

Off-Duty Employment

1040.1 PURPOSE AND SCOPE

A. The purpose of this policy is to set forth rules governing off-duty employment.

1040.1.1 DEFINITIONS

Employment: The provision of service, whether or not in exchange for a fee or other service. Employment does not include volunteer/charitable work.

Law Enforcement Related Off-Duty Employment: Any employment under authority of the police department that is conditioned on the actual or potential use of law enforcement powers by the police officer (employee).

Non-Law Enforcement Related Off-Duty Employment: Any employment outside of the police department that will NOT require the use or potential use of law enforcement powers by the off-duty employee.

1040.2 POLICY

- (a) There are three types of off-duty employment a police employee may engage in:
- (b) Law Enforcement Related Off-Duty Employment:
- (c) Off-Duty employment by a police officer requiring the use of law enforcement authority.
Non-Law Enforcement Related Off-Duty Employment:
- (d) Off-Duty employment by a police officer not requiring the use of law enforcement authority.

1040.2.1 PROCEDURES

A. Prior to obtaining any law enforcement related employment a police department employee must request prior approval through his or her division commander's office, at least forty-eight (48) hours prior to the start of any secondary employment. Approval must be in writing on a properly completed "Request for Outside Employment" form # 014/07. Tentative approval may be given by a division commander and any such permission granted may be rescinded by the Chief of Police or designee. If a change occurs involving an employees capability to perform his/her duties or maintain requirements of the department, the Chief of Police, designee or division commander may rescind any employment approval.

B. Employees who have not satisfactorily completed their initial field training (sworn personnel), or who are on medical leave, leave due to illness, temporary disability, or on light duty status shall not work off-duty employment.

C. Employees working law enforcement or non-law enforcement related employment shall not schedule shifts that would conflict or interfere with the employees' regularly assigned shift with the department.

D. No police officer shall work any off-duty law enforcement related employment outside the corporate limits of the City of South Salt Lake. Exceptions to this are law enforcement related teaching/instructing.

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E. A police employee engaged in any off-duty law enforcement related employment is subject to call-out in case of emergency, and is expected to leave his/her secondary employment in such situations.

F. Any police employee engaged in any off-duty employment is subject to all rules, regulations, policy and procedures of the City of South Salt Lake and the South Salt Lake Police Department.

G. No employee may enter into a contract to serve as a broker to provide off-duty police employment.

H. Permission of police employees to engage in off-duty employment may be revoked where it is determined pursuant to this procedure that such secondary employment is not in the best interest of the department.

I. If an employee arrives at an off-duty police assignment and finds that fulfilling the assignment will violate this policy, he/she will immediately notify the on-duty supervisor. Employees of the department will immediately report in writing, any incident or situations arising from or connected with their off-duty employment which might adversely affect the department or its personnel. All notifications will be directed to the Chief of Police through the chain of command.

J. In the event of the necessity to make an arrest during an off-duty police assignment, while working plain clothes, the officer must call for a uniform officer whenever possible prior to intervening. If enforcement action is required the officer must identify him/herself by visual and verbal means.

K. Employment that constitutes a threat to the status or dignity of a police officer as a professional occupation will not be approved. These guidelines are in place to prevent embarrassment to the employee and/or the department. Examples of employment presenting a threat to the status or dignity of the police profession are,:

1. Establishments which sell pornographic books, magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
2. Any employment involving the sale of alcohol for on site consumption, manufacture of alcohol or the transportation of alcohol.
3. Any gambling or gaming establishment not exempted by law.

Even though an officer could work in plain clothes, the status of a person as a police officer is generally well-known to acquaintances and a police officer is expected to enforce the law whether on or off duty. The occupations listed above are representative of some that have come to be associated with high levels of criminal activity; therefore, there is a likelihood an officer would be called upon to exercise law enforcement powers, exposing the department and city to an unacceptable risk of liability and potential embarrassment.

1040.2.2 OFF DUTY NON-LAW ENFORCEMENT

A. Employees who wish to work off-duty non-law enforcement employment need not obtain permission from the police department to do so. However, employees must follow the guidelines set down in section 1040.2.1.(K) of this policy.

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B. Employees who wish to work off-duty non-law enforcement employment are also subject to abiding by section 1040.2.1. (F) of this policy.

1040.3 COMPENSATION

A. Off-duty employment assignments will be determined by agreement between the secondary employer and the requesting employee.

B. Employees working any secondary employment are responsible for paying all appropriate taxes and reporting all income to the Internal Revenue Service, pursuant to I.R.S. regulations.

C. The City of South Salt Lake and/or the South Salt Lake Police Department are not responsible for payment conflicts, or lack of payment between the police employee and the secondary employer.

D. Employees may work a maximum of twenty-four (24) hours of off duty employment (law enforcement or non-law enforcement related employment), or a total of sixty-fours (64) hours in combination with their regular duty in each calendar week.

1040.3.1 BENEFITS AND LIABILITIES

- (a) Officers approved to perform off-duty law enforcement related employment , subject to provisions set forth below, will be covered by benefits established under the workers compensation act and injured employee salary continuation plan, if it is determined that the officer was in the course and scope of police duties.
- (b) For the purpose of this policy, course and scope of law enforcement related duties will include:
- (c) Incidents where an officer is injured while in the act of enforcing a federal, state law or ordinance of the City of South Salt Lake.
- (d) Incidents where an officer is injured solely because of his/her representation as a law enforcement officer or member of the South Salt Lake City Police Department.