESPONSIBILITY

I. Staff

II. Inmate

III. Other

Scott Walker
Governor

Jon E. Litscher
Secretary



State of Wisconsin
Department of Corrections

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DATE: June 1, 2016

TO: Division of Adult Institutions Inmates

FROM: James R. Schwochert, Administrator
Division of Adult Institutions

A handwritten signature in black ink, appearing to read 'JRS', written over the 'FROM' line.

SUBJECT: DAI Policy 309.55.01 Inmate Compensation Plan

DAI Policy 309.55.01 Inmate Compensation Plan has been revised effective 6/27/16. Notable changes to this policy are as follows:

- Inmates who are participating in programs assigned by classification will be paid a least quarter-time. For example, an inmate who attends Thinking for a Change which meets for two hours - two times per week, will be compensated for 10 hours per week at \$.15 per hour.
- Inmates who refuse a program assigned by classification shall be placed in *voluntary unassigned for 90 days*. *Partial voluntary unassigned is not an option*.

cc: Marc Clements, DAI Assistant Administrator
Stephanie Hove, DAI Assistant Administrator
Jackie Kuhn, DAI Business Director
Welcome Rose, DOC Corrections Complaint Examiner
DAI Staff