

# SPRINGFIELD POLICE DEPARTMENT

## Standard Operating Guideline

<b>Effective Date:</b> 01/05/2022	<b>Supersedes Policy Dated:</b> 04/04/2017	<b>Rescinds:</b>	<b>SOG Number:</b>
<b>Accreditation Index:</b> 22.2.5, 81.2.4			<b>204.2</b>
<b>Part Title:</b> Personnel	<b>Chapter Title:</b> Compensation, Benefits, and Working Conditions		
<b>Chief of Police:</b> <i>Paul F. Williams</i>			

## Extra-Duty and Off-Duty Employment

### I Policy

The availability of off-duty police officers to work in police-related functions such as traffic control, safety, and security is of mutual benefit to the department and private enterprise. However, the allegiance and responsibility of all police employees must remain with the Springfield Police Department. This guideline is for the purpose of maintaining the efficient and uniform regulation of off-duty and extra-duty employment, avoiding potential conflicts of interest, and preventing any possible detrimental effect on the image of the Springfield Police Department due to employment held by employees while off-duty.

It is particularly important that department employees not be subjected to outside interests which might conflict with their official duties by diluting their energies, occupying time during which they are potentially on call, or involving themselves in situations where they might be motivated to neglect or subvert their official duties.

### II Definitions

**Continuous Extra-Duty Employment** – Employment that continues for a period exceeding three scheduled days which requires a significant level of new employee training, additional knowledge, or skill development beyond that possessed by a trained police officer (e.g. Cox Security, Wal-Mart, etc.).

**Extra-Duty Employment** – Employment on the employee's own time, outside the Springfield Police Department wherein the actual or potential use of law enforcement powers or police-related functions are expected.

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**Off-Duty Employment** – Employment outside the Springfield Police Department wherein the use of law enforcement powers or police-related functions are not expected. It does not include self-employment based on the employee's own private property and not requiring them to leave that property to perform the services, so long as that self-employment does not affect the employee's job performance while on duty, nor the professional image of the Springfield Police Department.

**PowerDETAILS** – An advanced, cloud-based extra-duty detail management platform, which is used by the Springfield Police Department to manage extra-duty employment opportunities.

### **III Procedure**

#### **1 EXTRA-DUTY AND OFF-DUTY EMPLOYMENT – GENERAL INFORMATION**

- 1.1 No employee may perform any extra-duty or off-duty employment which is, or can be interpreted to be, inconsistent with their City work or detrimental to the best interests of the Police Department or City of Springfield as determined by the Director of Human Resources. (Merit Rule 11 - Employee Conduct and Relations, Section 5, Outside Employment)
- 1.2 No employee of the City shall have any financial interest, direct or indirect, in any contract or service provided to the City, except on behalf of the City as a salaried employee. (Merit Rule 11 - Employee Conduct and Relations Section 5.1, Conflicts of Interest – Outside Work)
- 1.3 Employees shall not engage in outside business activities while on duty.
- 1.4 City property shall not be used while engaging in extra-duty or off-duty employment activities, except for equipment that is required to be worn as a part of the uniform or other equipment as approve by a Commander.
- 1.5 The Uniform Operations Bureau (UOB) Commander or their designee shall serve as coordinator and oversee adherence to the policies, processes, and other related issues necessary for the administration of the extra-duty and off-duty employment program. (CALEA 22.2.5(d))

#### **2 AUTHORIZATION FOR EXTRA-DUTY AND OFF-DUTY EMPLOYMENT (CALEA 22.2.5(a) & (c))**

- 2.1 An employee wishing to participate in extra-duty or off-duty work must complete a Department of [Human Resources Request for Approval of Outside Employment](#) form and submit it to their supervisor.
- 2.2 The employee's supervisor shall recommend approval or disapproval of the request, sign/date the form in the upper right-hand corner, and forward it to the Chief of Police.

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- 2.3 The request must be approved by the Chief of Police or their designee before the employee may engage in any extra-duty or off-duty employment, unless exigent circumstances exist.
    - 2.3.1 In situations involving exigent circumstances, a commander may approve an employee to proceed with extra-duty or off-duty employment prior to authorization by the Chief.
  - 2.4 Approval for an employee to work in an extra-duty or off-duty capacity may be revoked at any time by the Chief of Police upon the request of the employee's supervisor or commanding officer. Reasons for revocation may include:
    - 2.4.1 Extra-duty or off-duty employment is impairing or interfering with the employee's on-duty job performance;
    - 2.4.2 Violation(s) of City Merit Rules or department policies relating to on-duty or extra-duty employment;
    - 2.4.3 Issues related to the employee's extra-duty or off-duty job performance.
  - 2.5 If extra-duty or off-duty employment is denied or revoked, the reason for the denial/revocation shall be communicated to the affected employee in writing.
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- 3 EXTRA-DUTY EMPLOYMENT REQUESTS FROM PRIVATE BUSINESSES AND INDIVIDUALS (CALEA 22.2.5(e))
    - 3.1 All businesses, agencies, or individuals requesting temporary or continuous extra-duty services must complete a Department of Human Resources Worker's Compensation Memorandum of Understanding and Agreement and submit a valid Certificate of Liability Insurance.
      - 3.1.1 The completed agreement and insurance certificate will be forwarded to the Department of Human Resources for approval.
      - 3.1.2 Upon approval, the UOB Commander or their designee shall be responsible for entering any and all relevant information into the PowerDETAILS system.
      - 3.1.3 Extra-duty notices will be announced using PowerDETAILS and/or included in the monthly sign-up process.
        - 3.1.3(a) The notice shall include the following:
          - 3.1.3(a.1) Name of the company, agency or individual requesting employees for extra-duty employment;
          - 3.1.3(a.2) Location of company/event;
          - 3.1.3(a.3) Person to contact and their contact information;
          - 3.1.3(a.4) Type of work requested;
          - 3.1.3(a.5) Date(s) and hours to be worked;
          - 3.1.3(a.6) Rate of pay per hour;
          - 3.1.3(a.7) Designated line(s) for the interested employee(s) to sign.

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- 3.2 All necessary information and arrangements from the individual, agency, or business requesting the services of an extra-duty employee will be gathered at the time the request is made to the UOB Commander or their designee. Any additional information needed by the affected employee(s) can be obtained at the time the extra-duty assignment begins. Attendance responsibility of employees working extra-duty assignments is the same as their on-duty employment.
- 3.3 The extra-duty sign-up process shall be announced using the PowerDETAILS email distribution system, approximately one week prior to the process taking place. The email will include the date and time of the sign-up process, which will also include the time each involved employee will be able to sign up available opportunities. Those employees wishing to participate in the extra-duty sign-up process are required to be licensed with PowerDETAILS in order to apply for available opportunities. The sign-up process will be administered as follows:
  - 3.3.1 Participants will sign in to PowerDETAILS at their assigned time, which is determined by their seniority, as outlined in the current Collective Bargaining Agreement (CBA).
  - 3.3.2 Participants will be allowed to sign up for only four (4) opportunities; one shift per opportunity, during their designated sign-up time.
  - 3.3.3 After the initial sign-up process is completed, all remaining opportunities will be available the following day (subject to a 30 hour per week limit).
  - 3.3.4 Relinquishment or reassignment of extra-duty assignments by participants shall be done in accordance with the provisions set up in PowerDETAILS.
    - 3.3.4(a) If a participant needs to solicit a replacement for an extra-duty assignment, they shall utilize the PowerDETAILS email distribution system. City or personal email should not be used for this purpose.
  - 3.3.5 Any violation of the sign-up process rules or other regulations as set forth in this policy may result in a suspension from any/all extra-duty opportunities.
- 3.4 The UOB Commander or their designee shall ensure extra-duty assignments are distributed among employees in a fair and equitable manner, without favoritism, and in accordance with this guideline.
- 3.5 The Chief of Police shall establish a set rate of pay per hour on requests for ALL extra-duty employment. This rate shall be maintained on file and considered for adjustment on a yearly basis.
- 3.6 No employee shall solicit extra-duty employment. All individuals, agencies, or businesses requesting extra-duty officers should be referred to the UOB Commander or their designee.
- 3.7 The business or individual employing the extra-duty officer shall be responsible for all compensation and benefits for the extra-duty officer, as well as, the method and arrangement of payment. This includes extended employment hours that occur as a result of incidents handled by the extra-duty officer during the extra-duty shift. For example, if an officer working a four hour extra-duty shift makes an arrest that causes

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them to have to work an additional two hours, the business or individual employing the extra-duty officer is responsible for compensating them for the additional two hours.

- 3.8 Following initial assignment of personnel to a continuous extra-duty job, the UOB Commander or their designee shall ensure the requesting individual, business, or agency understands that future assignment scheduling shall be the responsibility of the Uniform Operations Bureau.

#### **4 TYPES OF WORK PROHIBITED FOR EXTRA-DUTY OR OFF-DUTY EMPLOYMENT (CALEA 22.2.5)**

- 4.1 Bodyguard, bounty hunter, or bouncer.
- 4.2 For a bail bond agency, wrecker service, taxicab service, locksmith service, pawnshop, escort service, massage technician, or as a security guard for a private security business.
- 4.3 Service of civil process as a private investigator, private detective, or other capacity where the primary purpose of such employment is to gather information for, or to appear as a witness in a civil action.
- 4.4 For a business which derives more than 50% of its gross income from the sale, service, or dispensing of alcoholic beverages; or any other business that requires the extra-duty/off-duty employee to sell, serve, or dispense alcoholic beverages.
- 4.5 Employment related to a labor dispute.
- 4.6 Employment by any individual, business, or agency that would violate or tend to violate the provisions of [SOG 103.1 – Code of Conduct](#) or any other SOG.
- 4.7 Work outside the city limits of Springfield, Missouri, in an extra-duty capacity.
- 4.8 Any work which may require as criteria for employment the employee having access to police information, files, or records and require furnishing those records as a condition of employment.
- 4.9 Employment that would in any way discredit City employment, detract from his or her duties, or take preference over on-duty needs or overtime required by City employment.
- 4.10 Employment that would tend to subject a department employee to outside interests which might conflict with their official duties by diluting their energies or involving them in situations where they might be motivated to neglect or subvert their official duties or functions.
- 4.11 Exceptions: The Chief of Police may exempt an employee from any of these restrictions, but only in those instances where undertaking such employment is a necessary part of an official Springfield Police Department undercover investigation.
  - 4.11.1 In such cases, any gift or payment received by the employee for employment related to the undercover assignment (other than from the City of Springfield) must be turned over to the City of Springfield's general revenue fund.

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#### **5 GENERAL REGULATIONS AND RESTRICTIONS CONCERNING EXTRA-DUTY AND OFF-DUTY EMPLOYMENT (CALEA 22.2.5(b))**

- 5.1 All employees working in an extra-duty or off-duty capacity shall act in a professional manner and shall avoid doing tasks that would tend to detract from the professional image of the Springfield Police Department. Employees engaged in extra-duty employment shall refrain from performing tasks that are generally not police-related (e.g. stocking shelves at a store, dispensing or preparing food or drink, pushing shopping carts, etc.).
- 5.2 An employee may not work more than 70 hours of combined extra-duty, off-duty, and on-duty employment per week without permission from their commander.
- 5.3 Employees on suspension shall not work in an extra-duty capacity.
- 5.4 Employees shall not work extra-duty or off-duty while on any type of sick, injury, or funeral leave.
- 5.5 Any employee who takes a sick day will not engage in extra-duty or off-duty employment within a 24-hour period starting at the time the person would have normally begun their on-duty shift.
- 5.6 No employee may engage in extra-duty or off-duty employment while assigned to light duty.
- 5.7 Employees shall not use Springfield Police Department facilities, equipment, or records in conjunction with extra-duty or off-duty employment except as authorized in this SOG or otherwise approved by a Bureau Commander.
- 5.8 Employees shall not use police identification or authority while engaged in the collection of debts, bills, or checks.
- 5.9 Officers engaged in extra-duty employment must be armed with a department-approved firearm. Officers employed in a plainclothes police capacity shall keep their firearm(s) concealed from public view.
- 5.10 An employee must be in good standing and removed from probationary status (relating to their initial hire) before being eligible for extra-duty employment unless otherwise authorized by the Chief of Police.
- 5.11 No employee shall refuse to respond to a request for aid from any citizen while working in an extra-duty capacity.
- 5.12 Officers shall not wear a police uniform in an off-duty employment capacity.
- 5.13 While engaged in extra-duty or off-duty employment, non-sworn employees are not authorized to wear a police department uniform or work in a capacity requiring police authority without permission of the Chief of Police or their designee.
- 5.14 When an employee (sworn or non-sworn, including supervisory personnel) is working an extra-duty assignment, the chain of command and rank structure will be followed at all times.

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- 5.15 All City and department policies and guidelines shall be followed while the employee is engaged in extra-duty employment, just as if the employee were on duty.
- 5.16 All employees shall handle incidents that occur during extra-duty assignments as they would while on-duty or as specified in Section 6 of this SOG.
- 5.17 All reports made as a result of extra-duty employment must be approved by an on-duty supervisor.
- 5.18 Extra-duty employees shall notify an on-duty supervisor as soon as practical in those events where police administration would ordinarily have a need to know (e.g. injuries to an officer or arrestee; mass arrests; volatile situations, etc.)
- 5.19 All extra duty assignments are stored on PowerDETAILS and accessible to employees who have access.<sup>1</sup>
- 5.20 When working an extra-duty assignment, the involved employee shall notify the Emergency Communications Center prior to beginning the assignment and shall provide the following information: (CALEA 81.2.4)
  - 5.20.1 Employee's name and DSN;
  - 5.20.2 Location of the assignment;
  - 5.20.3 Duration of the extra-duty shift.

## **6 ARRESTS DURING EXTRA-DUTY EMPLOYMENT**

- 6.1 Because supervisors are not present during most extra-duty assignments, officers should use a heightened degree of discretion and common sense when handling situations with the potential for arrest.
- 6.2 Misdemeanor Violations
  - 6.2.1 Officers engaged in extra-duty employment have the same power and discretion as an on-duty officer and may arrest or issue a summons based on probable cause or make an arrest pursuant to a warrant.
  - 6.2.2 An extra-duty officer shall have the dispatcher log a case number in reference to the incident and will write a complete report detailing the facts of the case.
  - 6.2.3 If an arrest is made, an on-duty officer or the Detention Transportation Vehicle shall be called to transport the prisoner.
- 6.3 Felony Violations
  - 6.3.1 Officers engaged in extra-duty employment have the same power and discretion as an on-duty officer and may arrest for a felony crime based on probable cause or pursuant to an arrest warrant.
  - 6.3.2 In the case of a felony arrest, an on-duty officer should be called to take custody of the prisoner and conduct the investigation. The extra-duty officer shall assist as needed.
  - 6.3.3 The extra-duty officer shall write a supplemental report in regard to the felony

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<sup>1</sup> Section 5.19, updated to show PowerDETAILS as storage location for extra duty, Per [PCO 21-024](#).

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arrest, which will be in addition to a report made by the on-duty officer.

### **7 ARRESTS DURING OFF-DUTY EMPLOYMENT**

- 7.1 Officers working in an off-duty capacity are discouraged from making arrests, unless it is necessary to prevent injury to themselves or others.
- 7.2 Any arrest made while off-duty must be in accordance with [SOG 101.3 – Limits of Authority](#) and [SOG 103.1 – Code of Conduct](#).

## **IV Attachments**