

18. EXTRA DUTY EMPLOYMENT (December 2005)

I. POLICY

The nature of the duties and obligations of the Department requires that employees work irregular schedules that are subject to change to meet deployment needs.

Additionally, it is necessary that employees have adequate rest to be alert during their tour of duty. For these reasons, the Department may limit or prohibit extra-duty employment that is detrimental to Departmental objectives.

The Department may suspend or prohibit employees from engaging in extra-duty employment as a disciplinary action for extra-duty employment violations.

Employees are urged to avoid incurring financial obligations that exceed their ability to reasonably satisfy them with their anticipated Departmental earnings.

II. CHECKLIST (N/A)

III. DEFINITIONS

Extra-duty Employment: Any paid employment that results from being a Departmental employee, and is not County sponsored.

IV. FORMS

- ❑ Employment Liability Form
- ❑ Request to Work Part Time Memorandum

V. PROCEDURES

References to extra-duty employment in this section mean outside employment where the actual/potential use of law enforcement powers is anticipated.

Officers shall transmit exemption requests to these provisions to the Chief of Police.

Officers are permitted to work extra-duty employment subject to the restrictions stated in this directive.

1. Limitations & Restrictions

Extra-duty employment has the following limitations:

- ❑ Officers on light duty shall not participate in extra-duty employment
- ❑ Officers on sick leave shall not participate in extra-duty employment for 24 hours after the end of the shift for which they were on sick leave
 - ❑ An officer using sick leave to care for a household member (e.g., spouse, child) may be exempt from this requirement. They must personally notify their immediate supervisor of their leave status and the reason for it. The supervisor shall review the employee's circumstances and, if appropriate, exempt the officer; without supervisory notification and approval, the officer is not exempt
- ❑ Officers shall not exceed 20 hours of extra-duty employment per work week. This does not include hours worked while on authorized leave or days off
- ❑ Probationary officers shall obtain advance written authorization from their Commander/Director before submitting

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a memorandum requesting authorization to begin participating in extra-duty employment from the Director, Professional Compliance Division

Sworn Employees

The following types of extra-duty employment are prohibited:

- ❑ As a commissioned police officer for any other county, municipality or political subdivision. This does not apply to duties related to U.S. Military, Reserves, or National Guard activities
- ❑ Employment or ownership in, or on behalf of:
 - ❑ An attorney
 - ❑ A bail bond agency
 - ❑ A private detective
- ❑ Involvement, in any form, in private investigation duties, including civil process service
- ❑ For any party in a labor-management dispute
- ❑ Participation in employment requiring conduct inconsistent with PGPD objectives, regulations, ethics, or reputation, or that creates a real or potential conflict of interest
- ❑ Selling, dispensing, or serving alcoholic beverages in any manner

Civilian Employees

The following restrictions apply to civilian extra-duty employment, unless exempted by the Chief of Police. Exemption requests shall be made in writing to the Chief of Police. Civilian employees shall not:

- ❑ Participate in extra-duty employment while on sick leave or light duty

- ❑ Represent themselves as sworn police officers
- ❑ Wear PGPD uniforms in the performance of any extra-duty employment
- ❑ Work in a line of employment or establishment prohibited to sworn employees
- ❑ Work security or police related jobs

2. Director, Professional Compliance Division (PCD) Responsibilities

The Director, PCD, shall serve as the coordinator for requests to perform extra-duty employment. The Director shall also administer the policy of the Department to allow officers to work extra-duty employment. The Director shall ensure the review of extra-duty employment requirements and sites, and may revoke authorization to work for specific individuals or work locations.

3. Notification to Operations

Officers shall notify Operations prior to beginning each extra-duty employment assignment and provide:

- ❑ Name and ID#
- ❑ Hours
- ❑ Name and address of the business
- ❑ Attire (uniform or plain clothes)

The Director, Police Communications shall maintain the extra-duty employment log for 30 days, and then forward it to the Director, PCD for disposition.

4. Attire

Officers working extra-duty employment shall wear the complete uniform of the day or utility uniform, as appropriate.

The Director, PCD must approve any exceptions to this requirement in writing. Generally, only non-public contact employment will be considered for non-uniformed extra-duty employment. The Director, PCD may take into consideration the wishes of the extra-duty employer regarding officer's attire, along with officer safety factors.

5. Extra-duty Arrest Compensation

Officers will not be compensated for off-duty court appearances for arrests that result from extra-duty employment.

6. Extra-duty Employment Responsibilities

Officers shall handle duties stemming from incidents occurring on the premises of the off-duty employer, including reports, lookouts, and arrests.

- ❑ Officers possessing PGPD vehicles shall transport their own prisoners
- ❑ Officers shall submit reports to a supervisor working that area or to the District where the incident occurred
- ❑ Officers working inside a building or shopping center are not required to handle incidents occurring in the parking lot
- ❑ Officers working traffic control assignments shall handle all traffic accidents

Whenever an off-duty officer believes an on-duty officer should handle an incident, the officer shall notify Public Safety Communications.

7. Liability

Whenever officers initiate police action because of police related services offered as part of their extra-duty employment or initiate action at the direction of the extra-duty employer, they shall have the same professional liability coverage as if they were on duty. This liability is extended as long as officers act within the scope of their duties as PGPD officers and take action under the color of law.

To ensure adequate civil protection, officers should require the employer to provide worker's compensation and liability coverage. Employment Liability Forms are available at each District Station. The Director, PCD will include an Employment Liability Form with memorandums approving extra-duty employment. An officer securing the completed liability form from an extra-duty employer shall return it to the Director, PCD.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- ❑ Commission on Accreditation for Law Enforcement Agencies, Standards 22.3.3, 22.3.4, 26.1.1