

CHAPTER 17 – OFF-DUTY AND EXTRA-DUTY EMPLOYMENT

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CHAPTER 17 – OFF-DUTY AND EXTRA-DUTY EMPLOYMENT

Section 17.00 – Definitions

A. Employment: The provision of a service, whether or not in exchange for a fee, or other service.

*B. Extra-Duty Employment: Any employment that requires the actual or potential use of law enforcement powers by the sworn employee, whether in uniform or not .

*C. Off-Duty Employment: Any employment that does not require the use of law enforcement powers by the off-duty employee. Since this employment is not under the color of law, the department member will not wear a uniform or represent the police department or the City of Raymore.

D. Probation: The initial period of assessment after being hired by the City, or the review and evaluation phase for retraining or disciplinary reasons.

E. Certified Officer: A member of the department that has been certified by the State as a police officer. This includes full-time and on-call officers.

F. Member: For the purpose of this policy, a member is any employee of the department.

G. Conflict of Interest: For the purposes of this subject matter, a conflict of interest shall include but is not limited to:

1. Working for and/or under the direction of a private security firm.

2. Working as an investigator for an attorney on a civil or criminal case.

- *3. Working in an establishment where the primary function and source of profits of the business is the selling and/or serving of alcoholic beverages, medical marijuana, CBD or other related products.

4. Working as a bill collector, repossessing or towing vehicles, or in any other business where police authority might be used to collect money or merchandise for private purposes.

5. Working in a police uniform on tasks not of a police nature.

6. Working in an establishment that sells pornographic literature, videos, sexual devices or otherwise provides adult entertainment or services of a sexual nature.

Section 17.01 – Policy

*A. These guidelines are intended to provide direction to police department employees about the types of off-duty or extra-duty employment which are appropriate and to establish procedures to maintain accountability for the welfare of the department. Working extra-duty jobs for additional compensation under the "color of law" and/or the department is a privilege. As such, the City and department reserve the right to regulate this activity.

B. The provisions of this policy apply to all employees, whether civilian, full-time or part-time officers, regular or reserve. A call out or reserve officer's regular employment is exempted from this policy unless a conflict of interest exists.

C. Off-duty and extra-duty employment may be revoked or denied, if the member does not comply with department policy or their performance during regular duty hours is determined by the immediate supervisor to be less than satisfactory. It may also be denied if it is determined that such outside employment is not in the best interest of the department, pursuant to department policy and procedure .

*D. A member is forbidden to work off-duty or extra-duty employment while on sick leave with the department. This includes the 24 hours immediately following the member's regular tour of duty in which they called in sick.

E. Members are forbidden to work any job which entails the wearing of a police uniform or need for police authority, while on suspension from the department, having been relieved from duty as a result of a disciplinary action, a pending disciplinary action or fit for duty evaluation.

F. Members are forbidden to work extra-duty employment while on leave without pay from the department. Officers may work extra-duty while on paid vacation, compensatory time, personal or holiday leave.

*G. Members may work off-duty employment while on limited duty status if the following conditions are met:

1. The job does not require greater physical demands than that of the limited duty assignment, and;
2. The request is approved through the chain of command to the Chief of Police.

H. The legal authority vested in a certified officer while working extra-duty employment is limited to the enforcement of federal, state, county, and municipal laws and regulations. Officers will not use their police authority to enforce a private employer's policies and regulations.

I. Police department vehicles shall not be used by officers working extra-duty employment unless authorized by the Chief of Police. Officers will use their own vehicles for transportation to and from off-duty and extra-duty assignments, unless otherwise approved by the Chief of Police, for the safety of the officer and prevention of crime.

J. Police department uniforms and equipment worn by officers while working extra-duty shall conform to policy as in regular duty status.

K. Under no circumstances shall off-duty or extra-duty employment take precedence over the employee's regular duty. All regular shifts will be covered prior to off-duty or extra-duty employment being authorized.

L. Employees shall not exceed 24 hours, per 7 day week, of extra-duty employment, unless approved by the Chief of Police or a designee.

*M. Employees shall not work more than 16 consecutive hours in one 24 hour period, including regular duty, extra-duty and/or off-duty employment, except in emergency situations and only with approval of the Chief of Police or designee.

N. Officers shall comply with all department rules pertaining to the release of confidential information while employed in an off-duty or extra-duty capacity.

O. No officer shall work extra-duty employment where there is a conflict of interest. No employee shall work off-duty where a potential conflict of interest exists unless specifically authorized by the Chief of Police.

Section 17.02 – Procedure

A. Prior to working any off-duty or extra-duty employment, including any type of self employment, a member of the department, whether certified or non-certified, police or civilian, must submit a request in writing on the proper form, through the chain of command to the Chief of Police. Upon approval of the Chief of Police, the member may work outside employment.

B. Verbal approval for extra-duty and off-duty employment may be obtained from a member's supervisor when time constraints prevent the matter from receiving immediate written approval; however, the proper form will be completed and forwarded through the chain of command, to the Chief of Police, as soon as possible, beginning with the supervisor who gave verbal consent.

C. Any officer working extra-duty who becomes involved in detention of a suspect, shall request an on-duty officer to respond to the scene. The case will then be handled in the same manner as any other crime of the same type. The officer working extra-duty will complete a general offense report, and other applicable reports, as soon as practical. The officer will turn in the completed report(s) to the on-duty officer

responding to the scene if an arrest is made. If no arrest is involved, reports will be turned in at the end of the extra-duty shift.

D. The extra-duty officer will sign as the arresting officer.

E. Overtime or compensatory time will be paid by the department for a member to attend court on an arrest made or police action taken while on extra-duty status. However, officers will make every effort to schedule the case for a municipal court session, when the officer has other cases being heard.

F. If an officer is injured while working off-duty or extra-duty, the officer should comply with the procedures outlined by the outside employer for any benefit coverage and said employer shall be responsible for coverage. However, if the officer is involved in a direct law enforcement function, such as an arrest, coverage will be provided by the City. In this instance, any injury time off taken by the officer will not require the use of personal leave time. However, if the officer is unable to work his regular shift due to illness or injury caused while on extra-duty or off-duty employment, then he/she will be charged sick leave or vacation leave, as with any other off-duty illness or injury.

G. A police officer engaged in extra-duty or off-duty employment is subject to call-out in case of emergency and may be expected to leave his off-duty or extra-duty employment in such situations.

H. Employees working extra-duty employment will be subject to the policies of the City of Raymore and the Raymore Police Department, as if working on-duty.