



State of Oklahoma
Office of Management and Enterprise Services
Policies and Procedures

Employee/Offender Interaction Policy

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Approved: Dana Webb, as Designee of OMES Director John Budd	Approval Date: 02/25/2019

Policy

The Office of Management and Enterprise Services (OMES) may actively pursue public works programs (PWP) consistent with state statute by engaging in public service activities and projects that serve and benefit a public purpose. These activities may require offender labor, which will be utilized to fulfill community projects as well as saving taxpayer dollars without displacement of current jobs.

In order to protect the public, protect the employee, and protect the offenders, it is OMES policy that OMES employees (including contractors, students, volunteers or any individual representing OMES) shall not engage in prohibited activities, relationships, sexual misconduct/harassment or retaliation against offenders/ex-offenders in the PWP.

Definitions

Offender and Ex-offender: 1. Offenders are defined as individuals under the care, custody or supervision of the Oklahoma Department of Corrections. 2. Ex-offenders are those individuals who are within 180 days of the date following their discharge or termination from custody or supervision.

Public Works Programs: An ongoing project, or projects of lesser durations, that use confined or community security offenders to provide labor for the betterment of the public and/or government agency.

Implementation

As authorized by state law, offenders under the custody of the Oklahoma Department of Corrections may be assigned to OMES for the purpose of working on projects that benefit a

public purpose. Public works programs will be performed for the convenience, safety or welfare of the entire community.

Prohibited Activities with Offenders and Ex-Offenders

1. Accepting or offering a gift, craft, money or anything of value, directly or indirectly, without the written consent of the employee's supervisor. This prohibition includes any member of the offender's family.
2. Giving, receiving or loaning any money, or anything of value, for any purpose, without the written consent of the employee's supervisor.
3. Engaging in any other activity which constitutes or offers the opportunity for an abuse of the employee's position.
4. Engaging in sexual acts or sexual contact with an offender even if the offender consents, initiates or pursues the sexual act or sexual contact. Such action is prohibited, illegal and punishable under the criminal laws of this state.
5. Sexually harassing an offender. A definition of sexual harassment can be found in the [OMES Anti-Harassment and Non-discrimination policy](#).

Prohibited Relationships with Offenders and Ex-Offenders

A prohibited relationship includes, but is not limited to, engaging in any non-professional association, contact or personal relationship with offenders, ex-offenders or members of their families which may compromise the employee's ability to discharge effectively the duties of his/her position.

Prohibited Over-Familiarity

1. Engaging in or attempting to engage in conduct likely to result in intimacy or a close personal relationship with an offender.
2. Flirting with each other.
3. Exchanging personal letters or gifts.
4. Requests or granting of special favors and;
5. Discussing personal matters unless it is an expectation of the employee's job responsibilities.

Prohibited Retaliation

Retaliation is intimidation to prevent an offender from filing a complaint or participating in an investigation of sexual misconduct. OMES prohibits any individual from interfering with an investigation, including intimidation or retaliation against witnesses. If an offender believes that she/he is being denied privileges, or is being unfairly transferred or punished in some way because she/he filed a complaint, or assisted in the investigation of a complaint, should report this to the agency supervisor.

Any employee who witnesses or knows of a violation of this policy must promptly report the violation to a supervisor or Human Capital Management. OMES will promptly investigate all allegations that violate this policy.

Any employee who fails to promptly report a violation or who knowingly falsifies a report shall be subject to disciplinary action, up to and including termination.

Any employee who retaliates against an individual for reporting or providing information concerning violation of this policy shall be subject to disciplinary action, up to and including termination.

Any employee who refuses to cooperate in an investigation of a possible violation shall be subject to disciplinary action, up to and including termination.

Violations of this policy shall be subject to the appropriate disciplinary action, up to and including termination.