

TITLE: SUPPLEMENTARY EMPLOYMENT

CODIFIED: 29.1
EFFECTIVE: 07/23/04
RESCINDS/AMENDS: A 29
PAGES: 3

PURPOSE

The purpose of this directive is to provide guidance and direction when engaged in extra-duty, off-duty, and departmental overtime.

This directive establishes:

- Procedures by which private citizens, business and organizations will secure extra-duty law enforcement services;
- Procedures which ensure that Officers are mentally and physically prepared to fulfill their primary on-duty assignments.

DISCUSSION

For the purposes of clarity, the following terms are defined:

OUTSIDE EMPLOYMENT: Outside business activity or employment wherein the use of law enforcement powers is not authorized.

Outside Employment by Officers is not an inherent right, but a privilege that can be granted or revoked at the discretion of the Department. The Santa Fe Police Department allows Officers to participate in outside employment in accordance with this directive.

The primary obligation and responsibility for all Santa Fe Police Department personnel is to their on-duty assignments with the Department.

OVERTIME: Employment beyond scheduled work hours which is directly related to the Officers assignment or Santa Fe Police Department needs.

Example: Fill in for an Officer due to sick leave.

POLICY

It is the policy of the Santa Fe Police Department to allow its employees to participate in overtime (extra duty) and off-duty employment in accordance with approved Union contracts.

All supplementary employment must be consistent with the guidelines and restrictions established to ensure that an employee’s primary duty and obligation is to the Department and that there is nothing that could become a conflict of interest.

PROCEDURE

- 29.1.01** All overtime employment shall be scheduled through the Santa Fe Police Department and shall be paid at the overtime rate or the officer will be provided compensatory time as approved by the Chief and in accordance with Directive 17.1.
- 29.1.02** All reimbursement for extra-duty employment shall be billed through the Santa Fe Police Department. Direct payment to the Officer is prohibited.
- 29.1.03** Overtime employment scheduling shall be centralized through the Accounting Supervisor.
- 29.1.04** The Accounting Supervisor shall insure that outside detail billing is in accordance with City of Santa Fe Finance Department Rules and Regulations.
- 29.1.05** All Department directives apply during all overtime assignments. Officers shall be considered as on-duty during the overtime employment and shall dress and act accordingly.
- 29.1.06** Unless otherwise pre-authorized, the Officer shall be in uniform and drive a marked vehicle.
- 29.1.07** Scheduled Overtime details shall be deemed scheduled work hours. Failure to respond to an Overtime assignment when scheduled shall be considered absence without leave and subject to disciplinary action.
- 29.1.08** It is the scheduled Officers responsibility to find a replacement for any detail which the Officer cannot attend.
- 29.1.09** Officers shall notify the Communications Center of the location of the detail when coming into

service, unless a Commander approves a secure operation.

29.1.10 Officers will have to sign-up on a quarterly basis and will be notified of the current sign-up period through memorandum placed in the Special Orders.

A. Both voluntary and mandatory overtime assignments will be made in accordance with the appropriate union contract.

29.1.11 No employee may take time off in order to volunteer for overtime assignments with the intent of receiving overtime compensation.

29.1.12 Compensation is not authorized for meal breaks during any extra-duty or overtime assignments.

29.1.13 Supervisors who are working overtime assignments are responsible for all matters of police supervision at the assignment.

23.1.14 Patrol supervisors will monitor all overtime assignments in their districts and will be responsible for appropriate supervision where a supervisor is not assigned.

29.1.15 Officers shall be protected by all insurance agreements and workmen’s compensation statutes while engaged in department authorized and assigned overtime duty and shall be compensated for all official and legal proceedings arising out of any enforcement action taken during the course of overtime duty assignment.

HOURS OF WORK

29.1.16 Officers working an overtime assignment shall not work in excess of eighteen (18) total hours within a twenty-four (24) hour period. Each twenty-four hour period shall begin at midnight (2400). These hours are cumulative. They include normal work hours, extra-duty work hours, off duty employment work hours and overtime hours.

29.1.17 Any request for deviation from this requirement must be made in writing and approved by the employee’s supervisor and the Chief of Police.

BILLING CONTRACT

29.1.18 A billing contract/agreement shall be completed and signed for all details being paid by an outside vendor. The contract/agreement shall contain, whenever practical, the following:

- A.** Hourly rate;
- B.** Method of payment;
- C.** Result of non-payment;
- D.** Billing address;
- E.** Detail information;
- F.** Recall of Officer in case of emergency.

29.1.19 In certain instances, the Police Department may require pre-payment of a portion or all of the expected costs before an Officer is assigned to the detail. The criteria for prepayment shall be established in conjunction with Accounting Supervisor.

29.1.20 The Police Department shall not enter into a contract for law enforcement services with any business whose primary source of income is the sale or service of alcohol or adult entertainment.

OVERTIME FORMS

29.1.21 Overtime forms must be turned in by each employee engaged in overtime and extra-duty employment.

OFF-DUTY EMPLOYMENT

29.1.22 Non-probationary employees intending to engage in off-duty employment must submit the “Request for Permission to Engage In Outside Employment” form, through his/her chain of command, to the Office of the Chief of Police.

29.1.23 Failure to submit the required request or engaging in business prior to submitting the form, may result in the immediate denial of outside employment and/or disciplinary action.

29.1.24 The “Request for Permission to Engage in Outside Employment” form must be renewed and submitted each year on the anniversary date of initial approval.

29.1.25 Employees are prohibited from participating in any form of outside employment while they are on duty. This includes, but is not limited to:

- A. Telephone calls;
- B. Interviews;
- C. Appointments;
- D. Paperwork.

29.1.26 Employees outside duty privilege will be temporarily suspended while the employee is on sick leave or any form of administrative leave or suspension.

29.1.27 City benefits and protections including liability insurance coverage and worker's compensation benefits for work-related injuries or disability will not apply when members are performing off-duty related employment in the private sector.

29.1.28 Employees injured during off-duty employment will be required to use annual, compensatory or sick leave while recovering. Employees may request alternate duty assignment upon return to duty. The Chief of Police will consider each request on a case by case basis.

disapprove will be made in the best interest of the department.

- D. All establishments providing adult entertainment;
- E. Any employment the Chief of Police or City Manager deems as inappropriate.
- F. The renewal of outside employment will be done on an annual basis. It will be the right of the Chief of Police to revoke outside employment at any time. Outside employment is a privilege and not a right.

Drafted(adp)/11-00

APPROVED: 
BEVERLY K. LENNEN
 Chief of Police

DATE: 07-23-04

PROHIBITED OUTSIDE EMPLOYMENT

29.1.29 Employees are prohibited from utilizing any department issued or owned equipment while on off-duty employment.

29.1.30 Employee's are prohibited from engaging in any of the following forms of employment:

- A. Employment that is in direct violation of federal or State law or municipal ordinance;
- B. Employment that violates Department or City regulations or procedures;
- C. Any employment in an establishment where alcohol is dispensed. The only exception shall be in a restaurant where a full meal menu is served and the sale of alcoholic beverage cease upon the closing of the kitchen. Each request for outside employment will be reviewed and approved on a case-by-case basis. The decision to approve or