



# GOODYEAR POLICE DEPARTMENT

Policy and Procedure Manual  
**POLICY 2.11**  
**OFF-DUTY AND**  
**SECONDARY EMPLOYMENT**

Effective:  
03/15/2022

Replaces:  
09/26/2021

Approved:

## 1. PURPOSE AND SCOPE

1. It is the policy of the Goodyear Police Department that employees are permitted to work off-duty jobs and secondary employment provided it is lawful, consistent and compatible with the duties, mission, and responsibilities of the Department, and in compliance with Department and City policy and guidelines. Department employee working off-duty and secondary employment will be subject to, and must comply with, the same policy, rules, guidelines and directives governing on duty conduct. Off-duty and secondary employment will not be allowed to interfere with the employee's performance or responsibilities to the Department. Working off-duty and secondary employment is a privilege extended by the department, not a right of Employment.

## 2. DEFINITIONS

1. **DISCIPLINARY PROBATION:** An officer returned to a probationary status for retraining for any reason, including disciplinary reasons.
2. **EMPLOYMENT:** Any work performed or services provided for compensation, gain, income, or other personal benefit, including self-employment. This includes any employment in which another may financially benefit from the officer's work, e.g., a family member or other person receiving compensation or benefit for the work of the officer.
3. **OFF-DUTY WORK:** Off-duty work or off-duty job is defined as worker employment where one of the requirements is being a sworn law enforcement officer.
4. **SECONDARY EMPLOYMENT:** Non-law enforcement work for which any member of this department receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, products or benefits rendered and where the actual or potential use of law enforcement powers is not anticipated.
5. **EMERGENCY SITUATION:** A family emergency, illness, injury, or work-related call out.

## 3. OFF DUTY AND SECONDARY EMPLOYMENT

### 1. ELIGIBILITY

- A. Employees shall only be eligible to participate in off duty work if the employee:
  1. Has successfully completed his/her field training program;
  2. Is in good standing with the department;
  3. Is capable and authorized to perform full duty assignments; and
  4. Has prior authorization from the Chief of Police.
- B. Employees may not work off-duty if currently serving a suspension.
- C. Employees on leave (except approved vacation or comp time), including but not limited to FMLA, workers' compensation, emergency leave, sick leave, disability or administrative leave, or modified, light-duty, or no-duty status shall not be authorized for any off-duty work or secondary employment, regardless of where it is to be worked without prior authorization from the Chief of Police.
- D. A reserve officer may engage in off-duty work in compliance with department policy if the officer:

1. Has successfully completed 12 months of probation and field training program,
  2. Is in good standing with the department; and
  3. Has prior authorization of the Chief of Police.
- E. Reserve officers shall not:
  1. Engage in off-duty work in positions that are paid for by the City, or
  2. Work more than 20 hours off-duty per week.
2. **HOURS RESTRICTIONS**
  - A. No employee shall be allowed to exceed a total of 78 hours of on-duty, off-duty and/or secondary employment per payroll week, without advanced approval from the Chief of Police or designee.
  - B. No employee will work off-duty over 18 hours in any consecutive 24-hour time period unless authorized by the Chief of Police
  - C. No employee shall work off-duty or secondary employment within 8 hours of the start time of their City work shift, unless approved by the employee's direct supervisor.
3. **OUTSIDE CITY LIMITS**
  - A. Employees can be assigned off-duty work to provide uniformed traffic control for construction sites outside the Goodyear City limits. Any other type of assignment outside the Goodyear City limits requires prior authorization from the Chief of Police.
4. **CALL OUT/ON CALL**
  - A. An employee engaged in off-duty work or secondary employment remains subject to call out in case of emergency (as determined by the department) and is expected to leave the off-duty work or secondary employment in such situations and respond to the call out as required by the department policy and/or directive.
  - B. On call employees shall arrange for coverage when performing any off-duty work.
5. **SECONDARY EMPLOYMENT**
  - A. Nothing in this policy should restrict the ability of a department employee to be engaged in gainful secondary employment in a non-police related activity as long as the secondary employment does not infringe upon the employee's work schedule, the reputation, effectiveness, or convenience of the Goodyear Police Department and the employee complies with department and city policy and guideline 720.
  - B. Officers shall not use their Law Enforcement Authority to enforce a secondary employer's policies and regulations; nor use their access to law enforcement information, files, records, services, etc. in the course of their secondary employment.

#### **4. AUTHORIZATION**

1. **PRIOR AUTHORIZATION REQUIRED**
  - A. No member of this department may engage in any off-duty work and/or secondary employment without first obtaining prior written approval of the Chief of Police as provided here in and City Guideline 720. Failure to obtain prior written approval for off-duty work and/or secondary employment or engaging in off-duty work and/or secondary employment prohibited by department and/or city policy or guidelines is grounds for disciplinary action. Approval of off-duty work and secondary employment shall be at the discretion of the Chief of Police in accordance with this policy.
2. **REQUEST MEMORANDUMS FOR OFF-DUTY WORK**
  - A. To be approved to engage in off-duty work the employee must submit a memorandum to the Chief of Police through the chain of command for approval. Once the request has been approved, the employee will be added to the off-duty work list.

- B. Only one off-duty work memorandum per year is required for off-duty work, regardless of whether work is generated through the Goodyear Police Department or coordinated/arranged directly by an outside contractor.

3. REQUEST MEMORANDUMS FOR SECONDARY EMPLOYMENT

- A. To be approved to engage in secondary employment the employee must submit a memorandum requesting to engage in secondary employment to the Chief of Police through the chain of command for approval.
- B. A separate request is required for every secondary employment position.

4. NOTICE OF APPROVAL OR DENIAL

- A. Employees will be given notice as to whether their request to engage in off-duty work or secondary employment has been approved or denied.
- B. Approvals for off-duty work are valid until pulled by the Chief of Police.
- C. Approvals for secondary employment are specific to each employment. If conditions of employment change, the employee must submit a new application (i.e. change of employer, change of type of work, etc.).

5. SUSPENSION/REVOCATION OF AUTHORIZATION

- A. The granting of a request for off-duty work or secondary employment does not create a right of continuation of the approval for an employee to participate in off-duty work or secondary employment. The Chief of Police may, at any time, revoke the approval by providing written notice to the employee. Authorization to work off-duty work or secondary employment may be suspended, revoked or modified by the Chief of Police based any of the following:
  - 1. Excessive fatigue on duty
  - 2. Poor job performance
  - 3. Excessive use of sick time
  - 4. Adverse effects of the employment on the employee's on-duty performance
  - 5. Potential conflicts of interest that may arise from the employment;
  - 6. When there is reasonable cause to believe that the off-duty work or secondary employment is in any way interfering with or impeding job performance, or
  - 7. When deemed reasonably necessary by the Chief of Police.

**5. OFF-DUTY COORDINATOR AND CONTRACT REQUIREMENTS**

1. OFF-DUTY COORDINATOR

- A. The Chief of Police shall designate an Off-Duty Coordinator who shall be responsible for coordinating all off-duty work requests and assignments received by the Goodyear Police Department and/or worked by Goodyear Police Department employees.
- B. Employees who are contacted directly by a business or organization to provide off-duty services shall not accept a coordinating role for any off-duty assignment. The employee shall refer the business and/or organizations to the department's Off-Duty Coordinator. Employees shall not make contact with a business or vendor to solicit off duty work.

2. OFF-DUTY WORK COORDINATOR RESPONSIBILITIES

- A. The Off-Duty Coordinator is responsible for obtaining a completed signed contract from the contractor, which includes proof of workers' compensation insurance, and General Commercial Liability Insurance along with the proper endorsement, and payment; coordination and tracking of all off-duty work, and approvals, in compliance with City and Department policy and state retention schedules.

3. CERTIFICATE OF INSURANCE

- A. The Off-Duty Coordinator must obtain a certificate of insurance, and endorsement, for general liability from the Contractor prior to assigning employees to work off-duty assignments. The certificate of insurance and endorsement must name and specifically endorse the "City of Goodyear and the assigned unnamed off-duty Goodyear police officer" as an additional insured and be in the amounts required in the City of Goodyear Off-Duty Contract.

#### 4. REPORTING REQUIREMENTS

- A. The Off-Duty Coordinator must maintain records for all off duty job sites, identifying who worked the job, the date and hours worked by utilizing the designated off duty management software. Upon request from the Chief of Police, the Off-Duty Coordinator shall provide a report of all off duty jobs filled for the time frame requested. The report shall identify all off-duty work assignments and include the following:
  - 1. The officer(s) assigned to work the job(s);
  - 2. The name and address of the contractor paying for the services;
  - 3. The date, times, hours and location worked; and
  - 4. Whether all payment was received.

#### 5. CANCELLATION BY CONTRACTOR

- A. Cancellations of off duty assignments must be received by the Department no less than 24 hours prior to the start of the event. Contractors submitting cancellations less than 24 hours prior to the start of the event will be assessed a 4-hour minimum charge for each employee scheduled to work.

#### 6. APPROVAL OR CANCELLATION OF REQUESTS

- A. Only the Chief of Police or designee may approve or cancel off-duty work requests.

#### 7. SPECIAL NEEDS

- A. Use of specialized police equipment (other than the equipment issued to the employee for routine duty use) required for off-duty work, other than for the City of Goodyear, will require the advanced approval of the Chief of Police.

#### 8. ELIGIBILITY LIST AND APPROVALS

- A. The Off-Duty Coordinator shall maintain a current eligibility list identifying employees who have applied for and have been authorized to work off-duty. The requests for secondary employment and the approvals/denials of the request shall be maintained by the Office of the Chief.

#### 9. PAY RATE

- A. The standard rate of pay for off-duty officers and supervisors is determined and authorized by the Chief of Police and based upon the department range of pay. When working as a supervisor of a team, the supervisor shall be paid at the designated supervisor rate of pay. For all other assignments, the supervisor shall be paid at the regular Department off duty rate for non-supervisor.

### 6. SUPERVISOR AND STAFFING REQUIREMENT FOR OFF DUTY WORK

- 1. Unless the off-duty work assignment is designated at a supervisory position by the Department, sworn supervisory officers shall not exercise supervisory powers or status while working an off-duty assignment.

#### 2. SUPERVISOR REQUIREMENTS

- A. One supervisor is required for every four officers present for off-duty work assignments. Off-duty work assignments involving three officers or less do not need a supervisor to be present unless a supervisor is specifically requested and paid for by the employer. Exceptions may be

made to this requirement by the Chief of Police based on the nature of the event and/or the participants.

- B. An off-duty lieutenant will be required at an event where four off-duty sergeants are working. Exceptions may be made to this requirement by the Chief of Police based on the nature of the event and/or the participants.
- C. Lieutenants may work off duty assignments that are supervisory or non-supervisory off-duty work assignments; as long as the off duty works assignment is not for the City of Goodyear.
- D. When a supervisor is required, only supervisors and "acting" supervisors shall be utilized for filling the supervisor position.

### 3. STAFFING REQUIREMENTS

- A. It is recommended that there be at least one off-duty patrol officer for every 1000 people at an event. For every four patrol officers there needs to be one sergeant and for every four sergeants there needs to be one lieutenant assigned to work the event.
- B. As determined by the Chief, staffing requirements for an event may decrease or increase based on numerous factors, including but not limited to:
  - 1. needs of the event;
  - 2. nature and size of the event;
  - 3. participants at the event;
  - 4. if alcohol will be available, served or sold at the event;
  - 5. if it is a school event within the City;
  - 6. Or as otherwise deemed appropriate in the sole discretion of the Chief.
- C. Should an on-duty supervisor determine an event is inadequately staffed, the event organizer and the Off-Duty Coordinator will be contacted and attempts may be made to obtain additional officers available to work the event. If the situation is critical, the on-duty supervisor may authorize the use of on duty officers until the situation is stabilized.
- D. If an organizer refused to obtain a sufficient number of officers, the Chief of Police may immediately cancel the use of off-duty officers.

## 7. OFF-DUTY WORK REQUIREMENTS

### 1. FAILURE TO APPEAR FOR OFF DUTY

- A. Employees who sign up for off-duty work are required to appear for that work assignment. Employees unable to appear for off duty assignments are required do all of the following:
  - 1. Find their own replacement as soon as possible to timely fill the off-duty work assignment. This process can be accomplished by directly contacting another Goodyear officer or following the cancellation process in the approved off duty scheduling software.
    - 1. Sending the email does not relieve the cancelling officer of their responsibility to appear for the work assignment until another officer accepts the job through the off-duty scheduling software.
    - 2. The changing of the officer assignment is the responsibility of the two officers switching positions along with completing the appropriate updates in the off-duty scheduling software.
  - 2. If a replacement cannot be found and an emergency situation does not exist, the scheduled officer is required to work the off-duty assignment.
  - 3. In emergency situations, when a replacement cannot be found or there is not time to locate a replacement through the normal process identified above, the employee will notify the Off-Duty Coordinator during normal business hours (Monday – Friday, 0800-1600) or the on-duty patrol supervisor after hours.

1. The Off-Duty Coordinator or the on-duty supervisor, if reasonable, can attempt to locate a replacement officer for the off-duty job from within the officers that are currently on shift.
2. If no replacement can be located, at a minimum the supervisor shall notify the requesting off duty employer of the absence of an officer to work the off-duty job AND notify the Deputy Chiefs of the situation by email.
4. Any employee who fails to appear for the off-duty job shall forward a memo through the chain of command to the Chief of Police detailing the circumstances of the absence and may be subject to discipline pursuant to Department Policy and suspension/revocation of authorization to work off-duty assignments for a period of time as determined by the Chief of Police.

**B. UNIFORM AND FIREARM**

1. Employees engaging in off duty work shall be armed with a Department approved firearm, and unless otherwise directed by the Off-Duty Coordinator shall wear the Department authorized uniform.
2. Employees shall not engage in off-duty work that requires the performance of police related services without being armed with a department approved firearm and the use of a police vehicle. Unless approved by the Chief of Police.
3. Employees shall not refuse to respond to a citizen request for aid while in uniform and on off-duty work status

**C. PORTABLE RADIOS/TELECOMMUNICATIONS**

1. Portable radios will be required for all officers working off-duty.
2. Upon reporting for duty at the off-duty job site, employees will advise Telecommunications via radio (using the "Ocean" identifier) of the fact that they are performing an off-duty job, the location, the start time and the estimated ending time of the assignment. The employee will also notify Telecommunications when their off-duty job is completed.
3. Officers working off duty in a police capacity are required to monitor the radio frequency where the off-duty job is located.
4. Officers may use talk channels to communicate with other off-duty officers working the same event as long as one officer continues to monitor the radio frequency.

**8. PROHIBITED OFF-DUTY AND SECONDARY EMPLOYMENT**

1. Officers may not work off-duty work and secondary employment in any of the following circumstances.
2. PRIVATE CONTRACTS
  - A. No employee shall enter into private contracts for off-duty work.
3. STANDBY OR ON CALL.
  - A. No employee shall engage in off-duty work during any time in which the employee is on standby or on call without providing prior notice to his/her supervisor.
4. DISCREDIT THE DEPARTMENT
  - A. No employee shall engage in off-duty work or secondary employment that may bring discredit to or impair the reputation of, the Department or City; detract from the employee's performance and proficiency; or take preference over extra-duty or overtime required by the department. Employment that could bring discredit and/or disrespect to the Department, includes but is not limited to any business or activity where pornographic or sexually-oriented materials, entertainment, and/or services are sold, observed, or generally engaged in, such as an escort service, adult bookstore, adult theater, and/or adult entertainment.

5. CONFLICT OF INTEREST

- A. Any employment activity that is illegal, inconsistent, incompatible, or in opposition to the duties, functions, mission and/or responsibilities of employment with the Department; that would in any way reduce the effectiveness of the member in performing assigned departmental duties, or in any manner present a potential conflict of interest. Employment involving a possible conflict may include but is not limited to situations in which an officer's sworn authority would confer a special advantage to a private interest at the expense of the public interest.

6. CONTRACTED SERVICES WITH THE CITY

- A. For any person or business which has contracted to provide services to the City, including but not limited to tow company.

7. BAIL BONDS, DEBT COLLECTION, PROCESS SERVER OR INVESTIGATOR

- A. Bail bond agency or related activity, debt collection activities, process server, or any work where the officer investigates and/or prepares the defense in any criminal or civil action or proceeding.

8. DEBT COLLECTION

- A. Employees shall not use police identification, authority, or powers while engaged in the collection of debts, bills, or checks.

9. ALCOHOLIC BEVERAGES

- A. Employees shall not work in any capacity or have ownership in a business engaged primarily in the sale of alcoholic beverages for on premise consumption.

10. LABOR DISPUTE

- A. Employees shall not work for any business or labor group that is on strike. This restriction does not apply to the employee who was employed by the establishment prior to the labor dispute and continues to perform the same duties during the dispute with no additional duties, which might place the employee in a confrontation between labor and management.

11. OUTSIDE GOODYEAR CITY LIMITS

- A. Work off-duty outside the Goodyear City limits in any capacity, except traffic control/direction, unless otherwise provided herein. The exception to this section is working security at the University of Phoenix stadium under the direction of the City of Glendale.

12. MARIJUANA

- A. Work in any capacity or have ownership in any business that dispenses, sells or grows marijuana.

13. DEPARTMENT RECORDS AND RESOURCES

- A. Employees will not use information, reports, records, files or any other departmental resources in any off-duty employment without prior authorization from the Chief of Police.

14. ADVERTISEMENT/ENDORSEMENT

- A. Employees will not work off-duty in any capacity in which an employee would be involved in pictures or advertisements endorsing commercial products while being identified as a department employee.

15. CONVICTED FELONS

- A. Employees shall not work off-duty for any person who is a known convicted felon to the employee or who is openly associating with individuals the employee knows are convicted felons.

16. DONATION OF LAW ENFORCEMENT SERVICES

- A. Sworn personnel may not donate law enforcement related services. Nothing prohibits an employee from making a comparable financial donation back to the charitable organizations following payment.

## **9. OFF DUTY EMPLOYMENT ARRESTS**

1. Employees are advised to use discretion in making arrests during off-duty employment. Employees should refer to Goodyear Police Department policy on law enforcement authority and on arrest procedures for additional information regarding arrests. Off-duty sworn personnel have the same power and discretion as one in an on-duty status and may arrest for misdemeanor or felony offenses with probable cause. When making an arrest, the off-duty officer is responsible for completing the arrest process.
2. The following information is intended as a guideline for off-duty arrests:
  - A. **ARREST RESPONSIBILITIES**
    1. Off duty employees shall take police action in the event a felony or violent crime occurs in their presence during their off-duty assignment.
    2. Off duty employees will use discretion when making an arrest for misdemeanors occurring during their off-duty assignment.
    3. The off-duty employee will contact an on-duty supervisor if an arrest is made.
    4. It is the responsibility of the off-duty officer to perform the booking process and conduct necessary follow-up investigation to assist the booking process.
    5. Employees will issue citations in lieu of arrest when appropriate and complete all necessary paperwork as if the arrest were made on-duty.
    6. The off-duty employee shall contact Telecommunications for a Department Report number and complete all necessary paperwork as if the arrest were made on-duty.
    7. In instances that occur outside the Goodyear City limits, the employee will take appropriate action and report the offense to the local law enforcement agency.

## **10. INJURY**

1. Any injury or sickness due to off-duty or secondary employment shall be reported by memorandum to the on-shift patrol supervisor as soon as possible so a City of Goodyear Incident Report can be completed and proper notification can be made to Department Command Staff and the officer's direct supervisor.
  - A. All other department policies for responding to and reporting on duty injuries, exposures or illnesses shall also be followed.