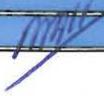


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		Distribution: All
Title: <b>SECONDARY EMPLOYMENT</b>		Section: Personnel
Issued: 08/10/2010	Effective: 08/18/2010	Revised: 9/4/2013
Rescinds: All Previous	Amends:	
CALEA References: 22.3.4, 22.3.5(a)(b)(c)(d)(e)		
Review: Annual	Authority: Chief Michael A. Keller 	

## 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 to 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.

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## 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 rules of an employer or a business that do not constitute a violation of law [C] (22.3.5b).
- 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] (22.3.5b).
- D. Officers working extra-duty in uniform shall be fully and properly attired according to Department regulations [C] (22.3.5b).



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- 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. Only the uniform authorized for the season at the time of the extra-duty employment may be worn while performing extra-duty employment [C] (22.3.5b).
- G. 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].
- H. Officers serving in extra-duty employment shall abide by all General Orders of the Department [C] (22.3.5b).
- I. 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 (22.3.4):

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:
  - a. Work as a process server, repossession agent, or bill collector; towing of vehicles; or any other employment in which police authority might be used to collect money or merchandise for private purposes.
  - b. Working 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.
  - c. Employment using the Department uniform in the performance of tasks other than those of a police nature.
  - d. 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.
  - e. Work for a business or labor group that is on strike.

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- f. 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:
    - 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.

## **B. Extra-Duty Employment**

Officers may engage in extra-duty employment as follows:

1. Where a government, profit making, or not-for-profit entity has a contract agreement with the department for police officers who are able to exercise their police duties.
  - a. Contracts will be drafted by the Chief of Police and signed by the responsible person for the requesting entity and the Chief of Police.
  - b. The contract will require payment for the services to be made at least 72 hours prior to the event where extra-duty officers are requested unless the contracting organization is an organization based in Andover, Kansas and prior arrangements have been made.
2. 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.
3. All requests from organizations wishing to contract with the Department for extra-duty officers shall be directed to the Operations Commander for process information and initial approval. The Chief of Police shall give final approval prior to any extra-duty work being performed (22.3.5d).
4. Officers interested in extra-duty employment shall submit a request to the Operations Commander to be put on an extra-duty rotation list. The Operations Commander can approve or deny the request based on the procedures of this General Order (22.3.5a, 22.3.5c).
5. The Operations Commander will give officers on the extra-duty rotation list who are off-duty at the time of the extra-duty employment the option to accept the extra-duty employment. Officers who decline or accept the extra-duty employment opportunity will be moved to the bottom of the rotation list.



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6. If four or more officers are requested for extra-duty employment, a supervisor must be included as one of the officers and the extra-duty officers are subject to the direction and control of the supervisor at the extra-duty location.
7. The Operations Commander shall oversee all extra-duty employment and shall ensure that all General Orders pertaining to extra-duty employment are adhered to (22.3.5d).
8. The Operations Commander will maintain a log of all extra-duty employment, upon which the significant aspects of each extra-duty employment shall be documented (22.3.5e).
9. When it is necessary for extra-duty officers to take enforcement action, they shall (22.3.5b):
  - a. Stop and detain/arrest the violator.
  - b. Call for an on-duty officer to complete the formal investigation and subsequent paperwork.
  - c. Complete narrative 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.
10. Officers who agree to extra-duty employment do so as employees of the Andover Police Department and will be paid one and one-half times their hourly rate for actual time worked. All taxes, fees, overtime, Workers' Compensation, and other benefits will be paid for extra-duty employment in the same manner as regular employment with the Department.

**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, temporary disability, an on-duty injury, on a work performance plan or on administrative 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.
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.

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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.
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 (22.3.5c).