



# POLICY & PROCEDURES

## HOLMEN POLICE DEPARTMENT

SUBJECT: **OFF DUTY & SECONDARY EMPLOYMENT**      NUMBER: 6.5  
SCOPE: ALL DEPARTMENT PERSONEL      ISSUED: 03/01/2012  
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### PURPOSE

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The purpose of this policy is to set forth guidelines to govern off-duty or secondary employment by members of the Holmen Police Department.

### POLICY

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The policy of the Holmen Police Department is to provide guidelines to police employees to inform them of the types of secondary employment which are appropriate and to establish procedures to maintain accountability for the welfare of the department. These requirements are essential for the efficient operation of the police department and for the protection of the community.

### DEFINITIONS

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- A. Employment: The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer charity work.
- B. Extra-Duty Employment: Any employment that is conditioned on the actual or potential use of law enforcement powers by the police officer employee.
- 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.

### I. PROCEDURES

There are two types of off-duty employment in which an employee may engage:

- A. Regular Off-Duty Employment: Employees may engage in off-duty employment that meets the following criteria:
  - 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 their duties as a police officer and their duties for their secondary employer. Some examples of employment representing a conflict of interest are:
    - a. As a process server, repossession or bill collector, towing of vehicles, or in any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.

- b. Personnel investigations for the private sector or any employment which might require the police officer to have access to police information, files, records or services as a condition of employment.
    - c. In police uniform in the performance of tasks other than that of a police nature.
    - d. Which assists (in any manner) the case preparation for the defense in any criminal or civil action or proceeding.
    - e. For a business or labor group that is on strike.
    - f. In occupations that are regulated by or that must be licensed through the police department or its civilian board.
  - 3. Employment that does not constitute a threat to the status or dignity of police as a profession. Examples of employment presenting a threat to the status or dignity of the police profession are:
    - a. Establishments which sell pornographic books, 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 not exempted by law.
- B. Extra-Duty Employment: Police 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 police department for police officers in uniform who are able to exercise their police duties.
  - 2. Types of extra-duty services which may be considered for contracting are:
    - a. Traffic control and pedestrian safety.
    - b. Crowd control.
    - c. Security and protection of life and property.
    - d. Routine law enforcement for public authorities.
- C. Limitations of regular off-duty employment and extra-duty employment are as follows:
  - 1. Those officers who have not completed their probationary period, or who are on medical or other leave due to sickness, temporary disability or an on-duty injury, shall not be eligible to engage in regular or extra-duty employment beyond that which was performed prior to the commencement of such leave.
  - 2. Prior to obtaining off-duty employment, an employee shall comply with departmental procedures for granting approval of such employment or registration for extra-duty employment.
  - 3. A police officer may work a maximum of 24 hours of off-duty-regular or extra-duty employment; or a total of 64 hours in combination with regular duty in each calendar week. Officers may not work an extra-duty or off-duty job on all days off of three-day breaks without permission from the Chief.
  - 4. Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the police employee's performance of duty.
  - 5. A police officer engaged in any off-duty employment is subject to call-out in case of emergency, and may be expected to leave his off-duty or extra-duty employment in such situations.
  - 6. Permission for a police employee to engage in outside employment may be revoked where it is determined that such outside employment is not in the best interests of the department.
- D. Procedures for Approval of Off-Duty Employment.
  - 1. Off-duty/secondary employment must be approved by the Chief of Police prior to a department employee starting such employment.

- a. Employee must complete a written memo or email the Chief. This communication will include, at a minimum:
    - Date of request
    - Location of employment or event
    - Telephone number of employer or business
    - Name of person in charge
    - Dates and times of employment
    - Signature of employee
  2. Form to be reviewed by the Chief of Police for approval.
  3. If request is denied, the employee may appeal.
- E. Procedure for Extra-Duty (Law Enforcement Related) Employment.
1. Generally, requests for extra-duty employment (employment conditioned on the actual or potential use of law enforcement powers) will come to the Chief of Police from businesses and other organizations. The following procedure will apply for selection of officers for extra-duty employment.
    - a. A notice will be posted on the patrol bulletin board announcing the employment request. Employees interested may sign up for the detail as time allows.
    - b. Chief or Lieutenant will make a selection based on seniority and availability. Administration will attempt to rotate selections which will provide all officers an opportunity to be selected.
    - c. Officers selected will be advised about dress (uniform or plain clothes), contact person and where they should report.
    - d. After completion of the assignment, officers will document time spent on extra-duty employment on their time with the reason for time.
    - e. The Village of Holmen will submit a bill to the employing organization for reimbursement of costs. The rate will be figured at straight time of an average hourly rate and include all benefits (FICA, retirement, health and dental, workman's compensation, life insurance).

Chief of Police  
Shane Collins