

1040 OUTSIDE EMPLOYMENT

1040.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for members of the department regarding the approval process, requirements and expectations concerning outside employment. This policy is in addition to any requirements and expectations described in the City's Administrative Rules.

1040.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment: The employment of any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual. For the purposes of this policy, Outside Employment includes Secondary Employment, and employment as a Courtesy Officer, regardless of if the member is self-employed or is paid by another.

Outside employment does not include Off-Duty employment or overtime. For information regarding Off-Duty Employment refer to policy 1041.

Secondary employment: Outside employment activity that is neither conducted in uniform nor involves the exercise or anticipated exercise of police authority.

Courtesy Officer: Any officer who resides in a rental property and receives reduced rates due to their position as a law enforcement officer and/or in exchange for security patrols of the property.

1040.2 ELIGIBILITY REQUIREMENTS

No member of this department may engage in any outside employment without first meeting the eligibility requirements set forth in this policy. Violation of this policy is grounds for disciplinary action.

Outside Employment Eligibility: Any officer of this department, who has completed their initial probationary period and is authorized to work regular duty, is eligible to work outside employment as approved by the Chief of Police or his/her designee. Any exceptions to the eligibility requirement require prior approval from the Chief of Police or his/her designee.

1040.2.1 SPECIAL RESTRICTIONS

1. Except for emergency situations or with prior authorization from the Bureau Commander, undercover officers assigned to covert operations shall not be eligible to work outside employment if that employment may reasonably disclose the officer's law enforcement status.

2. Members shall not engage in outside employment while on Family Medical Leave Act (FMLA), injury leave, administrative leave, or while serving a suspension, unless specifically authorized to do so by the Chief of Police or his/her designee.
3. Any member on sick leave due to personal illness shall not engage in any outside employment activity for a 24-hour period beginning when the member was scheduled to report for their most recent regular duty shift.
4. Members shall not engage in outside employment while on Modified Duty Assignment.
5. Members shall not accept a position as a Courtesy Officer outside the city limits of Columbia.
6. While acting In a Courtesy Officer capacity, members shall not perform tasks, other than those of a law enforcement nature, while wearing the Department uniform.

1040.2.2 REVOCATION/SUSPENSION OF ELIGIBILITY STATUS/OUTSIDE EMPLOYMENT

Any approved Outside Employment Request may be revoked or suspended for any reason.

Any member who is eligible to work outside employment, may have their eligibility status revoked or suspended for any reason to include but not limited to the following:

1. If an employee's performance declines to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of minimum acceptable competency, the Chief of Police may, at his/her discretion, notify the employee of the intent to revoke his/her eligibility status. The member will have the opportunity to appeal the revocation or suspension with the Chief of Police. After the appeal process has concluded, any sustained revocation will remain in force until the employee's performance has been re-established to the minimum level of acceptable competency.
2. If, at any time an employee's conduct or outside employment conflicts with the provisions of department policy, or any law.
3. The outside employment creates an actual or apparent conflict of interest with the Department or the City.

1040.3 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police or his /her designee. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy is grounds for disciplinary action.

To obtain approval for outside employment, the employee must complete an Outside Employment Request Form that shall be submitted to the member's immediate supervisor. The application will then be forwarded through the appropriate chain of command to the Chief of Police or his/her designee for consideration.

If approved, the member will be provided with a copy of the approved request. Unless otherwise indicated in writing on the approved application, an approved application will be valid through the end of the calendar year in

which it is approved. Any employee seeking to continue outside employment shall submit a new application in a timely manner.

1040.3.1 PROHIBITED OUTSIDE EMPLOYMENT

The department expressly reserves the right to deny any request for outside employment submitted by a member for reasons that include but are not limited to the following:

1. A conflict of interest with the department Mission, Vision and Values that includes:
 - a. Any activities performed in uniform that are presumed to involve conflicting interests such as:
 - i. Serving judicial process;
 - ii. Repossessing real or personal property;
 - iii. Collecting money or merchandise for private purposes;
 - iv. Collecting private debts;
 - v. Work for, as, or on the behalf of a Private Investigator.
 - b. Any activity assisting a criminal defendant in preparing for an actual or anticipated criminal prosecution.
 - c. Any other employment activity deemed by the Chief of Police or his/her designee to involve a conflict of interest
2. Engagement for, or on behalf of, any person or entity that conducts business involving any of the following activities/circumstances:
 - a. The distribution of pornographic books, magazines, or movies, sexual devices or novelties
 - b. The provision of entertainment or services of a sexual nature
 - c. The distribution of alcoholic beverages

1040.4 OUTSIDE EMPLOYMENT EXPECTATIONS

Due to the possible impact of outside employment, members engaged in such activity shall adhere to the following expectations:

1. Generally, employees should not schedule to work outside employment during their regularly scheduled work hours/shift. On rare occasions, with prior watch commander or higher approval, exceptions can be made.
2. Outside employment shall not impair regular duty job performance.
3. Time Restrictions for outside employment:
 - a. Members shall not work more than 40 hours of combined overtime, off-duty, outside employment or any combination thereof per pay period without permission from a Bureau Commander.
 - b. Members shall not engage in more than 16 hours of any type of employment during any 24 hour period without permission from a Bureau Commander. This includes regular work duty, overtime, off-duty and secondary employment.
4. When a member is acting in the capacity of a Courtesy Officer conducting security patrols, or taking any type of enforcement action, he/she will be dressed in clothing and equipment that clearly identifies you as a Columbia Police Officer.

1040.4.1 OUTSIDE EMPLOYMENT ARREST AND REPORTING PROCEDURE

Any Officer making an arrest or taking other official law enforcement action while working in an approved Courtesy Officer capacity, shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports, except the service of warrants, shall be considered incidental to the outside employment.

1040.4.2 DEPARTMENT RESOURCES

Members may generally utilize any issued or authorized reusable uniform and equipment issued for patrol purposes while working as a Courtesy Officer.

Members shall not use any motor vehicle owned by the city for any outside employment without specific authorization from a Bureau Commander. Any officer taking enforcement action while working as a Courtesy Officer, may contact an on-duty officer with a caged patrol vehicle to assist in transporting an arrestee to the Columbia Police Department or the Boone County Jail for processing.

1040.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee is terminated from his/her outside employment, the employee shall promptly submit written notification of such termination to the Chief of Police or his/her designee through his/her chain of command.

Employees shall also promptly submit in writing to the Chief of Police or his/her designee any material changes in outside employment including any change in the number of hours, type of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material shall report the change.

1040.6 CHECKING INTO SERVICE

All members, when working in the capacity of a Courtesy Officer by conducting patrols or taking enforcement action, shall notify Columbia Police Department front desk personnel that they are in service working as a Courtesy Officer and their location. The officer is responsible for calling out of service at the conclusion of the Courtesy Officer shift or when the enforcement action is complete and the member is no longer acting in the capacity of a Courtesy Officer.