



Ohio Administrative Code

Rule 5120-3-06 Work program assignments for inmates.

Effective: April 1, 2018

(A) It is the policy of the department that no inmate shall be assigned, transferred, or removed from a work program assignment for punitive purposes, and that such assignment, transfer, or removal shall not be related to discipline for rule infractions, except insofar as infractions are job related and manifest an inability on the part of the inmate to function in the job or at the job location.

(B) Work program assignments of inmates shall be made by a committee appointed by the managing officer of the institution which shall be known as the WPAC. The committee should:

(1) Review the inmate's supervision level status, considering all current information;

(2) Review any referrals and the recommendation of the job coordinator;

(3) Initiate or continue an appropriate program plan, including any appropriate job action; and

(4) Record within the unit record file notes of any observed improvement or deterioration in the inmate's demonstrated attitude, a statement of the recommended program plan, any orders or alterations to the inmate's work program assignment, and any other comments which may be appropriate.

(C) Whenever the WPAC considers a substantial change in the inmate's work program assignment, the WPAC shall schedule a conference with the inmate and at least one member of the WPAC. The inmate shall receive written notice of the conference at least forty-eight hours in advance; the notice shall state the purpose of the conference, that the inmate has a right to meet with at least one member of the WPAC, and that he may speak or submit a written statement regarding the program change under consideration. The inmate may waive this conference.

(D) Following the conference with the inmate, the committee shall make a written record of the conference for the unit management file. The committee will then recommend whether or not a



program change is appropriate. The recommendation will be given to the managing officer for final decision. The inmate may submit written comments or objections to the managing officer of his designee, concerning the recommendation of the WPAC.

(E) The inmate may appeal the decision of the managing officer to the bureau of classification and reception within five days of being notified of the decision. The appeal must specify the grounds clearly and in detail. The decision of the bureau of classification and reception shall be final; any decision made by the managing officer shall not be stayed pending the appeal.

(F) The WPAC shall consider and decide all proposed promotions, demotions and probationary removals of inmates. A removal from a work program assignment shall be considered a demotion within the context of this chapter of the Administrative Code. The WPAC shall also consider and decide any requests for transfers between work program assignments in the same institution.

(1) Promotions and demotions must be initiated by the supervisor of the work program assignment for the particular inmate. The supervisor shall send his recommendation to the job coordinator, who shall also make a recommendation. The job coordinator shall notify the WPAC of the proposed action within five working days of receipt of the recommendation from the supervisor. The WPAC shall review the proposed promotion or demotion, and implement or reject the proposal. Approved promotions and demotions shall be effective at the beginning of the next pay period following receipt of the proposal by the WPAC.

(2) The supervisor may temporarily promote or demote an inmate pending a decision on a proposal which has been submitted to the job coordinator. In the event the proposal is rejected, the inmate shall be returned to his original status.

(3) An inmate may be removed from a work program assignment within thirty days of assignment if the supervisor considers the performance of the inmate to be unsatisfactory. The supervisor shall send written notice of the probationary removal to the WPAC, with a statement of the reason, and request that the inmate be reassigned. The WPAC shall take any appropriate action.

(G) Promotional or lateral program reassignments, and shop transfers, are to be handled by the WPAC. Referrals may be made by any work supervisor, institution committee or inmate applicant.



The referral or request shall be given to the job coordinator who shall make a recommendation for or against the requested action. The job coordinator shall send the referral and his recommendation to the WPAC. The job coordinator shall include any relevant information pertaining to the inmate's work experience and training, and shall recommend primary and secondary program placements.

(H) In the case of any job reassignment or transfer requests, the WPAC shall include the inmate's custody level and the time to be served.

(I) Work program supervisors shall prepare a performance evaluation of each inmate at the end of each probationary period and each year thereafter. A special performance evaluation shall be prepared for inmates being recommended for promotion or demotion. A copy of each performance evaluation shall be forwarded to the job coordinator and to the unit record file of the inmate.

(J) An inmate may be removed from an institutional work program for disciplinary reasons if the inmate is convicted of a job-related or security-related rules infraction, pursuant to rules 5120-9-06 to 5120-9-08.1 of the Administrative Code. Removal may be recommended to the WPAC by the rules infraction board as part of its sanction or referred to the WPAC in the appeal process. Conviction of a serious security violation by the serious misconduct panel under rule 5120-9-08.1 of the Administrative Code shall result in immediate removal from a work program.

(K) The managing officer or his designee may assign an inmate to a temporary job at any time based on institution needs.