

22.11 Off-duty work as a Peace Officer

22.11.1 General requirements

A. Officers may not work off-duty as a peace officer – for a private employer for pay, for another law enforcement agency for pay or for any entity on a volunteer basis - without complying with this policy. Officer compliance is the responsibility of both the officer and the officer's immediate supervisor, who shall bring any violation to the attention of a Lieutenant.

B. Working off-duty is a privilege, not a right. Officers wishing to work off-duty as a peace officer shall complete an off-duty work request, including in the request a description of the work to be performed. The request must be approved prior to the performance of the work by Police Chief or designee. The approval to work off-duty may be suspended or revoked by an officer's supervisor after consulting with a Division Commander or higher, and revocation is not subject to grievance or appeal. Officers on initial probation may not work off-duty.

C. Off-duty work may not interfere with an officer's performance with the Department. All officers working off-duty continue to be bound by Department policies and the General Orders Manual.

D. While working off-duty, officers shall take those enforcement actions and make those arrests that the officer would if working on-duty. Officers shall not perform tasks outside the scope of law enforcement duties when engaged in off-duty work (e.g., acting as a cashier while employed to provide law enforcement services). Officers shall immediately notify their supervisor and then submit a written report documenting the circumstances of any of the following should they occur while working off-duty: incident involving use of police powers, injury to the officer or others, complaints involving the officer's services, court appearances resulting therefrom, or liability concerns.

22.11.2 Prohibited off-duty work

Any off-duty work that does or may conflict with law enforcement duties or the Department's best interest is not permitted. Examples include, but are not limited to, the following: acting as an expert witness in litigation, collection of bad debts, adjusting claims, recovering property covered by a security agreement in default of payment, investigation and/or reconstruction of accidents, private investigations or security consultant services, working as a bouncer, working at the scene

of a labor dispute, or working at any business or location where the primary focus is the sale of alcoholic beverages or dispensing or use of medical marijuana, or the adult entertainment industry.

22.11.3 Emergency call to duty from off-duty work

Officers must advise off-duty employers that the Chief may determine at any time, and for whatever duration may be necessary, that all City officers are needed to perform regular police duty and will not be permitted to work off-duty. Officers working off-duty shall immediately respond to a call to active duty.

22.11.4 Additional limitations

A. Generally, off-duty work will not be permitted outside the City limits.

B. Off-duty work shall never occur while an officer is on-duty.

C. An officer may not work an off-duty job if the officer has utilized City sick leave within the previous twenty-four hours.

22.11.5 Maximum hours and maximum hours between shifts

No officer may work off-duty or engage in outside employment more than thirty hours in a pay period without taking vacation or compensatory time off from regular duty. All officers shall have a rest period of not less than eight (8) continuous hours out of any twenty-four (24) hour period, whether working on-duty, off-duty or outside employment. No officer shall work more than sixteen (16) hours of off-duty work or outside employment in any twenty-four (24) hour period.

22.11.6 Special circumstances

The Police Chief may grant exceptions to these rules, for specific periods or specific events, when doing so is in the best interest of the City.

22.12 Outside employment (not as a peace officer)

22.12.1 Eligibility

A. All employees are eligible to engage in outside employment by complying with the City's policy for approval of outside employment.

B. Employees on City sick leave may work in outside employment only if the work conforms to the limitations of the employee's physical or mental condition and only with the approval of their chain of command. Employees who are on leave without pay status, or who are assigned to home pending investigation, may not engage in outside employment.

22.12.2 Maximum hours and maximum hours between shifts

All employees shall have a rest period of not less than eight (8) continuous hours out of any twenty-four (24) hour period, whether working on-duty, off-duty or outside employment. No employee shall work more than twelve (12) hours of off-duty work or outside employment in any twenty-four (24) hour period.