

WATERTOWN POLICE DEPARTMENT

GENERAL ORDER



JOANNA W. VITEK
CHIEF OF POLICE

Effective Date: January 1, 2010	Rescinds: Amends: A-120 (August 2008)	Number: A-120
Subject: Secondary Employment		Re-evaluationDate: January 2013
Distribution: ALL PERSONNEL	Related CALEA Standards:	

This order consists of the following numbered sections:

1. Purpose
2. Policy
3. Procedure

1. PURPOSE

The purpose of this policy is to establish guidelines governing Extra Duty Employment and Regular Off-Duty Employment by employees of this department.

2. POLICY

It is the policy of the Watertown Police Department to provide guidelines to law enforcement employees to inform them of the types of secondary employment that are appropriate, and to establish procedures to maintain accountability for the welfare of the department. These requirements are essential for the efficient operation of the department and for the protection of the officers, the department, and the community.

3. DEFINITIONS

- a. **EMPLOYMENT:** The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer work for charitable organizations.
- b. **EXTRA-DUTY EMPLOYMENT:** Performance of law enforcement duties not within regularly scheduled hours provided to any business, person, or enterprise, which has made application to the department and has been approved to secure the services of an employee of the department.
- c. **REGULAR OFF-DUTY EMPLOYMENT:** Employment of non-police nature in which vested police powers is not a condition for employment. The work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.

4. PROCEDURE

a. Regular Off-Duty Employment

i. Employees may engage in regular off-duty employment that meets the following criteria:

1. Employment that presents no potential conflict of interest between duties as a law enforcement officer and duties for the secondary employer. Some examples of employment representing a conflict of interest include, but are not limited to the following:
 - a. Officers who work as a process server, reposessor, or bill collector; towing of vehicles; or any other employment in which police authority might be used to collect money or merchandise for private purposes.
 - b. Work involving personnel investigations for the private sector or any employment that might require the police officer to have access to police information, files, records, or services as a condition of employment.
 - c. Employment using the police uniform in the performance of tasks other than those of a police nature.
 - d. Employment that assists (in any manner) the case preparation for the defense in any criminal action or for either side in any civil action or proceeding.
 - e. Officers who work for a business or labor group that is on strike.
 - f. Officers who work in occupations that are regulated by, or that must be licensed through, the police department.
2. Employment that does not constitute a threat to the status or dignity of law enforcement as a professional occupation. Examples of employment that constitute such a threat and should be denied include, but are not limited to:

- a. Establishments that sell pornographic books or magazines, sexual devices or videos, or that otherwise provide entertainment or 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.
3. To engage in regular off-duty employment, an employee must:
 - a. Submit a written request:
 - i. A written request will be utilized whenever an employee seeks to engage in regular off-duty employment during their off-duty hours. The request will at a minimum contain the following information:
 1. Description of the type of work to be performed, i.e. teaching, sales, construction, etc. and information concerning the potential employer,
 2. Maximum number of hours per week employee will engage in the outside employment,
 - a. No more than 24 hours per week will be authorized.
 3. Statement indicating that no aspect of the employment could be considered questionable in nature such as placement in compromising situations, use of police powers, or have the potential to bring discredit to the Department, and
 4. Statement indicating the services rendered will not be connected with security work, investigations, or collection or repossession of property and will not involve any law enforcement duties.
 4. Approval:
 - a. A written request to engage in any regular off-duty employment will be submitted to the Chief of Police. This request requires final approval by the Chief of Police. Approval can be withdrawn at any time.
 - i. If approval is withdrawn the employee may be given an opportunity to provide a two week notice to their regular off duty employer, unless immediate withdrawal of approval to engage in regular off duty employment is necessary.
 5. Annual Approval:
 - a. An employee who has obtained written approval for regular off-duty employment must re-submit application for re-approval on an annual basis.
 - b. Annual approval should be submitted each January.
- b. Extra-Duty Employment
 - i. Police Officers may engage in extra-duty employment as follows:
 1. Where a government, profit-making, or not-for-profit entity has a contract agreement with the police department for police officers in uniform who are able to exercise their police duties.
 2. Types of extra-duty services that may be considered for contracting are as follows:
 - a. Traffic control and pedestrian safety.
 - b. Crowd control.
 - c. Security and protection of life and property.
 - d. Routine law enforcement for public authorities.
 - e. Plain clothes assignments.
 - ii. Police Officers may engage in extra duty employment as independent contractors for businesses or parties.
 1. These duties, such as security, may be performed in Watertown Police Department uniforms.
 2. These agreements will be contractual between officers and parties using a "Hold Harmless Agreement" as releasing City of Watertown from any liability.
 3. These agreements must be approved by the Chief of Police.
 - iii. Compliance with department policies and procedures.
 1. Employees shall comply with all department policies and procedures while employed in an extra-duty employment. Department provisions will supersede any of the entity hiring the employee. Employees shall comply with all departmental regulations concerning uniform standards and personal appearance during any extra duty employment and will carry all necessary equipment subject to the nature of the assignment.

- iv. Prohibitions:
 - 1. Officers will not be allowed to perform the following types of extra duty employment:
 - a. Private Clubs requiring bouncers or related duties.
 - b. Private security agencies or private investigation agencies.
 - c. Body guard or escort services for transporting merchandise.
 - d. Adult entertainment establishments.
 - e. Any use of departmental personnel that is not in the best interest of the department.
- c. Limitations On Regular Off-Duty Employment And Extra-Duty Employment
 - i. In order to be eligible for extra or regular off-duty employment, an officer must be in good standing with the department. Continued department approval of a police employee's extra or regular off-duty employment is contingent on such good standing.
 - ii. Those officers who have not completed their probationary period or who are on medical or other leave due to sickness, temporary disability, or an on-duty injury should not be eligible to engage in extra or regular off-duty employment.
 - iii. Prior to obtaining extra or regular off-duty employment, a police employee shall comply with department procedures for granting approval of such employment or registration for extra or regular off-duty employment. Employee will submit a written request to the Chief of Police for approval. This will be kept in the employee's personnel file.
 - iv. A police officer may work a maximum of 24 hours of extra or regular off-duty employment in each calendar week.
 - v. Work hours for all extra or regular off-duty employment must be scheduled in a manner that does not conflict or interfere with the police employee's performance of duty.
 - vi. A police officer engaged in any extra or regular off-duty employment is subject to call-out in case of emergency, and may be expected to leave his/her extra or regular off-duty employment in such situations.
 - vii. Permission for a police employee to engage in outside employment may be revoked where it is determined pursuant to department procedure that such outside employment is not in the best interests of the department.

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