

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



TITLE: SECONDARY EMPLOYMENT	NUMBER: 401
EFFECTIVE DATE: March 26, 2019	REVIEW DATE:
New X Amends Rescinds	General Order 401, dated July 18, 2008
AUTHORITY: Antonio DeVaul, Chief of Police	TOTAL PAGES: 5

01 Purpose: To establish guidelines regarding employment which is in addition to Police Department employment.

02 Policy: The nature of the duties and obligations of the Department requires that employees work irregular duty schedules, which are subject to change in order to meet deployment needs. Additionally, it is necessary that employees have adequate rest to be alert during their tour of duty. For these reasons, and because certain occupations inherently conflict with an employee’s primary responsibility, the Department may limit or prohibit secondary employment which is detrimental to Department objectives. It is the policy and intention of the Department to permit secondary employment whenever it neither interferes with the effectiveness of an employee’s regular, full-time employment, nor tends to compromise the employee or the Department. However, outside employment must not become additional full-time employment, and employees who are directed to work overtime or work on their days off will do so regardless of approved secondary employment. This General Order applies to sworn and non-sworn personnel.

03 Definition: Secondary employment is any endeavor for the purpose of producing income or financial benefit other than the person’s employment with the police department. Home businesses and affiliation with other businesses that require investment of a person’s time are considered secondary employment. Police officers benefitting financially from rent and/or utility reductions, and the like, in return for their presence and/or the performance of certain duties are engaged in secondary employment. Sales of products or services are included in secondary employment. Investing one’s assets and managing one’s assets do not constitute secondary employment. Managing rental properties, whether owned or not, in which substantial time is spent on a regular basis does constitute secondary employment.

04 Requesting Approval:

A. All personnel seeking approval to work secondary employment must complete TPPD # 400-25. This form must be submitted to the Chief of Police, via the chain of command. Approvals must be obtained from the Team/Section Supervisor, Division Commander, and Chief of Police.

B. Approval of secondary employment expires at the end of 12 months and must be re-applied for

following the same procedure. The employee is responsible for tracking expiration dates, and the filing of subsequent requests.

C. Requests for temporary secondary employment needing immediate approval may be addressed verbally to the appropriate component Commander. However, the employee will complete TPPD #400-25, submitting it as per the normal procedure, with a cover memorandum documenting the initial verbal approval. If the employment is subsequently denied in writing, the employee must immediately terminate the employment.

D. Any employee engaging in secondary employment without approval is subject to disciplinary action.

E. Permission to work secondary employment may be revoked by the employee's supervisor or component Commander. If this occurs, the person doing so will submit an explanation in a memorandum to the Chief of Police, forwarding a copy to the effected employee. The Chief of Police always has the final decision in all cases.

F. Monthly schedules for secondary employment involving security related duties in the City shall be posted and available for review at any time.

05 Limitations:

A. For safety reasons, Officers shall work no more than 16 hours in a 24-hour period including primary and secondary employment.

B. New officers undergoing field training are prohibited from working secondary employment. Upon the successful completion of field training, probationary officers may engage in secondary employment after receiving a written recommendation from their supervisor, and completing the necessary steps for secondary employment approval by the Department. The twelve-month probationary period begins when the officer takes the Oath of Office.

C. Employees will not accept secondary employment when a conflict of interest appears to exist between the Department and the secondary employer. If such a situation should arise, the Chief of Police will rescind the permission for secondary employment.

D. Employees will not engage in secondary employment while on disability leave, sick leave, administrative leave, light duty or other restricted duty, unless authorized by Command authority. Secondary employment will normally be limited to rent and/or utility reductions. Employees shall not engage in secondary employment that exceeds their physical capabilities.

E. Employees should be aware that pursuant to City Code, they are not covered by Workers Compensation for injury, sickness or disability acquired as a direct result of duties required by

secondary employment. Accordingly, employees should inquire about the coverage provided by the prospective secondary employer. However, employees who are injured while actively engaged in enforcing the law (i.e. questioning a suspicious person, making an arrest, issuing a traffic citation) are generally covered by Workers Compensation.

F. Employees shall not engage in any outside employment that would adversely affect their ability to perform their duties or the quality of their work.

G. Prohibited Employment:

1. Employment is prohibited within the City where an officer engages in selling, serving or dispensing alcoholic beverages. Should the officer engage in such employment outside the City limits, at no time will he/she wear their issued weapon, or divulge his/her association with the Department in the course of their employment.

2. Officers are prohibited from working security related secondary employment in the City where alcoholic beverages are sold, dispensed or handled with the following exceptions: An officer may work for a store, restaurant, motel, hotel, country club or similar establishment as a security person, desk clerk, or similar capacity, provided no part of the officer's specific duties are related to or involve the bar area where alcoholic beverages are sold or dispensed, the employment does not require "bouncer" duties, and the sale, dispensing or handling of alcoholic beverages is not the primary business of the establishment.

3. Except for uniformed secondary employment, officers will not engage in secondary employment if the authority vested in them, as a city employee (to be a police officer) is a requirement for obtaining or holding the employment.

4. Employment or ownership in or on behalf of any private detective, attorney, insurance agency, bail bond agency or involvement in any form of private investigation duties, including the service of civil processes is prohibited.

5. Employment for either party in a labor management dispute is prohibited.

6. Employment as a commissioned police officer for any other political subdivision is prohibited. This does not apply to duties related to U. S. Military Reserves or National Guard activities.

7. Employment that conflicts with any Department Rule or General Order is prohibited.

H. Employees shall not use either any expendable supplies, or any services for which a cost is generated for the purpose of conducting secondary employment. Examples of expendable supplies include but are not limited to, paper, toner, folders, envelopes or brochures. Examples of services for which a cost is generated include long distance telephone charges, wireless roaming fees, excess

wireless airtime fees, and internet subscription fees. This prohibition does not apply to the costs of producing schedules and making contacts with business entities for the purpose of engaging in security related secondary employment at locations within the City limits.

I. Employees shall not use Department telephone numbers, wireless telephone numbers provided by the City, or e-mail addresses provided by the City for making or receiving contacts while engaged in secondary employment. This prohibition does not apply to contact purposes for security related secondary employment at locations within the City limits.

06 Security Related Secondary Employment within the City:

A. Prior to the start of working their secondary employment within the City, officers shall notify the on-duty dispatcher and the on-duty Team Leader, over the air, of their location and employment times.

B. Unless a special exemption is made by the Operations Commander, the prescribed uniform of the day will be worn by all officers engaged in security related secondary employment. Officers will have all proper equipment including approved secondary weapons. Use of all City issued equipment is authorized. If an officer is in plainclothes, he/she must have visible police identification displayed, such as a badge on a chain or belt clip worn on the outermost clothing, or a cap with a police department patch. Use of a police cruiser may be approved by the on-duty supervisor if sufficient vehicles are available. Requests for a special exemption from uniform clothing must be made by the secondary employment detail coordinator to the Operations Commander.

C. When an employee determines that an offense report is required, he/she will call an on-duty officer to take the report. This does not prohibit the officer from taking immediate and appropriate action at the scene of a crime. However, on-duty officers will always be called to the scene.

D. While on-duty, employees will not show preferential treatment to a place of his/her secondary employment. While working secondary employment you will not encourage extended visitation by on-duty officers.

E. Officers working secondary employment are subject to inspection by on-duty supervisors for compliance with rules, General Orders, and other written directives; they shall comply with any on-duty supervisory order regarding compliance with the same.

07 Employment Outside the City: An employee may not use City issued equipment for employment outside the City limits.

08 Alcoholic Beverages on Public Property and in City facilities:

1. Instances have arisen where alcoholic beverages were present at private functions held in City facilities, either with or without the presence of police officers performing secondary employment for these activities. Officers are reminded that the City Code prohibits persons from bringing alcoholic beverages (including beer and wine) onto public property. MNCPPC rules also prohibit alcoholic beverages in their facilities. Police officers have a duty to enforce these regulations, including officers performing secondary employment.
2. Additionally, private functions held in City facilities will terminate by 11:00 PM and the facility shall be vacated by midnight