

 <b>City of Norfolk</b>	<b>Administrative General Order - 380</b>		<b>Outside Employment</b>
	<b>Department of Police General Order</b>		
	<b>CALEA:</b>	22.3.3, 22.3.4	
<b>VLEPSC:</b>	PER. 04.01, 04.02		
LEGAL REVIEW DATE:	6-1-2012	PRESCRIBED DATE:	6/25/2012
City Attorney:	Jade E Clow	City Manager/Director of Public Safety:	W. Marc D. [Signature]
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		[Signature]	

Office of Preparation: Strategic Management Division / acb

### Purpose

The purpose of this order is to establish policy and define procedures for all Police Department personnel regarding outside employment and additional work for other Norfolk city agencies or departments.

### Policy

The City of Norfolk does not prohibit its employees from engaging in gainful supplemental employment provided the performance of occupational duties with the City is not impaired, and provided an actual, potential, or apparent conflict of interest is not created.

### Supersedes:

1. G.O. ADM-380: dated February 2, 2010
2. Special Order 08-002: Single Occurrence Outside Employment
3. Any previously issued directive conflicting with this order

### Order Contents:

- I. Required Forms for Law Enforcement Officers
- II. Restrictions
- III. Reports
- IV. Outside Employment Coordinator Responsibilities
- V. Use of City Equipment
- VI. Radio Procedures
- VII. Outside Employment for Civilians and Operations Officers

I. Required Forms for Law Enforcement Officers (CALEA 22.3.4 A,C,E) (VLEPSC PER.04.01A, 04.02A,C,E)

A. Re-occurring requests

1. Law enforcement officers will use PD 661, Outside Employment, to request permission to work outside employment.. Completed forms must be routed according to the instructions set forth on the form.
2. All approved PD661 must be resubmitted for re-approval by the close of business on January 31<sup>st</sup>. The officer will submit the PD661B "Renewal Form" according to the instructions set forth on the form. If an officer fails to re-submit the PD661B by the deadline, permission to work that job is automatically rescinded. After January 31<sup>st</sup>, all requests will be treated as new submissions thus requiring approval by an assistant Chief of Police.
3. If time constraints arise and the PD661 has not yet been approved, the officer shall complete the PD661A Request for Approval of Single Occurrence Outside Employment and forward it through their chain of command for approval while the original PD661 goes through the standard procedures.

B. Single Occurrence Requests

1. Law enforcement officers wishing to work extra duty employment for a single occurrence not lasting more then three days, will submit PD 661A Request for Approval of Single Occurrence Outside Employment, to their commanding officer, or designee, for approval prior to engaging in such employment.
  - a. The form will be completed by the requesting officer and submitted electronically, to his or her immediate supervisor. The immediate supervisor will forward the form, electronically, through the chain of command to the officer's commanding officer.
  - b. Law Enforcement Officers are not authorized to work the requested employment until he or she has received approval, electronically, from their commanding officer.
  - c. An electronic copy of the approved PD661 shall be forwarded to the Outside Employment Coordinator for record keeping. Officers shall keep a final electronic copy of the form for their own records.

- d. An electronic copy of the approved PD 661A shall be forwarded to the division and sector commander where the requested employment will take place prior to the beginning of the requested employment.
  - (1) It shall be the responsibility of the officer's command, not the requesting officer, to forward the approved PD 661A to the appropriate division and sector commander as necessary.
  - (2) In the event that the requested employment occurs within the division and sector in which the officer is already assigned, this notification requirement shall be satisfied during the normal approval process.

C. Denied and Rescinded Requests

- 1. A copy of the denied request shall be sent electronically to the Outside Employment Coordinator.
- 2. Approved requests may be rescinded at any time for breach of policy as stated in this order under section II "Restrictions".

II. Restrictions (CALEA 22.3.3, 22.3.4 B) (VLEPSC PER.04.01 B, .04.02B)

- A. Outside employment will be consistent, compatible, and will not be in conflict with the duties, functions, or responsibilities of the employee's employment with the Department, nor bring discredit to the Department.
- B. No outside employment will be approved for recruits while attending Basic Recruit Training.
- C. Outside employment will not exceed twenty hours per week, excluding regular days off and approved leave.
- D. Employment for compensation will not exceed seventeen hours in any twenty-four hour period. This does not include police or city emergency conditions, training, or investigations that may extend beyond seventeen hours which are approved by an authorized supervisor.
- E. Officers are not permitted to work extra duty employment:
  - 1. While on sick leave in lieu of working their assigned shift.
  - 2. For eight hours following a shift for which sick leave (excluding family sick leave) was taken for the entire shift.

- F. Personnel are required to be in Class A uniform while working extra duty employment unless otherwise authorized by the Chief of Police or designee. Approval to work out of uniform should be requested on the PD 661.
- G. Personnel are prohibited from employment by:
1. Bail bond agencies.
  2. Collection agencies or to perform collection services or duties for any business or individual.
  3. Establishments permitting risqué or lewd entertainment.
  4. Establishments where gambling is permitted, excluding licensed bingo.
  5. Insurance agencies or security businesses for any type of investigative, security, or enforcement purposes.
  6. Attorneys.
  7. Any "on premises" ABC licensed establishment. This does not include special events sponsored by the city or approved agencies such as Scope, Waterside, Festevents, Harborfest, Harbor Park, or the Azalea Festival. Officers may be employed to provide security for shopping malls/centers property management firms, incorporated business or civic associations/leagues and for work in malls or centers containing "on-premises" establishments. Under no circumstance may they receive payment from an "on-premises" ABC licensed establishment or work in such an establishment unless authorized specifically and only by the Chief of Police.
- H. The City will not be responsible for the payment of officers engaged in outside employment on behalf of outside employers. The outside employers must pay its police officer employees directly. The outside employer must also maintain and file all tax-related information concerning the officers they employ, as required of employers by law.

### III. Reports

Reports are required as follows for outside employment.

- A. For outside employment worked, Sergeants and below will complete reports and forms as required in G.O. ADM-390: Additional Time. For outside employment, they will also complete PD 921A, Report of Outside Employment. Supervisors will ensure that personnel who have an approved PD661 on file submit their PD 921A at the end of each cycle.

- B. Lieutenants and above who engage in outside employment will complete PD 921A, Report of Outside Employment. The report is due by the seventh of each month and covers the previous calendar month.

IV. Outside Employment Coordinator Responsibilities (CALEA 22.3.4 D, VLEPSC PER.04.01 D, 04.02 D)

- A. Serve as the primary contact for outside employment records.
- B. Monitor matters pertaining to outside employment, to include:
  - 1. Review all extra duty requests.
  - 2. Maintain a current data base containing the names of all employees who have approved requests on file and pertinent information to include, where the employment is located, who the police coordinator is, when approved etc.
  - 3. Review and make inquiries about outside employment that may be questionable, as directed by the Command Staff.
  - 4. Make recommendations when appropriate.

V. Use of City Equipment

- A. Required Authorization
  - 1. Use of city equipment other than personally assigned items such as weapons, uniforms, etc., must be approved by the appropriate bureau chief and indicated on PD 661, Request for Approval of Outside Employment. Criteria for approval include, but are not limited to:
    - a. Whether use is recommended by the commanding officer.
    - b. Whether use is consistent with the Department's community policing philosophy, practices, and objectives.
    - c. The extent to which use will benefit officer and public safety.
  - 2. The extra duty use of city equipment may only be authorized when the commanding officer or designee determines that it will not adversely affect on-duty equipment needs. If authorized, the commanding officer or

designee will be responsible for monitoring the extra duty use of all city equipment assigned to the command.

B. Equipment Use

1. Due to the limited availability of marked vehicles and other equipment, prioritization for extra duty employment use will be as follows.
  - a. Extra duty employment for other Norfolk agencies and departments.
  - b. Extra duty employment when payment is made directly to the officer.
2. Extra Duty employment use of any city equipment may be terminated by the lending command at any time, without notice, to meet on-duty needs.

C. Documentation (CALEA 22.3.4 E) (VLEPSC PER.04.02E)

Commands will maintain records tracking the use of city equipment for extra duty employment. Use separate logs to record the following information for vehicle and equipment use:

1. Date of use.
2. Identification number or car number.
3. Time checked out and returned.
4. Name of officer using equipment.
5. Place of outside employment.
6. Name of supervisor approving use.

VI. Radio Procedures (CALEA 22.3.4 B,E) (VLEPSC PER.04.02E)

Personnel working extra duty employment will:

- A. Follow procedures outlined in G.O. OPR-510: Radio Communications.
- B. Operate on the patrol division primary in which the place of employment is located.
- C. Contact the Police Operations Central Desk for all computer inquiries.

VII. Outside Employment for Civilians and Operations Officers

- A. Civilian personnel in the police department who wish to engage in outside employment will follow procedures outlined in the City of Norfolk Employee's Policies and Procedures Manual and the City of Norfolk Policy and Administrative Regulations Manual. Civilians will fill out the City of Norfolk Request to Engage in Other Employment form and submit it through their command, which must be approved by the Chief of Police or designee prior to such employment.
- B. Operations officers employed by the Norfolk Police Department will follow guidelines as civilian personnel. However, if the request includes wearing the uniform, additionally they will follow the policy requirements for sworn personnel.
- C. A copy of all approved requests will be forwarded through their chain of command to the Outside Employment Coordinator.

Definitions

Outside Employment: Employment by individuals, firms and agencies which are separate from and independent of the City government, even though they may be funded to some extent by the City. These include private businesses, organizations like Festevents Inc., and other political subdivisions like the School Board and the Norfolk Redevelopment and Housing Authority that encompass both extra and off duty employment capacities.

Extra Duty Employment: Outside employment wherein the actual or potential use of law enforcement powers is anticipated.

Off Duty Employment: Secondary employment that is outside employment wherein the use of law enforcement powers is not anticipated.

Police Coordinator: The Law Enforcement Officer who is the point of contact between an extra duty business and the officers performing the work. Responsibilities may include assisting the third party employer with scheduling.

Outside Employment Coordinator: Oversees the record keeping and administration of all extra and off duty employment as registered on PD661, Outside Employment.

Employment for Compensation: Any occupation or engagement of services resulting in salary, wages, or other compensation or benefits.

Single occurrence Extra Duty Employment: Employment that occurs on a given date not lasting more than three days.

Re-occurring Extra Duty Employment: Employment that continues beyond three days on multiple occasions requiring the submitting and re-approval using form PD 661.