



# ERIE POLICE DEPARTMENT



## Written Directives

Number: **050.001**

<b>Title: <u>Secondary Employment and Extra Duty</u></b>		<b>Pages: 3</b>
<b>Effective Date: 01/14/09</b>	<b>Review Date: 06/01/20</b>	<b>Amended Date: 05/21/19</b>

### **POLICY:**

The Erie Police Department recognizes the desire of certain members of the agency to engage in secondary employment. This policy directive is intended to establish standards and procedures governing secondary employment of members of the Erie police department. This directive also addresses extra duty employment.

### **DEFINITIONS:**

**SECONDARY EMPLOYMENT:** Ownership or proprietorship of a business or employment of the member of a third party for non-police related functions, constitutes secondary employment. Examples of previously approved off duty employment include: college teaching, clerking in a retail store, performing roofing and carpentry contracting.

**EXTRA DUTY EMPLOYMENT:** Any employment conditioned on the actual or potential use of law enforcement powers by sworn members of the Erie Police Department constitutes extra duty employment. Extra duty employment shall be considered an extension of the employee's primary duties. Examples of previously approved extra duty assignments include: sporting events held at the high school, dances or other functions sponsored by the schools, running events and special events where the organizer asks for police presence. All extra duty assignments must be approved by the Chief of Police or his/her designee.

### **PROCEDURES:**

#### **I. SECONDARY EMPLOYMENT**

- A. Prior to engaging in any secondary employment, members shall submit a written memorandum requesting permission. The memorandum shall state the specific nature of the work and the number of hours to be worked per week. The application shall be forwarded through the applicant's chain of command, with each level in the chain reviewing the request, recommending approval or disapproval with supporting arguments as necessary, and forwarding the request in a timely manner to the next level in the chain of command. The Chief of Police shall have final authority to grant or deny the off duty employment request.
- B. Approval authorizes only the type of work, location and conditions specifically requested in the memorandum. Any appreciable alteration of the situation shall require separate approval. The Chief of Police can withdraw permission for secondary employment should circumstances change or if the secondary employment negatively impacts the department.

- C. Members working secondary employment for other employers are considered to be employees and agents of the employer as it relates to claims for Worker's Compensation, professional liability coverage, etc.
- D. Members, whether sworn or civilian, shall not accept secondary employment of a type or at a location which might tend to bring the department into disrepute or reduce the member's efficiency or usefulness to the department.
- E. Members shall not engage in secondary employment which requires any affiliation, membership, or allegiance which might tend to influence the member's conduct in a manner inconsistent with the proper discharge of his/her duties as a member of the agency, or with his/her duties as a member of the agency, or with his/her loyalty to the department and the public interest.
- F. Erie Police Department members shall not engage in any employment or business involving bail agencies, towing services, private guard services, collection agencies, attorneys, the serving of civil process, or investigative work for insurance companies. They shall not engage in any employment or business involving gambling, any establishment which deals in pornographic books, magazines, sexual devices, or videos, or otherwise provide entertainment or services of a sexual nature, nor for an establishment whose principal business is the sale, manufacture, distribution or transportation of alcoholic beverages or drugs, including legalized marijuana. They shall not engage in secondary employment in which they might avail themselves of access to police information, records, files or correspondence, or which might lead to allegations thereof. They shall not engage in secondary employment at any event where illegal activities might be conducted.
- G. Members who take law enforcement action while engaged in secondary employment shall immediately notify their chain of command of the circumstances and specific actions taken.
- H. Erie Police Department members shall not engage in secondary employment which conflicts with their department work schedule. Members shall not engage in secondary employment in excess of twenty-four (24) hours per week, except as may be specifically authorized and designated in the memorandum requesting permission. This restriction shall not apply when the member is on vacation.
- I. Members shall not engage in secondary employment while absent from the department on family, injury or sick leave. Members who do not report for departmental duty due to illness or injury are prohibited from engaging in any secondary employment for a sixteen (16) hour period following the time scheduled to report for duty.
- J. Members on probation from initial hire shall not work any form of secondary employment during the first six months of probation.

## **II. Extra Duty Employment**

- A. Extra duty employment shall be considered a privilege which may be suspended upon misconduct or incompetence.

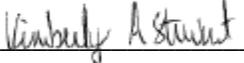
- B. Failure to report at the specified date, time, and location by the officer assigned to an extra duty position is behavior which is subject to disciplinary action equal to failure to report for regular duty.
  
- C. Code of Conduct violations which occur as a result of extra duty employment shall be handled in the same manner as regular duty violations.

**RULES:**

NONE

**REFERENCES:**

Erie Police Department Policy Chapters 3 and 5  
Lamar Police Department Directive 400.00  
Billings MT. Police Department Directive 28.001

  
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Kimberly A. Stewart  
Chief of Police