

	<b>ANDOVER POLICE DEPARTMENT GENERAL ORDER</b>	Number: M1214
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		Distribution: All
Title: <b>SECONDARY EMPLOYMENT</b>		Section: Personnel
Issued: 08/10/2010	Effective: 08/18/2010	Revised: 10/02/2025
Rescinds: All Previous		Amends: 10/04/2024
CALEA References: LE 22.2.4, 22.2.5; COM 3.2.6		
KLEAP References: 3.3.1		
Review: Annual	Authority: Chief Buck Buchanan	

## **I. Purpose**

The purpose of this policy is to set forth guidelines to govern secondary employment by members of this agency.

## **II. Policy**

The policy of this agency is to provide guidelines for employees to inform them of the types of secondary employment that are appropriate, and to establish procedures to maintain accountability for the welfare of the agency. These requirements are essential for the efficient operation of the agency and for the protection of officers, the agency, and the community.

## **III. Definitions**

- A. Employment:** The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer work for charitable organizations.
- B. Extra-Duty Employment:** Any outside employment that is conditioned on the actual or potential use of law enforcement powers by the employee, except when the employment is for another law enforcement agency.
- C. Regular Off-Duty Employment:** Any employment that will not require the use or potential use of law enforcement powers by the off-duty employee or employment where the necessary law enforcement authority is vested in the off-duty employee by another law enforcement agency.

## **IV. Regulations**

- A. Extra-duty employment or regular off-duty employment shall not interfere with the officer's employment with the Department [C].
- B. Officers employed in extra-duty employment may not enforce the rules of an employer or a business that do not constitute a violation of law [C] (LE 22.2.5b; KLEAP 3.3.1c).

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- C. Officers working extra duty in uniform shall be limited to performing police duties. No activity will be undertaken in uniform that is disrespectful, belittling, or degrading to the officer, the uniform, the department, or the profession [C] (LE 22.2.5b; KLEAP 3.3.1c).
- D. Officers working extra-duty in uniform shall be fully and properly attired according to Department regulations [C] (LE 22.2.5b; KLEAP 3.3.1c).
- E. Employees shall not engage in any employment or business involving bail bond agencies, attorneys, licensed private security companies, or direct sale or distribution of alcoholic beverages except as authorized by the Chief of Police [C].
- F. Employees shall submit an outside employment request through their chain of command, and the request must be approved by the Chief of Police and City Administrator before beginning any regular off-duty employment [C] (LE 22.2.5a).
- G. Officers serving in extra-duty employment shall abide by all General Orders of the Department [C] (LE 22.2.5b).
- H. Any officer obligating themselves to work extra-duty employment is expected to be present during such employment. It shall be the responsibility of that officer to find a replacement should they not be able to honor the commitment [A].

## **V. Procedures**

### **A. Regular Off-Duty Employment**

Employees may engage in regular off-duty employment that meets the following criteria after obtaining proper approval from the Chief of Police and City Administrator (LE 22.2.4; COM 3.2.6; KLEAP 3.3.1a):

- 1. Employment of a non-police nature in which vested police powers are not a condition of employment; the work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.
- 2. Employment that presents no potential conflict of interest between duties as an Andover Police Department employee and duties for the secondary employer. Some examples of employment representing a conflict of interest include, but are not limited to, the following (KLEAP 3.3.1b):
  - a. Work as a process server, repossession agent, or bill collector; towing vehicles; or any other employment in which police authority might be used to collect money or merchandise for private purposes.
  - b. Work involving personnel investigations for the private sector or any employment that might require the employee to have access to police information, files, records, or services as a condition of employment.



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- c. Employment that assists (in any manner) the case preparation for the defense in any criminal action or for either side in any civil action or proceeding.
- d. Work for a business or labor group that is on strike.
- e. Work in occupations that are regulated by, or that must be licensed through, the police agency or a City of Andover civilian board.
3. Employment that does not constitute a threat to the status or dignity of law enforcement as a professional occupation. Examples of employment that constitute such a threat include but are not limited to (KLEAP 3.3.1b):
  - a. Establishments that sell pornographic books or magazines, sexual devices or videos, or that otherwise provide entertainment or services of a sexual nature.
  - b. Any employment involving the sale, manufacture, or transport of alcoholic beverages as the principal business.
  - c. Any gambling establishment.
4. Employees who engage in approved regular off-duty employment are restricted from using any department issued uniforms, equipment (including, but not limited to, firearms, batons, tasers, etc.), credentials, or authority, including their Andover commission (KLEAP 3.3.1d).

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## B. Extra-Duty Employment

Officers may engage in extra-duty employment as follows:

1. All extra-duty employment is conducted through a contracted external management company, with the exception of:
  - a. All city-ran events (ex. Greater Andover Days);
  - b. All department-ran events (ex. Police and Fire Cookout, NNO), or;
  - c. Special details as approved by the Chief of Police or his/her designee.
  - d. Events held on City of Andover property (Amphitheater) but managed by outside organizations.
2. Any Officer wanting to perform extra-duty assignments must complete and submit an "Extra Duty Employment Request", APD Form 63, yearly and submit the form to the Extra-Duty Coordinator (LE 22.2.5).
3. Types of extra-duty services that may be considered for contracting are as follows:
  - a. Traffic control and pedestrian safety.
  - b. Crowd Control.
  - c. Security and protection of life and property.
  - d. Routine law enforcement for public authorities.
  - e. Plainclothes assignments.
4. All requests from organizations wishing to contract with the department for extra-duty officers shall be directed to the department's external management company,

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with the exception of organizations that are requesting security within a city owned property, who will direct requests through the Operations Commander (LE 22.2.5d).

5. If four or more officers are requested for extra-duty employment, an officer with the rank of Sergeant or above must be included as one of the officers, and the extra-duty officers are subject to the direction and control of the ranking officer at the extra-duty location.
6. The Operations Commander shall oversee all extra-duty employment and shall ensure that all General Orders pertaining to extra-duty employment are adhered to (LE 22.2.5d).
  - a. Any incidents or cases occurring during the extra-duty event shall be reported to the Operations Commander at the conclusion of the event through an email.
  - b. Injuries to officers occurring during the event shall be reported to the Duty Chief as well as an email sent to the Operations Commander.
7. The department's external management company will maintain a log of all extra-duty employment, upon which significant aspects of each extra-duty employment shall be documented (LE 22.2.5e).
8. When it is necessary for extra-duty officers to take enforcement action, they shall (LE 22.2.5b):
  - a. Stop and detain/arrest the violator.
  - b. Call for an on-duty officer to complete the formal investigation and subsequent paperwork.
  - c. Complete supplemental reports regarding what they witnessed and any enforcement actions they took.
  - d. Complete any additional reports that may be needed depending on the circumstances of the enforcement action taken.
  - e. Reports will be completed immediately upon conclusion of the extra-duty assignment unless specifically excused from this requirement by a supervisor.
9. Officers who agree to extra-duty employment do so as employees of the Andover Police Department, contracted through an external management company, and will strictly adhere to the department policies and General Orders.

### **C. Limitations on Regular Off-Duty Employment and Extra-Duty Employment**

1. In order to be eligible for regular off-duty or extra-duty employment, a department employee must be in good standing with the agency. Continued agency approval of a Department employee's regular off-duty or extra-duty employment is contingent on such good standing.
2. Employees who have not completed their initial training period or who are on light duty status, medical or other leave due to sickness, FMLA leave, temporary disability, an on-duty injury, on a work performance plan, or on administrative



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leave due to an ongoing investigation, shall not be eligible to engage in regular off-duty or extra-duty employment unless approved by the Chief of Police.

3. Prior to obtaining regular off-duty employment, a department employee shall submit an outside employment request through their chain of command and the request has to be approved by the Chief of Police and City Administrator and must be renewed every year.
4. Employees may not work regular off-duty or extra-duty employment during the eight-hour period prior to the beginning of their regular duty shift (KLEAP 3.3.1e).
5. Work hours for regular off-duty or extra-duty employment must be scheduled in a manner that does not conflict or interfere with the department employee's performance of duty (KLEAP 3.3.1e).
6. A department employee engaged in regular off-duty or extra-duty employment is subject to call-out in case of emergency and may be expected to leave his regular off-duty or extra-duty employment in such situations.
7. Permission for a department employee to engage in regular off-duty or extra-duty employment may be revoked where it is determined pursuant to agency procedure that such outside employment is not in the best interests of the department (LE 22.2.5c).