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# State of Alabama Department of Corrections

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ADMINISTRATIVE REGULATION  
NUMBER

235

OPR: PERSONNEL

## FRATERNIZATION POLICY

### I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures to prevent inappropriate relationships amongst employees.

### II. POLICY

It is the policy of the ADOC that employees must maintain a professional work environment where clear boundaries are established between employees' personal and work interactions and that their actions maintain ADOC workplace integrity.

### III. DEFINITIONS AND ACRONYMS

- A. **Chain of Command**: An official hierarchy of authority and supervision that dictates the activities and operations of the ADOC.
- B. **Employee**: Any person employed by ADOC as a full-time, part-time, conditional, or temporary employee and all other persons such as contract employees, authorized service providers, vendors, and volunteers with any contact with ADOC.
- C. **Executive Staff**: For the purposes of this AR, Commissioners, Associate/Deputy Commissioners, Division Directors, and Wardens.
- D. **Inappropriate Relationships**: Relationships of whatever nature that compromise the integrity of supervisory authority or the chain of command; cause partiality or unfairness; involve the improper use of rank or position for personal gain; are exploitative or coercive in nature; create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the ADOC to accomplish its mission.

- E. **Personal Relationships**: Association between employees that includes, but is not limited to, dating, sharing living accommodations, or intimate sexual relationships.
- F. **Professional Relationship**: Relationship that is formed at work that serves a critical role in the success of an employee, the employee's career, or the ADOC.
- G. **Social Relationship**: Association between employees that occur in the context of community organizations, religious activities, athletic teams and events, social functions, or family gatherings. This also includes relationships that may begin or evolve from a Professional Relationship.
- H. **Supervisor**: Supervisors, managers, or others in influential positions who monitor and regulate employees in their performance of assigned or delegated tasks or has any authority over the Tangible Employment Action of another.
- I. **Tangible Employment Action**: Action taken that constitutes a significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits.
- J. **Workplace Integrity**: Involves moral judgment and character, honesty, and leadership values. Individuals who show integrity in the workplace not only understand right from wrong, but they practice it in all they do.

#### IV. **RESPONSIBILITIES**

- A. Wardens/Division Directors shall be responsible for the implementation of this AR.
- B. All ADOC employees share the responsibility for maintaining professional relationships. All employees are responsible for the proper adherence to this AR and Institutional Standard Operating Procedures.

#### V. **PROCEDURES**

- A. All Personal Relationships between supervisors and an employee in his/her chain of command are prohibited.
- B. All Personal or Social Relationships are prohibited if they:
  - 1. Cause actual preference or unfairness; or
  - 2. Involve the improper use of position for personal gain; or
  - 3. Are unethical or threatening in nature; or

4. Engage in inappropriate physical contact while on state property or during that employee's scheduled work hours; or
5. Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the ADOC to accomplish its mission.

C. Disclosure of Personal Relationships by Supervisors:

1. Executive Staff, supervisors, managers, or anyone in a sensitive or influential position must disclose immediately the existence of any relationship with an employee in his/her chain of command that has progressed, or is likely to progress, beyond a Professional or Social relationship to a Personal Relationship. This disclosure will enable the ADOC to determine whether any conflict of interest exists because of the relative positions of the individuals involved. Failure to disclose in a timely fashion may result in corrective action, up to and including termination.
2. Disclosure at the institutional or divisional level shall be made to his/her Warden or Division Director. If the supervisor is part of the Executive Staff, disclosure shall be made to the ADOC Personnel Director and/or ADOC General Counsel.
3. Disclosure should be in writing but may be verbal as well. The first report of this disclosure shall be documented by the designated person receiving the report.
4. The receiver of the report will then take reasonable steps to mitigate the situation to remove any conflict of interest or potential conflict that may exist.

D. Disclosure of a Personal Relationship where problems or potential risks are identified:

1. The ADOC will work with the parties involved to consider options for resolving the problem. The initial solution may be to ensure the parties involved no longer work together on matters where one is able to influence the other or act for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc., are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.
2. In some cases, it may be necessary to transfer the employee to another institution/division of the ADOC.
3. Refusal of available, reasonable, alternative positions will be deemed a violation of serious work rules and will initiate administrative procedures necessary to terminate the violating employee's employment with the ADOC.

4. Continued failure to work with the ADOC to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for immediate termination.
- E. Any employee who reasonably suspects or perceives the existence of an Inappropriate Relationship should notify his/her supervisor. In cases where an employee feels threatened or uncomfortable reporting such a matter to his/her immediate supervisor, he/she should report the conduct to the next supervisor within his/her chain of command, the ADOC Personnel Director, and/or General Counsel.
- F. This AR applies evenly to all employees.
- G. All employees shall be held accountable for violations of this regulation. Employees found in violation of this policy will be subject to corrective action, up to and including the termination of employment.

## **VI. DISPOSITION**

Any documentation, correspondence, and/or forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

## **VII. FORMS**

There are no forms associated with this AR.

## **VIII. SUPERSEDES**

This Administrative Regulation supersedes AR 235, *Fraternization Policy*, dated June 19, 2017, and any changes.

## **IX. PERFORMANCE**

- A. Code of Alabama 1975 § 14-1-1.1 *et seq.*



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John Q. Hamm  
Commissioner