

Police Department Policy and Procedure Manual

Chapter 4 — Operations

Section Number: 4-6-1
Section Title: Off-Duty or Secondary Employment
Most Recent Update: 07/07/2021

I. Policy

- A. The purpose of this section is to provide guidelines to police employees to inform them of the types of secondary employment which are authorized; and to establish procedures to maintain accountability for the welfare of the Department. These requirements are essential for the efficient operation of the police department and for the protection of the community.

II. Definitions

- A. Employment-The provision of a service, whether or not in exchange for a fee or other consideration. Employment does not include volunteer charity work.
- B. Off-Duty Employment-Any employment that is conditioned on the actual or potential use of law enforcement powers by the police officer employee, including volunteer charity work.
- C. Secondary Employment-Any employment that will not require the use, or potential use of law enforcement powers by the off-duty employees.

III. Procedures

- A. There are two types of off-duty employment in which an employee may engage:
 - 1. Secondary Employment
 - a. Employees may engage in secondary employment that meets the following criteria:
 - (a) Employment of a non-police nature in which vested police powers are not a condition of employment; the work provided no real or implied law

enforcement service to the employer and is not performed during assigned hours of duty.

(b) Employees are restricted from working secondary employment that presents a potential conflict of interest between their duties as a police officer and their duties for their secondary employer.

(i) Some examples of employment representing a conflict of interest are:

1. Process server, re-possessor, bill collector, towing of vehicles, or in any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.
2. Personnel investigations for the private sector or any employment which might require the police officer to have access to police information, files, records or services as a condition of employment.
3. Private security guard.
4. Appearing in uniform during the performance of tasks other than that of a police nature.
5. Assisting, in any manner, in the case preparation for the defense in any criminal or civil action or proceeding. Conducting activities for a business or labor group that is on strike.
6. Working in occupations that are regulated by, or that must be licensed through the police department or the City of Clive.
7. Employment that constitutes a threat to the status or dignity of the police as a professional occupation.
8. Some examples of employment presenting a threat to the status or dignity of the police profession are:
 - a. Establishments which sell pornographic books, magazines, sexual devices, videos, or that otherwise, provide entertainment or services of a sexual nature as allowed by law.
 - b. Any gambling establishment.

2. Off-Duty Employment

a. Police officers may engage in Off-duty employment as follows:

- (a) Where a government, profit making or not for profit entity has an agreement with the police department for police officers in uniform or plain clothes who are able to exercise their police duties.
- (b) Types of off-duty services which may be considered for contracting are:
 - (i) Traffic control and pedestrian safety.
 - (ii) Crowd control.
 - (iii) Security and protection of life and property.
 - (iv) Routine law enforcement for public authorities.
 - (v) Plain clothes assignments.
- 3. The Clive Police Foundation shall be responsible for setting an hourly rate, minimum number of hours per job, and cancellation policy for all extra-duty employment.
- 4. The Chief of Police shall designate an individual officer to coordinate the posting, acceptance, and approval of extra-duty employment.
- 5. As near as practical, off-duty employment will be divided equally among all interested officers over the course of a calendar year.

IV. Requirements and Limitations

A. Requirements and limitations on secondary and off-duty employment are as follows:

- 1. Any member wishing to engage in secondary employment will submit the appropriate request form to the Chief of Police through the chain of command and receive permission from the Chief of Police to engage in employment.
- 2. In order to be eligible for off-duty employment, a police employee must be in good standing with the Department. Disciplinary actions will be taken into consideration when determining standing. The Chief of Police will have authority and control over off-duty employment. Continued departmental approval of a police employee's off-duty employment is contingent on such good standing.
 - a. Officers who are requesting to work an off-duty job, will make the request to the Chief of Police.
 - (a) An officer who is requesting to work an off-duty job with an entity who frequently use officers for off-duty assignments will only have to make the request to the Chief once.

- (b) An officer who is requesting to work an off-duty job with an entity who only occasionally use officers for off-duty assignments, will have to make the request for each assignment.
3. Probationary officers who are in the field training program, or officers who are on medical or other leave due to sickness, temporary disability or an on-duty injury shall not be eligible to engage in extra-duty employment.
 4. A police officer may work a maximum of 20 hours of secondary or off-duty employment, or a total of 60 hours in combination with regular duty in each calendar week. The total hours do not include overtime and court hours.
 5. Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the police employee's performance of duty.
 6. A police officer engaged in any off-duty employment is subject to call-out in case of emergency, and may be expected to leave his off-duty or secondary employment in such situations.
 7. Permission for a police employee to engage in off-duty or secondary employment may be revoked where it is determined that such employment is not in the best interests of the Department.
 8. Officers shall not engage in any off-duty employment outside the Clive city limits without the permission of the Chief of Police.
 9. Officers engaging in off-duty employment requiring the Department uniform must be in full uniform prescribed by his/her rank.
 10. Officers while working off-duty employment shall be subject to the Departments rules and regulations and operational procedures.
 11. Complaints or violations as to officers working off-duty or secondary employment will be directed to the Chief of Police.



Michael G. Venema
Chief of Police