

OFF-DUTY OR SECONDARY EMPLOYMENT

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<i>Special Instructions:</i>	
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I. PURPOSE

The purpose of this policy is to set forth guidelines to govern off-duty or secondary employment by full-time officers of the Cheswold Police Department.

II. POLICY

The policy of this department is to provide guidelines to officers to inform them of the types of secondary employment which are appropriate, outline provisions of off-duty pay jobs, and to establish procedures to maintain accountability for the welfare of the department. These requirements are essential for the efficient operation of the police department and for the protection of the community.

- a. Sworn personnel must receive permission from the Chief of Police or his designee to engage in extra-duty employment.

III. DEFINITIONS

- A. Employment: The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer charity work.
- B. Extra-Duty Employment: Any employment that is conditioned on the actual or potential use of law enforcement powers by the off-duty officer.
- C. Regular-Duty Employment: Any employment that will not require the use, or potential use of law enforcement powers by the off-duty officer.

IV. PROCEDURES

There are two types of off-duty employment in which an officer may engage:

- A. **Regular-Duty Employment**: Officers may engage in off-duty employment that meets the following criteria:
 1. Employment of a non-police nature in which vested police powers are not a condition of employment; the work provides no real or implied law enforcement service to the employer and is not performed during assigned duty hours.
 2. Employment that presents no potential conflict of interest between duties as a police officer and duties to a secondary employer. Some examples of employment representing a conflict of interest are:
 - a. As a process server, repossession agent, bill collector, towing of vehicles or any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.

- b. Personal investigations for the private sector or any employment which might require the police officer to have access to police information, files, records or services as a condition of employment.
 - c. In police uniform in the performance of tasks other than that of a police nature.
 - d. Which assists (in any manner) the case preparation for the defense in any civil action or proceeding.
 - e. For a business or labor group that is on strike.
 - f. In occupations that are regulated by, or that must be licensed through the police department or its civilian board.
3. Employment that does not constitute a threat to the status or dignity of the police as a professional occupation. Examples of employment presenting a threat to the status or dignity of the police profession are:
- a. Establishments which sell pornographic books, magazines, sexual devices, or other media which otherwise provide entertainment of services of a sexual nature.
 - b. Any employment involving the sale, manufacture or transport of alcoholic beverages as the principal business.
 - c. Any gambling establishment not exempted by law.

B. Extra-Duty Employment: Police officers may engage in extra-duty employment as follows:

- 1. Where a government, profit-making or not-for-profit entity has an agreement with the police department for police officers, either in uniform or plain clothes where applicable, who are able to exercise their police duties.
- 2. Types of extra-duty services which may be considered for contracting are:
 - a. Traffic control and pedestrian safety;
 - b. Crowd control;
 - c. Security and protection of life and property;
 - d. Routine law enforcement for public authorities; or
 - e. Plainclothes assignments.
- 3. An officer who signs up for any extra-duty job will be required to work that job. If the officer is unable to work the extra-duty job due to illness or extenuating circumstances, that officer will be required to notify a supervisor as far in advance as possible to be excused from the job. Once an officer signs up for an extra-duty job, he/she will not cross off or white-out their name from the extra-duty job sheet. Officers violating this policy may be subject to disciplinary action.

C. Limitations on regular Off-Duty Employment and Extra-Duty Employment are as follows:

- 1. In order to be eligible for off-duty employment, a police officer must be in good standing with the department. Continued departmental approval of a police officer's off-duty employment is contingent on such good standing.
- 2. Those officers who are on medical or other leave (such as temporary light duty) or other leave due to sickness, temporary disability or an on-duty injury, shall not be eligible to engage in regular or extra-duty employment.

3. Prior to obtaining off-duty or extra-duty employment, an officer shall comply with departmental procedures for granting approval of such employment, or registration for extra-duty employment through the extra-duty job roster, raffle or immediate sign-up when applicable.
4. Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the police officer's performance of duty. No vacation, personal holiday or comp time can be used to work an extra-duty job, *nor be approved to shorten a tour of duty that falls directly before or after and extra duty assignment.*
5. Extra-duty assignments must be worked prior to the beginning of or at the end of a scheduled shift. Shifts will not be split to accommodate extra-duty assignments.
6. Permission for a police officer to engage in outside employment may be revoked where it is determined pursuant to departmental procedure that such outside employment is not in the best interests of the department.
7. The officer will behave in a professional manner and obey all laws, rules and regulations pertaining to the department.
8. The Chief of Police or his designee will ensure that all policies/procedures pertaining to off-duty or extra-duty employment are being adhered to.

D. In addition to the above sections, the below shall also apply to the 8 hour shifts:

1. The officer may not work more than a 4 hour extra duty job immediately preceding the start of his/her first shift, or immediately following the last day of his/her regular shift, working no more than a 16 hour day. There must be at least 10 hours in between the start of a job and a proceeding job or shift.
2. Extra duty jobs may not be worked in between the officer's regular shift (i.e., none after first shift and before last shift for that rotation).
3. A police officer engaged in any off-duty employment is subject to callout in case of emergency, and may be expected to leave his off-duty or extra-duty employment in such circumstances.

ORDERED and EXECUTED this 15th day of APRIL, 2013

Christopher Workman
Chief of Police