
ADMINISTRATIVE DIRECTIVE – 101.011
SECONDARY, EXTRA-DUTY, AND NON-LAW ENFORCEMENT OUTSIDE EMPLOYMENT

EFFECTIVE DATE: May 1, 1982
AFFECTS: All Personnel

REVISION DATE: June 20, 2025

I. PURPOSE

This directive provides guidelines to all department employees on secondary, extra-duty, and non-law enforcement outside employment. Employees working non-law enforcement outside employment shall also refer to City of Plano Policy 204.000.

II. POLICY

Employees shall only work secondary, extra-duty, and non-law enforcement outside employment when it does not interfere with their work schedule and primary responsibilities to the department, and does not conflict with the mission and values of the department or the City of Plano. For these reasons all secondary, extra-duty, and non-law enforcement outside employment must be approved and may be prohibited or revoked.

III. DEFINITIONS

- A. Extra Duty Police Employment – Any employment offered through the police department outside of regular assignments that is conditioned on the actual or potential use of law enforcement powers by the employee.
- B. Non-Law Enforcement Outside Employment – The provision of a service for a fee, service, or other benefit (including self-employment) in which duties have no potential use of law enforcement powers. Employment does not include volunteer charity work.
- C. Secondary Employment – Any other employment in which a sworn officer is an employee for pay, service, or other benefit and has duties that could give rise to the use of law enforcement powers.
- D. Special Event Pay – A designated pay rate for assignments paid through the city payroll system, where the assignment is not consistent with normal job duties and is outside the employee's normal work schedule. The pay rate is equal to the employee's overtime rate, regardless of actual time worked during the pay period.

IV. PROCEDURES

- A. General Statements
 - 1. To be eligible for any secondary, extra duty, or non-law enforcement outside employment, an employee must be in good standing and is subject to all rules, regulations, policies, and procedures of the City of Plano and the department.
 - a. Continued departmental approval for an employee's secondary, extra-duty, or non-law enforcement outside employment is contingent on the employee remaining in good standing, as well as the employee's completion and submission of the necessary forms.
 - b. Employees placed on Performance Improvement Plans (PIP) may have their requested employment privileges revoked until they have successfully completed the PIP.
 - c. Employees may not work secondary or extra-duty employment while under the terms of suspension (without pay).
 - 2. Work hours for all secondary, extra-duty, and/or non-law enforcement outside employment must be scheduled in a manner that does not conflict or interfere with the employee's duty performance.
 - a. Employees may not work more than 16 hours in any 24-hour period in combination with regular duty, secondary, extra-duty, or non-law enforcement outside employment.

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- b. Employees may not split their workday by leaving their regular police department duties to report to a secondary or extra-duty assignment, and then return to the police department duties during the same workday.
 - 3. Employees are not allowed to engage in any private business or employment where their official position might be used to advance private interests.
 - 4. Employees will not solicit or suggest to anyone that a problem or situation might be resolved by employment of a secondary or extra-duty department employee.
 - 5. Employees will review and acknowledge Administrative Directive 101.011 – Secondary, Extra-Duty, and Non-Law Enforcement Outside Employment and City of Plano Policies and Procedures 204.00 – Outside Employment annually before being approved to work any secondary, extra-duty, or non-law enforcement outside employment.
- B. Non-Law Enforcement Outside Employment
- Employees may engage in outside employment that meets the following criteria:
- 1. Employment of a non-law enforcement 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 the employee and the duties for their outside employer. Some examples of employment representing a conflict of interest are:
 - a. As a process server, re-posessor, or bill collector; towing of vehicles, or any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.
 - b. Personal investigations for the private sector or any employment which might require the employee to have access to police information, files, records, or services, as a condition of employment.
 - c. Any employment requiring the employee to wear their police uniform or other police department attire in the performance of tasks other than that of a police nature.
 - d. Assisting in any manner, the case preparation for the defense in any criminal or civil action or proceeding in Texas.
 - e. For a business or labor group that is on strike.
 - 3. Employment that does not constitute a threat to the status or dignity of policing as a professional occupation, examples include:
 - a. Establishments which sell pornographic books, magazines, sexual devices, or videos, or otherwise provide entertainment or services of a sexual nature.
 - b. Any employment involving the sale, manufacture, or transportation of alcoholic beverages must be approved by an assistant chief of police or their designee prior to an employee working at the establishment.
 - c. Any gambling establishment or gambling event, not exempted by law.
 - 4. Employees requesting to engage in outside employment must complete and submit a Non-Law Enforcement Outside Employment Request Form (FM620.041) through their chain of command prior to working the employment, and annually prior to January 1st of the next calendar year.

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C. Secondary and Extra-Duty Employment

1. Sworn employees and Public Safety Officers (PSOs) are required to create an account through the Extra Duty Solutions portal. Employees will only work extra duty or secondary employment that is coordinated through the Extra Duty Solutions portal.
2. Sworn employees may engage in secondary/extra-duty employment that meets the following criteria:
 - a. The private business, non-profit organization, or governmental entity has contacted the department and received prior approval for employment, agreeing to the terms and conditions as imposed by this policy. Types of secondary/extra-duty services which may be considered:
 - 1) Traffic control and pedestrian safety,
 - 2) Crowd control,
 - 3) Security and protection of life and property, and
 - 4) Plain clothes assignments.
 - b. Employees may only work secondary employment at locations which have been approved through the Extra Duty Solutions portal.
 - c. Sworn employees shall not enforce company policies or any rules (commonly known as "house rules") or regulations outside the scope of their official law enforcement duties while working secondary/extra-duty employment.
 - d. For purposes of this directive, only sworn employees may work secondary and extra-duty assignments where law enforcement authority may be required.
 - e. Sworn employees and PSOs who have not completed field training may not work secondary/extra-duty employment. Employees who are on sick leave, worker's compensation leave, FMLA, or restricted duty are not eligible to engage in secondary/extra-duty employment. Officers working off-duty police employment where they may perform law enforcement duties must be capable of performing all police related functions.
 - f. Sworn employees engaged in secondary/extra-duty employment are subject to call out for emergencies and are expected to leave their secondary/extra-duty employment if needed.
 - g. If an employee arrives at a regular secondary or extra-duty police assignment and finds that fulfilling the assignment would violate this directive, they shall immediately notify the on-duty Watch Commander. Department employees will immediately report in writing any incidents or situations arising from or connected with their secondary/extra-duty employment which might adversely affect the department or its personnel. This notification shall be directed to the chief of police through the chain of command.
 - h. Employees are prohibited from providing secondary/extra-duty services while on duty. Officers will not answer courtesy calls at their apartment complex while on duty.
 - i. Employees working any secondary/extra-duty job will not have friends, relatives, or acquaintances accompany them without prior permission of the secondary/extra-duty employer.
 - j. Employment on any project, job site, or business, where there is a labor dispute or strike, is prohibited.
 - k. Employees will not work secondary/extra-duty police employment outside the corporate limits of the City of Plano.

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- l. Employees will not enter into a contract to serve as a broker to provide secondary/extra-duty employment or work on a commission basis or be paid a percentage of the salaries of other employees performing secondary/extra-duty police employment. Employees may coordinate activities for the employer with responsibilities documented and approved by an assistant chief of police.
- m. Employees engaged in secondary/extra-duty employment are responsible for notifying Public Safety Communications of the:
 - 1) Location of assignment;
 - 2) Hours of assignment;
 - 3) Nature of duties; and
 - 4) Personnel assigned.

Note: Notification must be made prior to or on arrival at the location of the assignment. Employees shall also notify Public Safety Communications when they have completed the assignment.

- n. Officers working as a courtesy officer at apartment complexes within Plano city limits must notify the Office of the Chief of Police by completing and submitting a Courtesy Officer Request Form. An officer serving as a courtesy officer at an apartment complex must live at the apartment complex as their primary residence.
 - 1) Upon moving out of the apartment complex, officers must notify the Office of the Chief of Police via email they no longer hold the courtesy officer position. The Office of the Chief of Police will keep a current database of all apartment complexes employing department officers as courtesy officers. The database shall be placed on SharePoint and made available to officers in their patrol vehicles for emergency situations at those apartment complexes. Officers are prohibited from working courtesy officer jobs outside Plano city limits.
- o. Prior to sworn employees working secondary/extra-duty employment at establishments with a Texas Alcoholic Beverage Commission (TABC) permit for on premise alcoholic beverage, they must have completed a 4-hour Standardized Field Sobriety Test (SFST) initial or refresher course within the past three years.
- p. Employees will not work any secondary/extra-duty employment where they would be paid cash.
- q. Supervisors will not work secondary employment in which the assignment coordinator is their subordinate. This only applies to supervisors who are in the direct chain of command above the assignment coordinator.

3. Attendance at Secondary and Extra-Duty Employment

- a. Employees who become unable to work a secondary/extra-duty assignment, with 72 or more hours from the start of the assignment, can release the assignment through the Extra Duty Solutions portal.
- b. If there is less than 72 hours from the start of the assignment, the employee can transfer the assignment through the Extra Duty Solutions portal. The employee will be responsible for the assignment until another employee accepts the assignment.
- c. If it is less than 72 hours from the start of the assignment, and the employee will be unable to work the assignment for any reason, the employee must contact Extra Duty Solutions to

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request to be released from the assignment. Extra Duty Solutions will re-post the assignment and make it available to other officers.

- 1) Employees assigned to work a special event related secondary/extra-duty assignment must also notify the special event sergeant.
- 2) Employees who fail to attend assigned secondary/extra-duty employment and do not follow the protocol above may be subject to disciplinary action or suspension from working secondary/extra-duty employment.

4. Extra-duty Employment Coordinators

The professional standards sergeant shall serve as the primary extra-duty employment coordinator. The coordinator shall:

- a. Approve or deny requests based on departmental guidelines and time and manpower constraints;
- b. Monitor postings to ensure adequate personnel are available for duty and/or special assignments; and
- c. Recommend proposed changes to the Secondary Employment Steering Committee.

5. Oversight

a. Secondary Employment Steering Committee

A committee of five employees representing a departmental cross section will be appointed by the chief of police annually. This committee will be chaired by a lieutenant appointed by the chief of police.

- 1) The chief of police will solicit volunteers and appoint committee members.
- 2) The committee shall monitor internal posting procedures and recommend changes as necessary.
- 3) The committee shall review rates for posted extra-duty assignments annually.

D. Benefits and Liabilities

1. Sworn employees approved to perform off-duty police service, subject to the provisions set forth below, will be covered by benefits established under the Workers' Compensation Act, Chapter 401, Texas Labor Code, and injured employee salary continuation plan, if it is determined the employee was in the course and scope of police duties.
2. For purposes of this policy, course and scope of police duties will include:
 - a. Incidents where an officer is injured while in the act of enforcing a Federal or State law or ordinance of the City of Plano or Plano Police Department rules and regulations.
 - b. Incidents where an officer is injured solely because of his representation as a law enforcement officer or member of the Plano Police Department.

E. Pay

1. Posted extra-duty law enforcement assignments will be paid at a rate determined by the department.
 - a. Special Event Pay will be utilized for law enforcement assignments that are approved by the City of Plano Special Event Team.
 - b. The chief of police, or his designee, may designate the pay rate as "Special Event Pay", for assignments outside an employee's normal work schedule.

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2. Non-law enforcement outside employment positions will have salaries determined by the employer with mutual agreement of the employee. Federal minimum wage guidelines will apply.
3. Employees working any outside or secondary/extra-duty employment are responsible for paying all appropriate taxes and reporting all income to the IRS pursuant to IRS regulations.

F. Forms

1. Non-Law Enforcement Outside Employment Approval Request Form

Employees that currently work or intend to work any outside employment shall complete and submit the City of Plano Outside Employment Approval Request form through their chain of command to the Office of the Chief of Police prior to starting employment and annually by January 1st of the next calendar year.

2. Sworn Secondary Location Approval Request Form

Coordinators who oversee a secondary employment assignment shall complete and submit the Sworn Secondary Location Approval Request Form directly to their assistant chief of police prior to starting employment at that location.

3. Sworn Courtesy Officer Request Form

Sworn officers working as a courtesy officer at an apartment complex within city limits shall complete and submit the Sworn Courtesy Officer Request Form to the Office of the Chief of Police prior to starting employment and annually by January 1st of the next calendar year.

V. SPECIAL SITUATIONS

A. Use of Vehicle and Other Equipment

Occasionally employers may ask employees to use various pieces of equipment belonging to the City of Plano. These may include uniform, weapons, flashlights, or vehicles.

1. Requests to use police vehicles for secondary employment or extra-duty employment must be approved by an assistant chief of police prior to use. On-call employees may drive their city assigned vehicle to and from their secondary or extra duty assignment if they are subject to call-out during the time they are engaged in the off-duty employment with written permission from their immediate supervisor.

B. Plain Clothes Assignments

For purposes of this directive, plain-clothes attire is defined as anything other than a standard issued patrol police uniform.

1. Sworn employees requesting to work plain-clothes secondary/extra-duty assignments must get approval from an assistant chief of police prior to working the assignment.
2. Duties, responsibilities, and expectations of the employer must be fully documented and approved.
3. Plain-clothes assignments, while they may serve the interests of the secondary employer, must first have legitimate interest in the safety of the community.
4. In the event an arrest needs to be made during a secondary/extra-duty police assignment, while working plain clothes, the officer must call for a uniformed officer, whenever possible, prior to intervening. If immediate enforcement action is required, the officer must identify themselves by visual and verbal means.

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5. Regardless of whether the employee is working a secondary/extra-duty assignment in plain-clothes or uniform, an on-duty officer shall be called to handle offense reports as well as transport and all necessary activities related to an arrest. The officer working a secondary/extra-duty assignment shall only be responsible for writing a witness statement, supplement, etc., as needed.
- C. TABC Licensed Premises
1. Requests for secondary/extra-duty employment at business establishments licensed by TABC or involved in the sale, manufacture, or transportation of alcohol must be approved by an assistant chief of police, or their designee, prior to an employee working at the establishment.