

2.12
CRAIG POLICE DEPARTMENT
Office of Chief of Police
General Order

Date Issued: September 13, 2000
Subject: Off-Duty Employment
To: All Officers

Revision Date: April 1, 2009
Reference: CACP STD

I. Policy

City Policy governs most activities concerning outside employment. However, the Craig Police Department has the responsibility to provide effective police service to the community. Based on the interest of the department in furthering professionalism, protecting the reputation of the department, and ensuring that the department receives full and faithful service in return for its expenditure of resources, the department may impose conditions on off-duty employment or prohibit it altogether, if it interferes with the performance of the employee's position. Such determination is the obligation of the Chief of Police, after a review of the facts pertaining to individual cases. No employee will participate in "Secondary Employment" without the express written consent of the Chief of Police.

II. Definitions

A. "Secondary Employment": Any work for which the employee receives remuneration of material value, including self-employment performed by the employee which is not a part of the duties assigned to that employee by the Craig Police Department. This does not include work performed as a volunteer for a service club, school or other similar entity.

B. "Off-duty Police Work": Secondary employment involving the use of police authority.

C. "Off-duty Non-Police Work": Secondary employment not involving the use of police authority.

III. Procedure

A. General Regulations

1. No secondary employment will be performed which conflicts with police ethics or raises a conflict of interest. The Chief of Police will determine if a conflict of interest exists in any request for off-duty employment.
2. Employees will devote their primary attention to police duties.
3. It is necessary that an employee have adequate rest to be alert during their tour of duty. Employees will not accept secondary employment which would interfere with the performance of their assigned duties.

4. Employees will leave their off-duty employment and report to the department if there is an obvious need for the employee's presence, i.e. natural disaster, civil disorder or other emergency situations, or if ordered to do so by a supervisor.

5. Except for off-duty police work, the department will not be involved in the setting, collecting or disbursing of wages earned in off-duty employment.

6. Employees will not work in any capacity for any individual who has pending criminal charges without approval of the Chief of Police. If while employed off-duty by an organization or individual that comes under investigation by any governmental department for illegal acts, the employee will immediately inform the Chief of Police of this development.

7. Any employee wishing to perform secondary employment shall fill out the "Secondary Employment" form and process it through their chain of command to the Chief of Police. For non-police work, the employee needs to indicate the nature of the employment, number of hours per week, and the employer. These applications must be approved by the Chief of Police. For off-duty police work, all the employee needs to indicate is the term "off-duty police work" on the application. No employee will be authorized to perform secondary employment until they have been released from FTO status and assigned to solo status.

8. Applications must be approved by the Chief of Police prior to the employee engaging in any secondary employment. Since this takes a certain amount of time, the employee should submit the form as far in advance of the work as possible. If approved, the request will be filed in the employee's personnel file. A request must be submitted for each employment.

9. Employees engaged in off-duty police work are subject to all rules, regulations, directives, policies and procedures of the City of Craig and its police department.

B. Off-Duty Police Work

1. All off-duty police work will be contracted by the department and coordinated by the Chief of Police, or his designee. The exception to this will be assisting other agencies such as Hayden P.D. with airport security. However, these types of jobs require approval.

2. The Chief of Police, or his designee must approve any security detail not normally performed by this department.

3. Officers employed to perform off-duty police functions will be bound only by their police authority for the enforcement of the ordinances and laws of the city, state and United States. When enforcing rules made by the secondary employer, officers are acting only as the agent of that employer and unless a law or ordinance has been broken, police action will not be taken.

4. Off-duty police work which is prohibited includes any form of employment which may involve a potential conflict of interest between the outside job and the police job, or when the nature of the work is considered detrimental to the professional law enforcement goals of the Craig Police Department.

a. Examples of work which will be prohibited include, but are not limited to:

- Employment as an investigator or in any capacity involving the use of police records for other than law enforcement purposes.
- Employment as a watchman or guard on any project or at any business where there is a labor dispute or strike.
- Employment as a process server, bill collector or for any credit or collection agency or in any capacity involving repossession of property or eviction from premises.
- Employment in any capacity which would interfere with an employee being called for emergency police duty or otherwise interfere with the employee's department responsibilities.

b. Examples of work which is usually prohibited but which may be approved after special consideration by the Chief of Police include, but are not limited to:

- Employment in any capacity in, or upon any premises licensed as a tavern, club, retail liquor store, or any establishment selling or dispensing any alcoholic beverage.
- Employment outside the incorporated limits of the city of Craig.

These types of employment require the specific written approval of the Chief of Police.

5. Rules:

a. All off-duty police work will be assigned by the department. Officers will refer prospective employers to an off-duty work Coordinator designated by the department.

b. Officers engaged in off-duty police work may work in full Craig Police uniform or in plain clothes as required by the assignment.

c. Once an officer has accepted an off-duty police assignment, he/she is committed to perform that assignment or is responsible for obtaining a replacement in advance. The off-duty Work Coordinator will be responsible for monitoring off-duty assignment completion and taking necessary follow-up action.

d. Officers engaged in off-duty police work, within the city limits, are responsible for notifying the Communications Center of:

- i) location of assignment;
- ii) hours of assignment;
- iii) nature of duties;
- iv) personnel assigned.

This will be done prior to or on arrival at the place of assignment. Officers will also notify the Communications Center when they have completed the assignment.

6. Shift supervisors are responsible for the functional supervision of all off-duty police assignments which occur during their shift. The shift supervisor will cause periodic checks to be made of all off-duty police assignments, as appropriate and necessary. Nothing in this procedure shall preclude any sworn supervisor from exercising command authority in the cancellation of off-duty assignments when such action is in the best interest of the department.

7. If an officer arrives at an off-duty police assignment and finds that fulfilling it would violate this policy (for example, liquor is being sold and there is no written waiver by the Chief), he/she will immediately notify the on-duty shift supervisor who will decide if the assignment will be canceled.

8. If an officer makes an arrest or has a situation which requires on-duty police response while working an off-duty police job, the off-duty officer is responsible for completing the initial case report. The on-duty units will handle prisoner transport and booking, and the logging of evidence. If there is any conflict over who is in charge at an incident involving an off-duty officer, the on-duty shift supervisor will respond and make that decision.

9. If a secondary employer requests a specific officer, consideration will be given. However, there is no guarantee as to who will work any specific job.

C. Off-Duty Non-Police Work

1. Non-security employment is not considered to be within the scope of duty or employment with the City of Craig, Moffat County, Colorado with respect to liability claims, demands or causes of action of any kind, in tort or otherwise, including those for negligence, wrongful death or Worker's Compensation.

2. If an employee is injured while engaged in non-security off-duty employment, the injury will be the responsibility of the off-duty employee and the off-duty employer.

D. Military Reserve/National Guard Service

1. Those employees joining either a military reserve or National Guard unit will submit a letter to the Chief of Police notifying the department administration of this action.
2. Membership in the National Guard or military reserves is limited to 5% of the complement of sworn officers.
3. At times when officers desire to join either the National Guard or Reserves, but are unable to do so because of the imposed limitation, their names will be placed on a waiting list and approval will be given, in order, as openings exist.
4. At times, the 5% limit will be exceeded due to the hiring of individuals with current military obligations.

Approved By:



Walter K. Vanatta
Chief of Police