



SYKESVILLE POLICE DEPARTMENT

Secondary Employment Policy

General Order 2-6 Effective: 03/28/17

Authorized By: *Michael A. Spaulding* Chief of Police

I. PURPOSE

To provide the procedures by which employees of the Sykesville Police Department may engage in secondary employment.

II. POLICY

It is the policy of the Sykesville Police Department to allow its employee to engage in secondary employment within the restrictions and limitations contained herein.

III. PROCEDURES

A. Secondary Employment Process

1. There are two types of employment methods that may occur.

a. Individual

- (1) The employee finds his/her own secondary employment
- (2) The employee independently negotiates for the conditions of work, hours, and pay.
- (3) The employee then applies for permission to work the secondary employment.
- (4) The Department grants permission provided the job meets established secondary employment standards and regulations.
- (5) The Department may set uniform, equipment, and vehicle requirements.
- (6) The employer pays the individual directly.
- (7) The employee reports hours of employment to the Department as required for oversight and verification of compliance with Department regulations.

b. Department

- (1) The Department negotiates and contracts with an employer.

- (2) The Department may set rate of pay, conditions of employment and hours.
- (3) The Department applies for permission to accept the off duty job.
- (4) The Department may assign and coordinate the work schedules.
- (5) The Department may set uniform, equipment, and vehicle requirements.
- (6) The employer pays individuals directly or makes payment to the town for disbursement as agreed by contract.

B. Conditions of Employment

1. Hours of Work

- a. The Department will not regulate the number of hours an employee may work at secondary employment during off duty days, except that there will be at least 8 hours between secondary employment and the next scheduled tour of duty.
- b. The Department will regulate the number of hours an employee may work during on duty days.
- c. The number of hours an employee may work during an on duty day will be a maximum of sixteen hours inclusive of those hours worked for the Police Department.
- d. Employers must maintain and produce records for review by the Chief of Police on demand to provide verification of conformance with Department regulations regarding authorized hours of work.
- e. The Department may rescind any approved secondary employment for failure to produce records as directed.
- f. The Department may rescind any approved secondary employment for non-conformance with authorized hours, and may take administrative action as deemed appropriate.

C. Department Regulations

1. Employees are authorized to work uniformed secondary employment only within the boundaries of Sykesville, Maryland, where the police department normally provides police service. Uniformed secondary employment is prohibited outside the jurisdiction.
2. No employee may enter into secondary employment without first making proper application and receiving written authorization from the Chief of Police. Application shall be made on SPD Form #168, which is available on the PowerDMS under "Forms."
3. Secondary employment may not be approved in cases which may interfere with the performance of the employee's official departmental duties, including overtime assignments and ability to respond to emergency calls.
4. Employees are prohibited from engaging in secondary employment while on sick leave with the Department.
5. If in the determination of the Chief of Police an employee's secondary employment is having an adverse effect on, or is impairing the individual's performance in any fashion, the Chief may suspend or revoke the employee's approved secondary employment. Revocation will occur via completion of the SPD Form #168 in the "Revocation of Approval" section.
6. Secondary employment will not be approved for Police Department personnel who have not successfully completed their probationary period. This will not preclude sworn personnel from working secondary employment in the following:
 - a. Providing security for the Carroll County Board of Education or other Carroll County government agencies, where it is in the best interest of Carroll County to provide such security; or
 - b. In other non-law enforcement positions, i.e., those requiring no Police Department uniform or equipment

D. Sworn Officers Discharge of Duties

1. Sworn officers are responsible to their positions as law enforcement officials 24 hours daily, and shall give priority to those responsibilities in all instances.
2. Any unlawful act brought to the attention of or observed in the presence of a sworn officer shall be acted upon in their official capacity.

3. Any action taken by a sworn officer in their official capacity while on duty or off duty shall be in conformance with Department policy.
4. Complaints against sworn officers involving police duties will be acted upon in accordance with internal and administrative processes of the Department.
5. Sworn officers are responsible to make prospective employers aware of their official law enforcement responsibilities.
6. Sworn officers are to process all persons involved in violation of the law in accordance with Department policy.
7. The Department shall provide for payment of time relating to the processing, arrest, court time, or other hours arising out of an employee's exercising of police powers.

E. Uniforms, Equipment and Vehicle Regulations

1. Uniforms, general issue equipment and/or Department vehicles may be authorized or required for secondary employment at the discretion of and written approval of the Chief of Police.
2. An employee and/or secondary employer may request authorization for use through the employment application process with a statement of justification to be included.
3. The Department may, on consideration of any secondary employment request, require uniforms, equipment and/or Department vehicles as a condition of that employment.
4. In all cases, employees may not wear or use any official property of the Department without first submitting a written request for authorization and receiving approval from the Chief of Police.
5. Employees shall not use Department vehicles for purposes of secondary employment, except as approved for transportation to and from the work site, unless approved in writing by the Chief of Police.

F. Prohibited Activities

Applications for secondary employment will not be approved in any of the following circumstances.

1. Any employment that would involve the use of Department records.

2. Any employment in businesses, which profit from sale of alcoholic beverages (Applicable to sworn officers only). Exceptions may be made for traffic/crowd control, or other employment not related to the sale or handling of alcohol, or direct security of employees or patrons while in or on the premises.
3. Any employment that may because of its location or nature bring disfavor, disrespect, or discredit to the Department or the employee.
4. Any employment that may impair or adversely affect the independent judgment of the employee in the performance of his/her official duties.
5. Any employment that suggests a conflict of interest by which an employee's authority may improperly serve private rather than collective interests. Specifically, for example, an employee may not work as a process server, reposessor, bill collector, credit investigator, pre-employment investigator, bail bondsman, in a capacity to prepare cases for criminal defense, or with a company affected by strike or lockout.
6. Any employment with establishments that profit from activities such as gambling prohibited by statutes the Department is sworn to uphold.
7. Any employment under conditions that confer special advantage to private interests at the expense of a public interest. For example, a sworn officer on a traffic control job must serve the interest of all motorists, not just those going into or out of the employer's parking lot. (Applicable to sworn officers only.)
8. Any employment that threatens the professional status of the Department or its standards of conduct and values. For example, any work that lowers the dignity of the Department.
9. Any employment that could be considered an unacceptable risk of injury that could disable an employee from regular duties.
10. An employee may not be self-employed in or manage a business where a conflict of interest is presumed; owning, competing with, or profiting from investigative or security businesses. For example, an officer may not act as an agent for the employment of other officers.

G. Application Process

1. Employee's responsibilities
 - a. Employee shall prepare the necessary application for secondary employment (SPD Form #168). The Employee shall ensure all

information is complete on the application. Applications which are filed incomplete will be denied.

- b. Upon completion of this process the application will be forwarded to the employee's supervisor for review.

2. Supervisor's responsibilities

- a. The Supervisor will review the employee's application for secondary employment and shall ensure all necessary information is completed. The Supervisor will then contact the secondary employer and complete the "Supervisor's Review" section of the application. The supervisor will then make a recommendation for approval or disapproval and should include all necessary information of importance about the employee's job history, sick leave record, information that prior secondary employment has impaired the employee's ability to perform his/her duties, and assessment of potential risk if applicable.
- b. Upon completion of this process, the application will be forwarded to the Chief of Police for further review.

3. Chief of Police responsibilities

- a. The Chief of Police will review the employee's application for secondary employment.
- b. The Chief of Police will verify all information on the employee's application for secondary employment by means of contacting the proposed employer, if necessary, and verifying the nature of business, address, phone number, potential risk (if any), and the supervisor(s) for the employee.
- c. The Chief of Police will then approve or disapprove the secondary employment and notify the employee via a copy of the approved/disapproved SPD Form #168.

4. Activity records

- a. The Chief of Police will maintain a master file of secondary employment activity in regard to date, time and place of employment and conditions of work.
- b. Use of Force incidents are to be reported in accordance with policy on Use of Force reports.

- c. Injuries are to be reported in accordance with policy on first report of injury forms.
- d. Complaints will be handled in accordance with the internal affairs complaint process.
- e. Arrests and court appearance records will be maintained in the appropriate file.
- f. Any cases involving issues of liability will be maintained in the appropriate file.

IV. CANCELLATIONS

This General Order cancels and replaces the following policies:

General Order 22.3.3, entitled Types of Secondary Employment, dated October 29, 2002.