JOPLIN POLICE DEPARTMENT	3-02 STANDARD OPERATING GUIDELINE
SUBJECT: Off Duty / Extra Work Details	**REVIEW DATE: Annually - March**
EFFECTIVE DATE: May 2, 2012	**ACTION DATE:**
AMENDS/SUPERSEDES: 3-02 August 29, 2008	**AMEND DATE: April 8, 2022**
ACCREDITATION INDEX: 22.3.4, 22.3.5 a, b, c, d, e	**APPROVED:** Richard A. Pearson **Chief of Police**

I. POLICY

The chief of police must ensure the continued efficiency and effectiveness of the department while simultaneously reducing or eliminating conflicts of interest. To this end, the chief of police shall manage according to whatever reasonable controls he deems necessary to restrict or regulate the conduct of employees. It is the policy of the department, therefore, to prohibit off-duty employment when it may impair efficiency or conflict with employees' duties and responsibilities. To promote the welfare and good reputation of the department, however, this order outlines procedures to ensure appropriate, accountable, and reasonable off-duty work.

II. PURPOSE

To define regulations governing off-duty employment and conduct while employed in an off-duty capacity.

III. DEFINITIONS

A. Employment

Any work performed or services provided for compensation (a fee or otherwise), including self-employment. Volunteer charity work is excluded.

B. Good standing

A description of employee behavior, recognized by the department as acceptable to the job position and not subject to discipline for poor behavior or performance.

C. Law enforcement-related employment

Off-duty employment, which may entail the use of law-enforcement powers granted by the State of Missouri or the City of Joplin.

D. Secondary employment

Any non-law enforcement-related off-duty work for pay. Secondary employment does not require sworn enforcement powers as a condition of employment and the work does not provide implied law-enforcement service.

IV. PROCEDURES

A. General (22.3.4, 22.3.5 C)

1. No employee shall work off duty until released from the Field Training Program or until authorized by the Chief of Police, or his/her designee. (22.3.5 A)
2. Employees on medical or sick leave (to include FMLA leave), military leave, temporary disability, or light duty due to injury are ineligible for off-duty employment.

3. An employee engaged in **any** off-duty employment may be called to duty in an emergency.

4. The employment shall not render the officer unavailable during an emergency, or physically or mentally exhaust the officer to the point that his performance on duty will be affected.

5. Employment shall not in any way conflict with the objectives of the department, impair its reputation, or compromise law enforcement.

6. Each employee while engaged in off-duty employment shall conduct himself in accordance with department standards, and is under the control of department supervisors. (22.3.5 B)

7. Any commissioned police officer, who meets the criteria of this order, will be eligible to work extra details provided that he/she informs the coordinator of his/her wishes to do so by completing the extra duty sign up form. These forms are distributed approximately 2 weeks prior to each patrol shift rotation. The extra duty list will coincide with each patrol shift rotation. Each officer wishing to be considered for extra work details, must complete the form and return it to the extra duty coordinator by the date specified during each sign up period. If an officer does not complete a form to advise the coordinator that he/she wishes to participate in extra work details, during each sign up period, that officer will not be contacted by the coordinator.

B. Extra work detail coordinator (22.3.5 D)

1. An employee designated by the Chief of Police (extra-work detail coordinator) will oversee all scheduling of details and officers.

   a. School system functions will be handled by the SRO's until slots are filled, if further assistance is needed they will be assigned by the extra work coordinator.

2. It is the responsibility of the coordinator to inform the detail's promoter of the policies for payment and/or cancellation of the detail.

   a. If a cancellation of a detail is not made by the promoter directly to the coordinator within 24 hours of the scheduled starting time, the promoter will be responsible for paying the officers scheduled to work for a minimum of three (3) hours.

   b. If a detail is cancelled, it will be the responsibility of the coordinator to notify any officers that were scheduled to work it.

3. The coordinator will keep an updated file of all officers who have stated their desire to work extra-work details.

4. All details will be submitted to the Chief of Police or his/her designee for final approval. (22.3.5 A)

5. The coordinator will not schedule any details for less than three (3) hours minimum pay per assigned officer.

6. Upon completing the scheduling of a detail, with the officers which will work it, the coordinator will complete the Extra Work Detail Form (see attached) and will forward it to the Special Enforcement Bureau Lieutenant who will maintain an extra work file. An email will be sent to the officers scheduled to work the detail, specifying the date, time and contact person for the detail.

7. From the completed schedule of the detail, the coordinator will appoint an officer to be in charge of the detail. It will be the responsibility of the officer in charge to report any absences or unauthorized substitutions of officers to the coordinator.

8. Scheduling officers

   a. The coordinator will contact eligible officers in alphabetical order from a current file of those who have stated their desire to work. The only exception will be when the coordinator receives a request for security 24 hours or less from the start of the detail. In that case, the coordinator is not required to follow the alphabetical list. The Extra Duty Coordinator may receive one additional detail per month at his/her leisure outside the alphabetical list rotation.

   b. When a detail is fully scheduled, the coordinator will begin with the next name on the list for the next detail.

   c. No officer will be scheduled to work if the hours of the detail interfere with his/her regular duty hours.

   d. If a scheduled officer cannot work the detail, he/she is responsible for finding a substitution. Officers who miss an assigned detail without finding a substitution will be subject to disciplinary action, which may include being removed from the extra work detail list for a designated period of time.

C. Secondary employment (22.3.4)

Employment shall not constitute a conflict of interest. A conflict of interest, as determined by the chief of police, is any activity inconsistent, incompatible, or in conflict with the duties, functions, or responsibilities of employment. (see City of Joplin Employee Manual section 9.5 Outside Employment and section E. of this SOG)

D. Law enforcement-related off-duty employment (22.3.5 B, E)

1. Law enforcement-related off-duty employment shall not exceed the capacity of the officer's fitness for duty.

2. Law enforcement-related employment is restricted to the city limits. Officers may perform law-enforcement duties beyond the city limits if working in conjunction with another jurisdiction's regular law-enforcement agency **and** after being authorized by the Chief of Police.

3. The minimum salary required for officers employed in a law enforcement-related capacity must be approved by the Chief of Police. Officers shall not accept money beyond the agreed upon salary for the detail without the permission of the chief.

4. No employee shall solicit any person or business for the purpose of gaining law enforcement-related off-duty employment, and, while on duty, shall not solicit any person or business for the purpose of gaining secondary employment.

5. Except for security activities or other employment specifically authorized by the chief of police, the following regulations apply:

   a. The department uniform shall not be worn while engaged in off-duty employment.

   b. Department-owned vehicles, radios, or other equipment shall not be used while traveling to and from or engaging in off-duty employment, unless specifically authorized by the chief of police.

6. Officers, while engaged in law enforcement-related employment, shall be subject to the orders of the on-duty law-enforcement supervisor.

7. Supervisors and commanders should continuously review the performance of employees who engage in secondary or extra duty employment, and will recommend its termination if the officer does not meet department responsibilities to the fullest extent. (22.3.5 C, E)

E. Administration (22.3.4)

1. Employees must submit a written request to the chief of police through the chain of command for any off-duty employment (see attached Request for Approval of Outside Employment form). Employees shall not begin any off-duty work until approval has been granted. The request shall be filed in the employee's personnel file.

   a. The approved request is subject to periodic review by the chief of police. Officers shall communicate any changes in information contained on the form to the chief of police as soon as possible.

   b. The chief of police may revoke permission to work off duty if the officer fails to perform adequately on duty or receives disciplinary action. To be eligible for permission to work off duty, officers must be in good standing with the department. Continued permission to work off duty is contingent upon remaining in good standing.

2. The chief of police shall disapprove any employment that demeans the status or dignity of the law-enforcement profession and/or the City of Joplin Police Department, or otherwise represents a conflict of interest. Examples of such employment include: (22.3.5 C,E)

   a. Retailers, which sell pornographic materials, or provide services of a sexual nature.

   b. Retailers who sell, manufacture, or transport alcoholic beverages as the principal business.

   c. Gambling establishments not authorized by law.

   d. Performance in department uniform of any tasks other than those of law enforcement.

   e. Performance of any work for a business or labor group that is on strike.

   f. Performance of any work regulated or licensed through the department (i.e. liquor establishment).

   g. Performance of personnel investigations for private firms, or any employment requiring the officer to have access to police files, records, or information as a condition of employment.

   h. Performance of **any** activity that supports case preparation for the defense in any criminal or civil action inside the City's jurisdiction without the Chief's approval.

3. Arrests made while engaged in off-duty law enforcement-related employment shall be limited to felonies or criminal misdemeanors committed in the officer's presence or a breach of the peace jeopardizing public safety.

   a. Employees shall understand that department liability protection does not extend to willful acts, which cause injury or damage, or acts the officer knew or reasonably should have known conflicted with department policy or the law.

b. Off-duty arrests shall **not** be made when the officer is personally involved in the incident underlying the arrest.

c. Off-duty arrests shall **not** be made when the officer's actions only further the interests of the private employer.

F. Liability (22.3.5 E)

1. The department recognizes that an officer in law enforcement-related employment may undertake an action connected with the employment that the courts may construe as a law-enforcement duty, and therefore an extension of the job. Officers are reminded that their off-duty performance must follow the same standards required for on-duty performance. Off-duty law-enforcement actions, whether for a private employer or not, must meet the requirements of this manual.

2. Officers should realize that, according to the City of Joplin, worker's compensation will not cover injuries sustained by officers when the injury occurs off duty, or during off duty employment.

V. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies shall comply with this policy.

VI. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.

REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT

Fill out in **DUPLICATE,** Forward **BOTH** copies to the Human Resources Department**.**
(Original will be returned to the Originating Department)

________________________ ____________________________ _________________
NAME POSITION/TITLE DEPARTMENT

PRESENT CITY WORK SCHEDULE: **TOTAL HOURS: _______________**

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

WORK SCHEDULE FOR OUTSIDE EMPLOYMENT **TOTAL HOURS: _______________**

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

GIVE A BRIEF DESCRIPTION OF YOUR OUTSIDE EMPLOYMENT JOB DUTIES:

In the performance of the duties of this outside employment, would you have business or professional contact with persons or firms with whom your Department or you as City employee have occasion to deal officially?
____________Yes ____________No

EXPLAIN:
____

Signed: __________________________________ Date: _____________________

♦♦

Approved: _____________ Approved with Reservation: ______________ Disapproved: __________
(See attached sheet)

Department Head: ___________________________ Date: _____________________

♦♦

Approved: _____________ Approved with Reservations: _____________ Disapproved_____________
(See attached sheet)

Director of Human Resources: _______________________ Date: ___________________

FOR EXEMPT AND PUBLIC SAFETY EMPLOYEES ONLY, **APPROVAL OF THE CITY MANAGER IS ALSO REQUIRED**

Approved: ______________ Approved with Reservations: ____________ Disapproved: ____________
(See attached sheet)

City Manager: ___________________________________ Date: _____________________

NOTE: No employee of the City may engage in outside employment, which interferes with their attendance or job performance, reflects negatively upon the City, or conflicts with the interests of the City.

EXTRA WORK DETAIL

Day _____ Date _____ Hours _____

Promoter _____ Phone _____

Fax_____

Representative _____ Phone _____

Address of Promoter_____

Detail _____

Type of Work _____

Location _____

Number of Officers _____ Uniform _____

1. _____ 11. _____
2. _____ 12. _____
3. _____ 13. _____
4. _____ 14. _____
5. _____ 15. _____
6. _____ 16. _____
7. _____ 17. _____
8. _____ 18. _____
9. _____ 19. _____
10. _____ 20. _____

Approved By: _____ Coordinator: _____

Promoter/Representative _____ was advised of the policies governing cancellation of detail and minimum payment.

Coordinator _____

By Phone ____ In Person ____