



# OVERLAND PARK POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

**NUMBER:** 1260  
**TOPIC:** OUTSIDE EMPLOYMENT  
**EFFECTIVE DATE:** 11/17/2023  
**SUPERCEDES:** 11/30/2022

**SIGNATURE:** /s/ Simon Happer /s/ Eric Houston  
Chief of Police Bureau Commander

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## **I. PURPOSE**

This written directive identifies appropriate types of Outside Employment and establishes restrictions and procedures in order to maintain accountability for the benefit of the Department and its Members.

## **II. POLICY**

It is the policy of the Overland Park Police Department (OPPD) that the Chief of Police or designee must approve all outside employers, self-employment, and/or associated outside jobs/employment prior to any commissioned or non-commissioned Member performing duties in those jobs. The intent of this policy is to ensure Outside Employment/job duties are free of conflicts of interest, do not in any way discredit or compromise a Member's effective, on-duty performance, and do not diminish the Department's effective delivery of police services.

### III. DEFINITIONS

Direct Compensation is any work that results in a monetary exchange for services rendered.

Indirect Compensation is the receipt of items of value including, but not limited to: stock options, employee benefits, event tickets, goods, services, or other forms of personal gain; or, discounts for goods, services, admissions, or rent.

Member is any employee, commissioned or non-commissioned of the Police Department.

Off-Duty Employment is any commissioned Member's activities related to the performance of security services, separate from their regular employment relationship with the City, whether the security services are performed while in uniform or while in civilian clothes. Off-duty requests must be approved by the Member's Captain, or their immediate supervisor if there is not a Captain in the Member's chain of command.

Outside Employment is any directly or indirectly compensated employment, consulting, service, or self-employment performed by a Department Member outside of his/her employment relationship with the City including Off-Duty Employment and Secondary Employment.

Secondary Employment is any Member's directly or indirectly compensated employment related to the performance of non-security services, separate from their regular employment relationship with the City. Secondary Employment requests must be approved by a Bureau Commander.

Security Services are any services that are related to security or law enforcement activities including but not limited to; providing protection for persons or property, maintaining order at events, conducting polygraph examinations for potential criminal matters, consulting services that are benefited by the skills and experience of a law enforcement officer (i.e., security surveys, employment interviews), etc.

Short Notice Off Duty Request is an approved off-duty employer requesting an officer within a short amount of time, usually within 1 or 2 days of the requested assignment.

Short Notice Replacement Officer is any commissioned Member, currently approved for Off-Duty Employment, requesting short notice approval, from a captain or supervisor of higher rank; to replace another officer at an Off-Duty Employment position that they do not currently have Department authorization to work.

## IV. PROCEDURES

### A. OUTSIDE EMPLOYMENT [22.2.5\(A\)](#)

Members are bound by [Employee Handbook Section 3.08](#) which states in part:

*“It is the policy of the City to require Department Director approval of any outside employment by any employee...The City requires that any employee seeking outside employment, complete the Employee Request for Off-Duty Employment form (Non-Police Department) or the Secondary Employment Request form\* (Police Department personnel) available on the City’s intranet site for each employer or employment as defined herein and submit it to his/her Department Director for approval.”*

*\*NOTE: This form is now called the “Outside Employment Request” ATTACHMENT B*

Outside Employment Request forms, [ATTACHMENT B](#), for Police Department personnel will be submitted via the Member’s Chain of Command.

OPPD Members will not work for any outside employer while on duty. Outside Employment does not relieve Members from compliance with [SOC 0250, Reporting for Duty](#).

Members will adhere to all applicable City and OPPD written directives. All City and OPPD directives supersede any conflicting rules, requirements, or directions given by an outside employer.

Members will not accept any, goods, services, products, or benefits not normally provided to any other company employees unless their receipt is first approved by the Chief of Police or a designee.

Outside Employment requests must be resubmitted if there is any change in work duties, work hours, job responsibilities, company ownership, address, contact information, or if otherwise directed by a department director.

Authorizations to work Off-Duty Employment will remain in effect from the date submitted through December 31<sup>st</sup> of the calendar year unless otherwise revoked by the Chief of Police or a designee. Members will submit a new request for each Off-Duty Employment annually (every calendar year) and will not work off-duty without an approved request.

Secondary Employment requests must be updated every five (5) years.

### B. OFF-DUTY EMPLOYMENT [22.2.5\(B\)\(C\)](#)

Only commissioned Members, who are in a non-probationary status, are eligible to work Off-Duty Employment. Exceptions to this eligibility standard must be approved by the Chief of Police or a designee. Probationary Members seeking an exception must file a formal request via their chain of command.

The only commissioned Members permitted to work off-duty are Officers, Sergeants, Captains, Majors, and Lieutenant Colonels.

Commissioned Members are restricted to a maximum of 30 hours of any Off-Duty Employment or a total of 70 hours in combination with on-duty work in each calendar week excluding mandatory and court-related overtime.

A Member's primary work responsibility is to the Overland Park Police Department. Off-duty work schedules will not interfere with a Member's assigned work schedule for the Overland Park Police Department.

On rare occasions, with a supervisor's approval, a Member may deviate from an assigned work schedule to fulfill an Off-Duty Employment obligation. The requesting Member may only use vacation or personal leave. Sick leave, family medical leave, flex time, or compensatory time may not be used.

Members will not be granted leave in the middle of an assigned work schedule to fulfill an off-duty obligation and then return to work. Leave may only be taken for the entire day schedule or at the beginning or end of a work schedule. Supervisors are responsible for ensuring that a Member's off-duty obligations do not interfere with the Member's on-duty performance and responsibilities.

The Chief of Police or designee may suspend, revoke, or deny a Member's authorization to work Off-Duty Employment if the employment conflicts or interferes with a Member's on-duty job performance.

If a Member is uncertain whether a potential conflict of interest exists between his/her Off-Duty Employment or voluntary services and their OPPD duties, responsibilities, policies, and procedures, he/she will contact a supervisor to resolve the issue.

When a Member's Off-Duty Employment interferes with or creates any conflict of interest with their OPPD work duties, or diminishes OPPD's ability to effectively provide public safety services, he/she will terminate the Off-Duty Employment.

On-duty, Members will not perform any Off-Duty Employment work to include, but not to be limited to; scheduling, planning, recruiting, or facilitating any off-duty work. The exception to this rule is that off-duty schedulers who are on-duty may have limited and last-minute scheduling modification privileges.

Members will contact an on-duty OPPD supervisor when any Off-Duty Employment or associated job duties result in their involvement in an arrest, injury, complaint, action, or incident that might adversely affect or create liability or other issues for the Department.

Members working off-duty should not provide any on-duty law enforcement services to criminal activity if the matter can be properly handled by requesting assistance from an on-duty officer.

If an immediate law enforcement response to criminal activity is required, officers working off-duty will request immediate on-duty law enforcement assistance and only respond as an on-duty law enforcement officer if, in their best judgment, an immediate police response is required for an emergency situation.

Short Notice Replacement Officers or commissioned Members requesting approval for a Short Notice Off-Duty Request may obtain verbal approval from a captain or supervisor of higher rank to work the assignment but must follow up as soon as practical by submitting an Outside Employment Request form through the chain of command.

**Additional Rules for Off-Duty Employment:**

- On and off-duty Members are prohibited from soliciting any Off-Duty Employment from or by any person, business, or other entity.
- Any Member who receives an inquiry regarding hiring an Off-Duty Officer should direct the inquiring person to the Off-Duty Employment Coordinator.
- Members will not work off-duty outside the city limits of Overland Park, without approval from the Chief of Police or a designee.
- Prohibited off-duty employers will generally include any business that may present a conflict of interest with OPPD for example:
  - Liquor establishments
  - Collection or repossession agencies
  - Bail bonding services
  - Employers requiring access to police files or records
  - Employers that assist with criminal defenses or investigation of civil cases
  - Adult entertainment businesses
  - Employment requiring the Member to act in any capacity as a private detective per [KSA 75-7b01](#).

Members working Off-Duty Employment are restricted to providing security services. Members are prohibited from non-security activities including, but not limited to; serving food or beverages including alcohol, parking cars, taking tickets, and stocking shelves. Members will request guidance from an on-duty OPPD supervisor to resolve any issues.

**C. OFF-DUTY EMPLOYMENT INFORMATION**

OPPD may request at any time, from off-duty employers, information pertaining to the Member's duties, responsibilities, and actual days and hours worked.

**D. CONDITIONAL USE OF OPPD UNIFORM & EQUIPMENT**

Members will not work Off-Duty Employment in any uniforms other than those issued by OPPD unless authorized by the Chief of Police or designee.

Members authorized to work Off-Duty Employment may not use Department equipment or resources other than standard issues while working off-duty without

the permission of the Chief of Police, or designee. Examples would include, but are not limited to bicycles, canines, computers, etc.

Members who are authorized a take-home vehicle are prohibited from driving the vehicle to and from Off-Duty Employment unless the Chief of Police or designee has given permission to do so.

E. SECONDARY EMPLOYMENT

All Members may request approval for Secondary Employment. Members will not use any equipment belonging to the City of Overland Park to fulfill any Secondary Employment obligation without supervisory approval or otherwise provided for in this written directive.

F. OUTSIDE EMPLOYMENT REQUEST FORMS AND APPROVAL [22.2.5\(c\)](#)

Outside Employment Request forms, [ATTACHMENT B](#), for Police Department personnel requesting to work an Outside Employment assignment will be submitted via the Member's Chain of Command.

Off-Duty Employment requests may be approved by a captain (who is considered the designee for the Chief of Police for the purpose of this written directive).

Secondary Employment requests must be approved by a Bureau Commander (who is considered the designee for the Chief of Police for the purpose of this written directive)

Steps for making an Off-Duty Employment request

**\*\*Requires a Captain's approval\*\***

1. The applying Member will complete the Outside Employment Request form with all applicable information.
2. The Member will submit the request form to his/her supervisor for approval.
3. The supervisor will check and ensure the potential employer is an approved employer.
4. If the Member and potential employer are approved, the supervisor will submit the request form (noting the employer has been approved), to the Captain (if applicable). If a Captain, Major, or Lieutenant Colonel is the requestor only their supervisor's approval is required.
5. Upon approval, the request form will be sent to the Office of Professional Standards, via the [pdoffduty@opkansas.org](mailto:pdoffduty@opkansas.org) email address.

Steps for making a Secondary Employment request

**\*\*Requires the approval of the Bureau Commander\*\***

1. The applying Member will complete the Outside Employment Request form with all applicable information.
2. The Member will submit the request form to his/her supervisor for approval.
3. If approved, the supervisor will submit the request form to be approved through the chain of command with final approval coming from the Bureau Commander.
4. Upon the Bureau Commander's approval, the request form will be sent to the Office of Professional Standards, via the [pdoffduty@opkansas.org](mailto:pdoffduty@opkansas.org) email address.

#### G. VOLUNTARY SERVICES

Members who would like to volunteer their time and services for an activity that involves wearing his/her uniform are required to submit an Outside Employment Request form, [ATTACHMENT B](#), just as they would for Off-Duty Employment. In the section of the form asking for a full description of direct or indirect compensation, the Member will note this is a voluntary service.

The Chief of Police may give Department-wide approval for voluntary services for a specific event. In those instances, Members are not required to complete an Outside Employment Request form. Members who have not been approved to work Off-Duty Employment may not volunteer in uniform without the approval of the Chief of Police.

Organizations requesting Members for voluntary services are not required to submit an Off-Duty Employer Acknowledgment and Approval form, [ATTACHMENT A](#). Members need to be aware that voluntary service may not be covered by workers' compensation and/or general liability insurance as required of off-duty employers.

#### H. OFF-DUTY EMPLOYMENT COORDINATOR DUTIES [22.2.5\(D\)](#)

The off-duty coordinator will explain to prospective off-duty employers the following:

- Off-Duty Employment notices posted by OPPD do not establish in any fashion a duty, responsibility, or relationship on OPPD's behalf to assist the off-duty employer or any Member.
- OPPD will not assist in or participate in the establishment of an off-duty work relationship between the off-duty employer and any Member.
- OPPD may suspend or revoke any authorization for any off-duty employer or any off-duty Member at any time if either fails to comply with this written directive if a conflict of interest is identified, or if it is no longer in OPPD's best interest to permit Members to work for the off-duty employer.

- Off-duty Members are hired to perform security services and are not on-duty Police Officers. Member Off-Duty Employment responsibilities will be confined to security services only.
- Members are prohibited from non-security activities including, but not limited to the following: serving food or beverages to include alcohol, parking cars, taking tickets, and stocking shelves.
- Ensure the prospective employer is aware of all information in the Off-Duty Employer Acknowledgment and Approval form. [ATTACHMENT A](#).

All off-duty employer inquiries will be directed to the Off-Duty Employment coordinator who will:

- Verify the existence of current and sufficient insurance coverage by obtaining a copy of the potential employer's insurance coverage.
- Obtain a description of job duties to be performed by off-duty Members.
- Provide an Off-Duty Employer Acknowledgment and Approval form, [ATTACHMENT A](#), to the off-duty employer.
- Forward the completed Off-Duty Employer Acknowledgment and Approval form to the Professional Standards Captain.
- Conduct a site visit if the employer is questionable.
- Coordinate annual renewals for off-duty employers which will occur at the beginning of each calendar year.
- Distribute off-duty security work opportunity notices to all Members via e-mail and maintain an electronic file of these notices.

#### I. DOCUMENT RETENTION [22.2.5\(E\)](#)

The Off-Duty Employment Coordinator will maintain electronic files of each Member's Outside Employment requests, and electronic files of each Off-Duty Employer Acknowledgment and Approval forms for a retention period of two years.

#### J. OFF-DUTY EMPLOYMENT SCHEDULERS

Approved off-duty employers may advertise for an OPPD off-duty scheduler through the Off-Duty Employment coordinator.

Off-duty schedulers will not regularly schedule off-duty assignments while they are on duty. Exception: limited and last-minute scheduling changes are acceptable while on duty.

Off-duty schedulers will provide the Off-Duty Employment coordinator with copies of all calendar work schedules via City e-mail at the beginning of the month and may copy scheduled employees. This includes any amended work schedule calendar, which will be emailed to the Off-Duty Employment coordinator.



If an officer is scheduled to work an off-duty job but is unable to cover the assignment, he/she will coordinate coverage with the employer or an off-duty scheduler. It will not be the Off-Duty Employment coordinator's responsibility to find coverage.

K. OPPD SUPERVISORY EXPECTATIONS [22.2.5\(c\)](#)

OPPD supervisors will monitor the work performance of their personnel, and will initiate chain-of-command notification if a Member's Outside Employment causes work performance to fall below an acceptable level; for example, abuse of sick leave.

OPPD supervisors will initiate chain-of-command notification if he/she learn any Member has violated any Department or City written directives while working Outside Employment.

Origin Date: 12/18/2007

Revision Date: 01/18/2008

Revision Date: 05/09/2008

Revision Date: 01/18/2017

Revision Date: 07/13/2018

Revision Date: 11/19/2019

Revision Date: 11/30/2022

Revision Date: 11/17/2023

Revised by Eric Houston

[CALEA references:](#)

[22.2.5\(A\)\(B\)\(C\)\(D\)\(E\)](#)

## OFF-DUTY EMPLOYER ACKNOWLEDGMENT AND APPROVAL FORM

Name of Off-Duty Employer:	Date of Application:
Address:	<input type="checkbox"/> Annual Renewal
Description of Business Activity:	
Description of Duties to be Performed by Off-Duty OPPD Members:	

- \_\_\_\_\_ 1. Employment as Private-Security Employees. Off-duty Overland Park Police Officers may be hired to perform the duties of private security employees and not the duties of certified law enforcement officers.
- \_\_\_\_\_ 2. Response to Criminal Activity. Should a response to criminal activity require an on-duty law enforcement officer, Off-duty officers employed as private security employees shall request law enforcement assistance by calling 911 or otherwise seek such assistance. Off-duty officers employed as private security personnel will not respond as on-duty law enforcement officers unless the off-duty officer determines within their discretion and best judgment that an emergency situation supports an on-duty law enforcement response. Off-duty officers employed as security personnel will not provide an on-duty response when the matter can be properly handled by requesting the assistance of an on-duty officer.
- \_\_\_\_\_ 3. OPPD Call Backs: Officers are responsible for returning to duty for OPPD when called upon.
- \_\_\_\_\_ 4. Insurance Required: Employers interested in hiring off-duty Overland Park Police Officers for security work shall carry the statutory limits for Workers' Compensation Insurance and a minimum of \$500,000 general liability insurance coverage. The employer has attached a copy of the general liability insurance certificate. ☐ Yes ☐ No
- \_\_\_\_\_ 5. Response to Resistance, Uniforms, and Weapons. Off-Duty OPPD Officers employed as private security personnel will only wear the OPPD uniform and will carry and use OPPD weapons in accordance with OPPD Policy. OPPD Officers working as off-duty security personnel will only utilize deadly and non-deadly force in accordance with Department Policy.
- \_\_\_\_\_ 6. Gratuities and Adherence to OPPD and City Policy. Further, OPPD Officers will adhere to all OPPD and City Policies. If those policies conflict with your policies or directives as an off-duty employer, OPPD and City Policy shall prevail. Additionally, any discounts or employee benefits you provide off-duty officers will be reported in the off-duty officer's Outside Employment Request as compensation for review by the Chief of Police, or a designee. **I will not provide any benefit that would not normally be provided to any other employee of the business.**
- \_\_\_\_\_ 7. Notice of work opportunities. The Overland Park Police Department provides notice of off-duty work opportunities as a service to its employees. Posting such notices does not establish in any fashion or form a duty, responsibility, or relationship on the part of the Department to assist off-duty employers in hiring Department Members for off-duty employment. OPPD will not assist or participate in the establishment of any off-duty work relationship between the off-duty employer and any Department Member.
- \_\_\_\_\_ 8. Annual Renewal of Approval. Unless revoked, this approval is initially valid from the date it was signed by the Chief of Police or designee, until December 31, and must be re-submitted annually. If the insurance coverage or the job duties change, an amended Employer Acknowledgement and Approval Form must be submitted and approved by the Chief of Police or designee, prior to employing or continuing to employ off-duty OPPD Officers.
- \_\_\_\_\_ 9. Future Requests. OPPD may request at any time information pertaining to the Member's duties, responsibilities, and their actual days and hours worked.
- \_\_\_\_\_ 10. Additional Documents. Employers will not require OPPD Officers to sign any contracts or waivers that conflict with this agreement. Additionally, Employers will not require OPPD Officers, nor the City of Overland Park, to indemnify the Employer under any circumstances related to the Off-Duty Employment.

_____ Employer Signature	_____ Date	_____ Printed Name of Employer
_____ Chief of Police (or designee)	_____ Date	<input type="checkbox"/> Approved <input type="checkbox"/> Denied

Revised 11/2023



## Overland Park Police Department

### Outside Employment Request

**DIRECTIONS FOR COMPLETION:**

- Please "make a copy" of this document.
- Select employment request type (drop-down)
- Complete the member portion of this form, electronically sign and date and share with your direct supervisor for review/approval.
- Your supervisor should review for approval. If approved, this document would then be shared as follows:
  - Off-Duty requests - final approval level - Captain/Civilian Manager
  - Secondary employment requests - final approval level - Deputy Chief

Please select the employment request type from below drop-down options.

**SELECT ONE** ▾

Member's Name:		Cost Center:	
Prospective Employment Dates:	(From Date)		(To Date)
Prospective Business :		Business Type:	
Business Address:		Phone:	
Prospective Supervisor's Name:		Position Applied For:	
Full Description of Duties:			
Provide Full Description of Direct and Indirect Compensation, Employee Benefits to be Received:			
Fully Identify Any Known or Potential Conflicts of Interest or Liabilities:			
Anticipated Weekly Scheduled Hours:	Uniform Required: <b>No</b> ▾	Weapon Required: <b>No</b> ▾	

I hereby request approval from the Chief of Police, or a designee, to engage in outside employment. I have read, and understand, the policy established in SOP 1260, Outside Employment.

Member:		Date:		
Sergeant/Supervisor:		Date:		Approved Business on "U" drive: <b>SELECT ONE</b> ▾ Approved <b>SELECT ONE</b> ▾
Captain/Manager:		Date:		Approved: <b>SELECT ONE</b> ▾
Off-duty requests - If approved, please share with <a href="mailto:pdoffduty@opkansas.org">pdoffduty@opkansas.org</a>		Date:		Approved: <b>SELECT ONE</b> ▾
Major:		Date:		Approved: <b>SELECT ONE</b> ▾
Deputy Chief:		Date:		Approved: <b>SELECT ONE</b> ▾
Secondary employment - If approved, please share with <a href="mailto:pdoffduty@opkansas.org">pdoffduty@opkansas.org</a>		Date:		Approved: <b>SELECT ONE</b> ▾
Chief (if applicable)		Date:		Approved: <b>SELECT ONE</b> ▾
If approved, please share with <a href="mailto:pdoffduty@opkansas.org">pdoffduty@opkansas.org</a>		Date:		Approved: <b>SELECT ONE</b> ▾
Off-Duty Employment Coordinator:		Date:		Approved: <b>SELECT ONE</b> ▾