I. PURPOSE

To provide a successful transition opportunity for offender’s entering the community through stable gainful employment.

II. POLICY

It is the policy of the Iowa Department of Corrections (IDOC), pursuant to Chapter 904 Section 901 of the Code of Iowa, offenders are granted the privilege of Work Release/OWI are expected to be involved in gainful employment. Offenders may be permitted to leave this state as a part of Work Release/OWI program. However, in conjunction with such plans, several conditions must be met.

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III. DEFINITIONS

A. Full Time Employment - Districts will determine total hours per week at a minimum pay scale of minimum wage to satisfy full time employment.

B. Eligibility - In order to become eligible for out-of-state employment while on Work Release/OWI, offenders must be assigned to a residential facility in a border city or be required to travel out of state by the employer. Furthermore, residential facility staff shall determine which offenders may be considered for out-of-state employment, based on job qualifications, work available and the absence of any significant potential problem areas.

C. Waiver Form - The residential facility manager/designee shall ensure offenders sign the standard WR/OWI Program Plan Addendum-Agreement for Out of State Employment form and it is properly witnessed by staff before allowing any offender to leave the state.

D. WR/OWI 47 F-2, Release Plan - Sets forth rules, regulations, terms and conditions governing an offender's WR/OWI Placement.

E. Mileage Limit - The maximum distance allowed for any out-of-state employment shall be 25 miles one way from the Iowa border. Any exception to this shall require approval from the Central Office WR/OWI coordinator/designee.

F. Time Limits - Offenders may be allowed to remain out-of-state for the duration of legitimate paid work time and necessary travel time to and from the residential facility only.

G. Notification to Law Enforcement - Notification to law enforcement authorities that an offender shall be released to their jurisdiction for the purpose of employment or programming.

H. The residential facility manager/designee shall ensure all standards and procedures are followed regarding out-of-state employment.

I. See IDOC Policy AD-GA-16 for additional Definitions.
IV. PROCEDURES

A. Employment Guidelines

1. To best assure protection of the public, accomplishment of Work Release/OWI program goals and realistic opportunities for offenders, all employment must be approved in advance by staff.

2. During the orientation phase of residential facility placement, staff shall make an assessment of job-readiness, job skills, and employment aptitude of each offender.

3. The residential facility manager/designee shall ensure each offender signs Work Release/OWI Agreement form upon admission and that all Work Release conditions have been carefully explained.

4. Residential facility resources are available to assist offenders in locating jobs. (ACRS-5A-20) Employment is a critical factor in the success of an offender completing a program and may need staff assistance. Staff may refer the offender to resources in the community for assessment and enhancement of job-readiness.

5. In order to fulfill financial obligations, employment which is less than fulltime should be permitted only under compelling circumstances (depressed job market, offender limitations etc.).

6. In reviewing prospective employment, staff shall seriously consider the offender’s criminal history, previous difficulties that would negate certain types of jobs and overall Work Release expectations as well as the usual factors of wage, location and offender qualifications.

7. Unusual work schedules (i.e. overnight, out of town employment beyond a residential facility norm, etc.) maybe considered by a residential manager/designee and in consultation with the WR/OWI coordinator/designee. Standards within this policy apply when considering unusual work schedules.

8. Specific jobs not allowed for Work Release/OWI program offenders are:

   a. Bartending

   b. Working at massage parlors
c. Working in “head shops”

d. Convicted child molesters supervising or counseling children or otherwise working in contact with children.

e. Offenders convicted of OWI (current offense) driving motor vehicles on jobs or working where alcoholic beverages are served (except restaurants).

f. Sex offenders working at adult movie theaters or adult bookstores.

g. Convicted embezzlers handling large sums of money.

h. Any job where the location or type of work would involve an environment likely to negatively affect the public, the offender or the Work Release/OWI Program.

9. Any special problems affecting employment shall be addressed upon admission as Special Conditions of the Work Release/OWI Program Plan or when they become evident during the program.

10. In rare instances, offenders may be eligible and receive unemployment benefits. The emphasis of the residential program however is to be gainfully employed. Offenders will be expected to secure fulltime employment prior to release from the residential program unless an exception is made.

B. Out of State Employment

1. Staff shall determine which offenders may be considered for out-of-state employment, using the previous definitions and any other pertinent information available.

2. The offender and authorized staff shall sign the WR/OWI Program Plan Addendum-Agreement for Out-of-State Employment form. All employment information shall be confirmed including distance of the employment site from the Iowa border before allowing the offender to leave the state of Iowa.

3. Law Enforcement Notification shall be completed with the law enforcement agency where the offender is employed before permission to leave the State of Iowa is granted.
4. Such plans are then implemented in strict accordance with Iowa Law and all applicable standards and procedures.