



B-513

FRATERNIZATION POLICY

Purpose.

The Southwest Wisconsin Workforce Development Board (SWWDB) has established Policy B-510, Standards of Conduct, which provides the minimum expectations required of employees. This policy further expands upon appropriate staff/customer relationships by implementing the Wisconsin’s Department Corrections (DOC) Executive Directive 16, which prohibits certain relationships and conduct between its employees, (and by extension, contracted staff) and adult and juvenile offenders. DOC also requires employees, including contracted staff, to report certain relationships, including when family members are offenders.

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SWWDB staff working with this population are to adhere to this policy, which is designed to eliminate any potential conflict of interest or impairment of the services provided to offenders by SWWDB employees, and to ensure the humane and respectful treatment of offenders.

Definitions.

1.0 Definitions.

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“Adult or juvenile offender” or “offender” means an adult or juvenile under the legal custody or supervision of the DOC, the Department of Health and Family Services, or a federal, state or local law enforcement or correctional agency contracting with DOC. “Adult or juvenile offender” or “offender” includes individuals on adult probation or parole or juvenile aftercare, and adults and juveniles committed to state correctional institutions, including Wisconsin Resource Center, Mendota Juvenile Treatment Center, and Emergency Detention with the Department of Health and Family Services.

“Employee” is any person employed by DOC, including limited term, project, and permanent employees students, volunteers, and those persons under a contractual relationship with DOC or SWWDB under a services agreement/contract.

“Relationship” means a personal association between an employee and an individual listed under the supervision of DOC, the Department of Health and Family Services, or a federal, state or local law enforcement or correctional agency contracting with DOC.

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2.0 Policy.

- A. Employees may not have relationships prohibited under Section 3.0 of this policy with:
1. An adult or juvenile offender; or
2. The spouse of an adult or juvenile offender.

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This includes any offender under the supervision of the Department of Correction State Supervision or local supervision (i.e. prison, community supervision, jail time while on community supervision, probation, parole, Huber release, etc.). This includes any offender under the supervision of the Department of Corrections and/or any offender within two years following discharge from incarceration or community supervision (whichever is last).

Commented [SB1]: I just want to make sure this is your own language and was not found in ED16?

- B. Employees shall not engage in sexual conduct prohibited under Section 4.0 of this policy



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with an adult or juvenile offender.

- C. Consistent with Section 5.0 of this policy, employees must report relationships involving:
 1. An adult or juvenile offender;
 2. The spouse of an adult or juvenile offender;
 3. The children or legal guardian an adult or juvenile offender;
 4. Other persons who reside in the same household as an offender, or the spouse, children, or legal guardian of an offender; or
 5. Any relative of the adult or juvenile offender when the employee knows that the individual is related to the offender.
- D. This policy does not include employer-directed contacts or those contact that are part of the employee's job duties.
- E. Employees may request exemptions from the policy by following the procedures outlined in Section 6.0.

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3.0 Prohibited Relationships.

- A. Relationships prohibited under this policy include, but are not limited, to:
 1. Having personal contacts or being in a social or physical relationship with an individual listed in Section 2.A. This policy does not prohibit personal contacts that are required for employees to perform their duties. It also does not prohibit incidental personal contacts in group activities, such as church-related or sporting events.
 2. This policy prohibits personal contacts that are usually one-to-one such as dating, knowingly forming close relationships, corresponding or communicating without an exemption being granted, and visiting that is not job-related or without an exemption being granted.
- B. Living in the same household as individuals listed under Section 2.A. Living in the same apartment building or complex is permitted.
- C. Working for an individual listed under Section 2.A.
- D. Employing an individual under Section 2.A, with or without pay.
- E. Giving special consideration or treatment to an individual listed under Section 2.A.
- F. Providing or receiving good and services to or from an individual listed under 2.A.

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Prohibited Sexual Contact.

- 4.0 A. Employees are prohibited from engaging in sexual conduct of any kind with offenders, including, but not limited to:
 1. Having sexual contact or intercourse with an offender. [See Executive Directive 72 "Sexual Abuse and Sexual Harassment in Confinement"](#). ~~(See Executive Directive 16-A)~~
 2. Engaging in sexual misconduct with an offender. Sexual misconduct is any behavior or act of sexual nature directed toward an offender by an employee. This includes, but is not limited to, acts or attempts to commit acts of sexual assault, sexual abuse, sexual harassment, sexual contact, conduct of sexual nature, sexual gratification of any party, obscenity or unreasonable invasion of privacy.
 3. Conversations or correspondence that suggest a romantic or sexual relationship.

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- 5.0 Reporting Requirements Regarding Relationships.
Employees must report to their immediate supervisor in writing any present relationship or any relationship being considered which has the potential for violating this policy.

Employees must report to their immediate supervisor any unanticipated, non-employer/program directed contact with individuals listed under Section 2.C.

Consistent with Section 2.C, employees must notify their supervisors when their own relatives or family members are offenders.

Employees will use SWWDB Form B-513-A (DOC Form 2270A) for purposes of reporting under this Section, regardless of whether an exception is being sought.

SWWDB shall inform DOC of employee contacts and requests for exemptions, who will approve or deny requests.

- 6.0 Exemption Procedures.
Employees seeking exemption from this policy will complete form B-513-A (DOC Form 2270A) and submit to their immediate supervisor. DOC provides approval or denial of all requests.

- 7.0 Employee Statement.
Given the nature of the programs operated by SWWDB, which primarily assist individuals with barriers, including individuals under the supervision of state and local corrections/law enforcement, all SWWDB and contracted service provider staff will sign and complete SWWDB Form 513-B indicating their receipt and understanding of this policy acknowledging that fraternization is prohibited.

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References: Wisconsin Department of Corrections Executive Directives ~~16~~ and ~~16 A~~.
Wisconsin Department of Corrections Form 2270A (Fraternization Policy Exemption Request).
Wisconsin Department of Corrections Form 1558 (Receipt / Acknowledgement of Fraternization Policy).
[Executive Directive 72, Sexual Abuse and Sexual Harassment in Confinement](#)

Policy Adopted: June 9, 2021
Policy Revised: