



# BETHLEHEM POLICE DEPARTMENT

<b>Secondary Employment</b>	<b>Related Policies:</b>
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
<b>Applicable New Hampshire Statutes: RSA 105:9 (2010) Police Attendance at Public Meetings or Functions</b>	
<b>CALEA Standard: 22.3.3; 22.3.4; 22.3.5</b>	
<b>Date Implemented:</b>	<b>Review Date:</b>

- I. **Purpose:** The purpose of this policy is to establish guidelines governing Extra Duty Details and outside employment by employees of this agency.
- II. **Policy:** It is the policy of this Department/Office to allow employees the opportunity to perform extra duty details within the scope of their job classifications and to allow them to engage in outside employment which does not conflict with their official duties.

### III. Definitions:

- A. **Extra Duty Details:** Performance of law enforcement duties not within regularly scheduled hours provided to any business, person, or enterprise which has made application to the Department/Office and has been approved for a permit to secure the services of an employee of the Department/Office. These services will be compensated according to a contractual arrangement established by the Department.
- B. **Outside Employment:** Employment of a non-police nature in which vested police powers is not a condition for employment. The work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.

### IV. Procedures:

- 1. **Permit Process:** The Department/Office will establish a permit application process that will ensure compliance with all elements of this policy concerning Extra Duty Details. The permit application must be approved prior to member of this agency accepting a detail and the application process will include the following:
  - i. A fee schedule that will specify the hourly rate charged to the permit holder, administrative fee, use of equipment, additional insurance, retirement contribution, and the employee's pay rate.
  - ii. The number of employees required to safely handle the detail.



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- iii. All Fees paid in connection with Extra-Duty Details will be paid directly to this Department/Office and the Department/Office will compensate the employees in accordance with the agreed upon hourly rate.
2. **Compliance with agency policies and procedures:** Employees shall comply with all agency policies and procedures while employed in an Extra Duty Detail. Agency provisions will supersede any of the entity hiring the employee. Employees shall comply with all departmental regulations concerning uniform standards and personal appearance during any Extra Duty Detail and will carry all necessary equipment subject to the nature of the assignment.
3. **Schedule:** The Department/Office will assign a supervisor to coordinate the Extra Duty Detail program. The supervisor will ensure that all employees interested in working are provided an equal opportunity for assignment via a rotating list or other mechanism to ensure fairness in the assignments.
4. **Limitations:** The following are examples of limitations upon Extra Duty Details, overtime, outside employment that would not be approved:
  - i. Employees are not permitted to work more than 24 additional hours per week unless approved in writing by the Chief of Police or their designee.
  - ii. Officers shall not work more than 16 hours in a calendar day unless an emergency exists and the chief or designee has authorized the emergency schedule.
  - iii. Employees shall not be eligible while on sick leave or within (8) eight hours of a sick leave.
  - iv. Employees who have received an unsatisfactory evaluation in the previous rating period are not eligible for assignment.
  - v. Employees who are under suspension, relieved of duty, or placed on administrative leave are not eligible for assignment.
  - vi. Employees who have not completed the FTO program are not eligible for assignment.
  - vii. Any other provisions which are subject to the collective bargaining agreement between the agency and its employees.
5. **Prohibitions:** Permits will not be issued for the following types of details:
  - i. Establishments where alcohol is served unless authorized by the Chief of Police or his/her designee.
  - ii. Private Clubs requiring bouncers or related duties.
  - iii. Private security agencies or private investigation agencies.



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- iv. Body guard.
- v. Adult entertainment establishments.
- vi. Any use of Departmental/Office personnel that is not in the best interest of the Department/Office.

## B. Outside Employment:

1. **Permission Form:** The Department/Office will develop an Outside Employment Request Form which will be utilized whenever an employee seeks to engage in employment during their off duty hours. The form will at a minimum contain the following information:
  - 2. Description of the type of work to be performed, i.e. teaching, sales, construction, etc. and information concerning the potential employer,
  - 3. Maximum number of hours per week employee will engage in the outside employment, (no more than 24 hours should be approved),
  - 4. Statement indicating that no aspect of the employment could be considered questionable in nature such as placement in compromising situations, use of police powers, or have the potential to bring discredit to the Department, and
  - 5. Statement indicating the services rendered will not be connected with security work, investigations, or collection or repossession of property and will not involve any law enforcement duties.

C. **Approval:** Approval to engage in any outside employment will be submitted through the employee's chain of command, requiring final approval by the agency head. Permission can be withdrawn at any time.

D. **Annual Approval:** An employee who has obtained written approval for outside employment must re-submit application for re-approval on an annual basis.