

General Order 353.00

Reviewed 06/15

353.00 OFF-DUTY & EXTRA-DUTY EMPLOYMENT

353.01 Policy:

- When an individual accepts full-time employment with the City of Greeley, it is with the mutual understanding that the City employment is primary and takes precedence over any other employment. Secondary employment of Police Department personnel is, therefore, subject to approval by the Department. The Department will review off-duty/extra-duty employment requests to determine if the activity would impair the employee's efficiency or effectiveness, if a conflict of interest exists, or if the off-duty/extra-duty employment conflicts with the Police Department mission.

353.02 Definitions:

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

353.03 Regular Off-Duty Employment: Employees may engage in off-duty employment that meets the following criteria:

- 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 hours of duty.
- Employment that presents no potential conflict of interest between their duties as a police officer and their duties for the secondary employer. Some examples of employment representing a conflict of interest are:
 - As a process server, repossession business, bill collector, towing of vehicles, taxi service, or any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.
 - Investigations for the private sector. No member of the Department will accept employment with any private detective agency or security service for any type of police work, except to prevent thefts, burglaries, robberies, or other specific crimes.

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- Personnel 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 condition of employment.
- In police uniform in the performance of tasks other than that of a police nature.
- Which assists, in any manner, the case preparation for the defense in any criminal or either side of any civil action or proceeding. The preceding includes the provision of expert witness opinion, outside normal duty assignments.
- No officer shall perform any work in the employ of any other law enforcement agency without specific authorization of the Chief of Police.
- Employment by a business or labor group that is on strike or involved in other job actions.
 - a. Officers shall immediately report any involvement in a labor dispute involving a private employer.
 - b. If prior permission to work for a private employer has been granted and a labor dispute/strike develops while the officer is employed by either party of the dispute, the Chief of Police may revoke the work permit previously granted.
 - c. This section does not apply to activities of, or employment through the Greeley Police Officers Association, as they relate to off-duty employment.
- 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:
 - Establishments which sell pornographic books, magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
 - No member of the Department will be allowed to own, operate, or work in a place of business in any off-duty capacity where the principal business involves the sale, manufacture, dispensing for on- or off-premise consumption, or transport of alcoholic beverages.
 - Any gambling establishment not exempted by law.
- When an employee terminates an approved, extended off-duty employment, notification shall be sent to the chief of police via the chain of command.

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353.04 Extra-Duty Employment:

- Police officers may engage in extra-duty employment for employers or in situations not prohibited in the preceding section of this directive with the permission of their Division Commander. Officers engaged in this activity will enter into a private contractual agreement between the private employer and themselves. In this role, officers are being requested as police officers who are able to exercise their police authorities.
- Types of extra-duty services which may be considered for contracting are:
 - Traffic control and pedestrian safety,
 - Crowd control, and
 - Security and protection of life and property. (This assignment may be performed in plainclothes.)
- Members of the Department may be authorized to wear their duty uniforms and department provided or authorized personal equipment for extra-duty employment. However, officers may not use cars unless specifically authorized by the on-duty Watch Commander **or Division Commander** and then only on an "as available" basis. Under circumstances where a police vehicle may enhance the presence of police personnel, the Watch Commander or Division Commander may approve the use of a vehicle for extra-duty employment. The vehicle can only be utilized for a four hour time frame. If a business or person asks for a vehicle to be used longer than the four hours during an extra-duty assignment, the business or person will be billed hourly for the use of the vehicle. **When Vehicles are used during extra-duty assignments for VIP protection, the contractor will be billed for each hour the vehicle is used.** The hourly rate will be set by the city vehicle maintenance department.
- Any Police Department employee may receive requests for extra-duty officers. The coordination of extra-duty employment is conducted by the Greeley Police Officers Association.
- In the event there are three or fewer officers involved in one extra-duty employment situation, the senior officer will be responsible for coordinating all activity.
- When an employer of extra-duty officers has four or more officers involved in one extra-duty employment situation, a supervisor must be included and will be responsible for coordinating all activity.
 - When more than three extra-duty officers are assigned to police duties in one extra-duty employment situation, a supervisor will complete the extra-duty employment request form and will submit it to the Division Commander.

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- All officers working extra-duty in uniform will be responsible for insuring that Dispatch is notified of their badge number, name, work location, hours, and equipment being used. The officers will verbally check into service with Dispatch via radio and also check out of service at the conclusion of their tour of extra-duty employment.
- Any person working extra-duty will be subordinate to the on-duty Watch Commander.

353.05 Limitations on regular off-duty employment and extra-duty employment are as follows:

- In order to be eligible for extra-duty or off-duty employment, a police employee must be in good standing with the department. Any employee on sick, injury, disability, disciplinary time off, or light duty assignment, may not engage in any off-duty or extra-duty employment.
- No recruit officer will participate in extra-duty employment until he has completed the field training stage and has been approved to operate as a solo officer.
- Prior to obtaining off-duty or extra-duty employment, a police employee shall comply with departmental procedures for granting approval of such employment.
- A police officer may work a maximum of 5 hours of off-duty or extra-duty employment per assigned work day. This does not apply to regular, compensatory, holiday or vacation days off.
- Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the police employee's performance of duty. Duty requirements, including but not limited to regular tour of duty, call-ups, and court appearances, will take precedence over all off-duty employment. A police officer engaged in any off-duty employment is subject to call-out in case of emergency, and is expected to leave his off-duty/extra-duty employment in such situations.
- Any officer working off-duty is subject to applicable Department orders, standard operating procedures, rules, policies, regulations and Code of Conduct.
- Members of the Department will immediately report in writing any incidents or situations arising from or connected with the outside employment which might adversely affect the Department or its personnel.
- Officers employed off-duty in a police officer capacity (extra-duty employment) will have full police powers, provided the following conditions are met:

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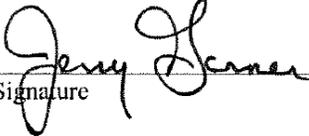
- The off-duty employment must be in a capacity specifically permitted by policies and procedures adopted by the police department.
- In order to comply with legal requirements, during the time an officer is engaged in off-duty employment defined as extra-duty employment by our directive, the officer must be in uniform with his or her badge plainly visible or, if the officer is in plain clothes, the officer must have specific permission to work in plain clothes in writing from the officer's Division Commander. This can be documented on the "Request for Permission for Off-Duty or Extra Duty Employment" forms.

353.08 Requesting Permission:

- Any member of the Greeley Police Department who owns or operates any private business or works on a commission, percentage, or salary for any person, firm, or corporation other than the City of Greeley, will be required to submit a "Request for Permission for Off-Duty Employment" form through his chain of command to the Chief of Police. The Chief of Police will make the final decision concerning the authorization of Off-Duty Employment.
- Any employee working extra-duty will submit a request for permission for off-duty employment through the chain of command to his Division Commander at least 24 hours prior to working the off-duty job. The application will specifically list the dates and times of employment. If the job is to be recurring or regular, the employee may put all of the dates and times for one year on one application. The application will expire on the last day of the calendar year. The employee will be required to submit a new application if:
 - The type of work or employer has changed.
 - The amount of hours has increased.
 - Directed to do so by the Chief of Police or his designee.
 - The prior application has expired.
- The request may be approved or denied by the employee's immediate supervisor, Watch Commander, or the Division Commander. In emergency cases when there is not sufficient time to submit the request 24 hours prior to working, the employee's Watch Commander may approve the application.
- A file of the off-duty/extra-duty applications will be maintained in the employee's personnel file.
- Permission for a police employee to engage in outside employment may be revoked when it is determined pursuant to departmental procedure that such employment is not in the best interest of the department. In such an event, the employee will be notified in

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writing.

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Authorized by Jerry Garner, Police Chief		
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Signature		Date: <u>6/12/15</u>