


# TEXARKANA POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

SUBJECT	Additional Employment		
<b>NUMBER</b>	1101.01	<b>EFFECTIVE DATE</b>	June 01, 2008
<b>Scheduled Review Date</b>	June 30, 2018	<b>ISSUE DATE</b>	June 01, 2008
<b>Date Reviewed</b>	May 09, 2017	<b>REVISION DATE</b>	May 09, 2017
<b>APPROVED BY</b>		<b>ALEAP Standards</b>	4.05

### I. Purpose and Scope

- A. This policy regulates additional employment by the employees of the Texarkana Police Department, defines additional employment and establishes procedures relating to additional employment.

### II. Policy

- A. One of the primary functions of the Texarkana Police Department is the protection of lives and property of the citizens and visitors in Texarkana. In order to provide the highest level of police service to those citizens and visitors, the Department must ensure its employees are physically and mentally able to devote complete attention to their job assignments while on duty.
- B. With the exception of the last day of the scheduled work week—and unless specifically authorized by the Chief of Police or his/her designee—employees of the Department will not be permitted to work secondary employment or public safety volunteer/auxiliary employment in excess of four (4) hours on any scheduled work day.
- C. Unless specifically authorized by the Uniform Patrol Division Commander, employees of the Department will not be permitted to work Department sanctioned extra duty assignments for periods of time that exceed twenty (20) hours within any seven (7) day period. These requirements are essential for the efficient operation of the Department, the safety of its employees and the protection of the community.

### III. Definitions

- A. **Extra duty assignment**—Other than those regular duty assignments, any Department sanctioned assignment by a sworn employee that involves the actual or potential use of law enforcement powers during the delivery of such police services.
- B. **Secondary employment**—Any non-police related position of employment that finds any employee of the Department engaged in duties not requiring the use or potential use of law enforcement powers in the provision of services. This includes any business or corporation that a Department employee owns—in whole or a portion thereof—or a business or corporation which is managed, operated or supervised by a Department employee. All Department employees are strictly prohibited from working within a bar, club or have part or whole ownership in such a business.

Page 1 of 8 <b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment	<b>Revision Date: May 9, 2017</b>

C. **Public Safety Volunteer and Auxiliary Employment**—Any position, whether defined as a volunteer or an auxiliary position, that requires a member of the Texarkana Police Department to function within any component of an outside public safety agency while functioning within the following public safety functions. For purposes of this policy, these functions shall be dually classified as secondary employment positions:

1. Auxiliary, reserve or volunteer police officer;
2. Auxiliary, reserve or volunteer deputy sheriff;
3. Auxiliary, reserve or volunteer fire fighter; and
4. Emergency Medical Technician or Paramedic.

#### IV. Guidelines and Restrictions of Additional Employment

##### A. Extra Duty Assignments

1. Employees may be contacted to perform extra duty overtime assignments by individuals or businesses outside the department. All extra duty overtime requests from outside the Department are to be referred to the Patrol Division Commander. Requests for extra duty overtime will be completed in the following manner:
  - a. All clients requesting extra duty assignments are referred to the Uniform Patrol Division Commander if available.
  - b. If not available, the employee taking the request will fax or e-mail the appropriate contract form to the client while ensuring the contact information is obtained and forwarded to the Uniform Patrol Division Commander or his/her designee.
  - c. The Uniform Patrol Division Commander will contact the client, review all of the information associated with the extra duty assignment contained on the completed form and shall have the responsibility to either approve or deny the request. Should the extra duty assignment require multiple shifts, the Uniform Patrol Division Commander will be responsible to post the assignments and/or the appropriate schedule.
  - d. A copy of the request form will be forwarded to City Hall where a cost analysis will be calculated and returned to the Police Department. The requesting party is contacted and advised about total cost of overtime.
2. All personnel are reminded that once an overtime assignment is accepted, it becomes the officer's responsibility to report to work at the specified time and location to carry out the assignment in accordance with the Department's General Orders, Rules and Regulations.
  - a. If an officer is not able to report to their extra duty assignment, the Uniform Patrol Division Commander or supervisor overseeing the assignment will be notified as soon as possible. Personnel will not trade or give away extra duty assignments without first obtaining permission from the Uniform Patrol Division Commander or his/her designee.
3. After the officer(s) completes the extra duty assignment, a work record documenting the assignment shall be generated and forwarded to the Department's Finance Technician. The work record must contain information relating to the assignment's location, date and time. The work record will be forwarded to City Hall so they can bill the requesting party for the resulting overtime.
4. Permission to work extra duty assignments can be withdrawn if a supervisor believes it may hamper an officer's ability to perform their regularly assigned duties in a safe and efficient manner. For

Page 2 of 8	<b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment		<b>Revision Date: May 9, 2017</b>

instance, an officer should not volunteer to work an extra duty assignment requiring the officer to remain alert all night prior to having to report to their regularly scheduled shift the following day. Fatigue has been shown to slow an officer's response time which creates a condition that may endanger the officer and/or others.

**5. Conditions of Extra Duty Assignments**

- a. Sworn employees of the Department may engage in extra-duty assignments when authorized or approved either on a temporary, regular or ongoing basis. When employed in this capacity, sworn employees may engage in the following types of police services:
  - (1) Traffic control and pedestrian safety;
  - (2) Crowd control; and
  - (3) Security and protection of life and property.
- b. Sworn employees of the Department who are engaged in extra-duty assignments are prohibited from enforcing independent rules, regulations or other mandated guidelines established by private corporations, business or educational facilities. When engaged in extra duty assignments, sworn officers will only take the enforcement action identified in the above paragraph.
- d. Employees on light duty status, extended sick leave, worker's compensation, FMLA, administrative leave or suspension are not authorized to work any extra duty assignments that require the use or potential use of law enforcement authority. For more information regarding this information, refer to [General Orders 1101.02---Compensation and Benefits](#) and [1104.03---Disciplinary Process](#).
- e. Employees of the Department may not sell or take tickets nor may they transfer or exchange money at a business, promotion or special event while in uniform.
- f. An Extra Duty Employment Request must be approved and on-file prior to an employee engaging in all extra duty assignments. Significant aspects of the extra duty assignment will be included in this request form.
- g. In situations where extra duty assignments are given on short notice, any on-duty supervisor may authorize the employee to work prior to the Uniform Patrol Division Commander's review and approval of the extra duty assignment. In the event of short notice—and prior to approving the assignment—the on-duty supervisor shall ensure the extra duty assignment meets the requirements of this policy.
- h. Sworn employees must have an Extra Duty Employment Request Form completed and approved prior to accepting any extra duty apartment complex security position.
  - (1) Sworn employees who become employed in extra duty apartment security positions will at all times immediately notify the official who represents the apartment complex during those periods in which the sworn employee's ability to perform duties associated with the extra duty apartment complex security position is prohibited by Departmental policy.
  - (2) An employee's use of sick leave, FMLA, light or modified duty, suspension or administrative leave from duty affects the employee's ability to engage in extra duty assignments.
- i. Sworn employees working extra duty assignments will be governed by the General Orders, the Department's standards of conduct, the Department's rules of professional conduct and all

Page 3 of 8	<b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment		<b>Revision Date: May 9, 2017</b>

additional rules and regulations that govern the Texarkana Police Department. In accordance with Department policy, all sworn employees engaging in extra duty assignments will notify an on-duty supervisor of all reportable incidents, accidents or injuries.

- j. Sworn employees will turn in all evidence and written reports during or immediately upon conclusion of their extra duty employment. For more information regarding the completion of written reports, refer to [General Order 1108.03---Incident Reporting Procedures](#).
- k. To be eligible for extra duty assignments, sworn employees must remain in good standing with the Department. Continued Departmental approval of employee's extra duty assignments is contingent upon the employee's duty performance and his/her compliance with Departmental guidelines and standards. The Chief of Police will have final approval or disapproval authority for requests of all extra duty assignments.
- l. Sworn employees working extra duty assignments will wear official Departmental issued uniforms or appropriate plain clothes unless other attire has been previously approved by the Uniform Patrol Division Commander.
  - (1) Sworn employees cannot wear individual parts of the uniform. Sworn employees working plain clothes assignments will wear their weapons fully concealed and will have their police identification and badge readily available or as otherwise determined by duty assignment and/or weather conditions. For more information regarding the wearing of Department uniforms, refer to [General Order 1101.03---Uniforms, Equipment and Appearance](#).

#### 6. Notification of Extra Duty Assignments

- a. Sworn employees shall notify the on-duty supervisor and the Communications Center of their location, the hours being worked and their radio number on the primary dispatch channel prior to working any police related extra duty employment. At the conclusion of the extra duty assignment, the officer should again notify dispatch in order to be removed from the Computer Aided Dispatch (CAD) system.
  - (1) This information will be logged into the Computer Aided Dispatch (CAD) System by the Telecommunicator receiving the radio call from the extra duty officer. The on-duty supervisor shall pass this information to the next supervisor and dispatch shift if there is an overlap of shifts.

#### 7. Extra Duty Assignments—Revocation of Approval

- a. Once granted, approval for extra duty assignments can be revoked or their annual renewal denied when—in the judgment of the employee's chain of command—the extra duty assignment becomes incompatible with the employee's Departmental duties or adversely affects the employee's job performance or efficiency. The Uniform Patrol Division Commander may deny any extra duty assignment if they believe the employment is not in the best interest of the Department or the employee.
  - (1) Although not inclusive, when considering the denial of a request or the revocation of approval, the Uniform Patrol Division Commander will consider the following information:
    - (a) The employee's work performance, attendance record and disciplinary history;
    - (b) The employee's overall health and fitness;
    - (c) The employee's medical restrictions, injury and sick leave status; and

Page 4 of 8 <b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment	<b>Revision Date: May 9, 2017</b>

- (d) The nature of the proposed employment.
- b. Failure to obey a denial or revocation of additional employment may result in disciplinary action up to and including termination.

8. **Extra Duty Assignments—Annual Approval**

- a. The Uniform Patrol Division Commander shall maintain all requests for extra duty assignments for one year from the date of their submission. This shall include both *approved and denied* requests for extra duty assignments.
  - (1) This documentation will also be placed within the affected employee’s personnel file.
- b. All on-going extra duty assignments must be renewed on an annual basis. Any information regarding extra duty assignments must be renewed with the Uniform Patrol Division Commander by January 31<sup>st</sup> of each year in which the extra duty assignment is to be worked. Failure to renew extra duty assignments may result in their revocation.

**B. Secondary Employment and Public Safety Volunteer / Auxiliary Employment**

- 1. Any employee of the Department who owns or operates any private business, works on a commission or receives compensation in any form from any person, firm or corporation other than the City of Texarkana, Arkansas is required to submit a written memorandum requesting permission to engage in secondary employment and public safety volunteer / auxiliary employment through the respective employee’s chain of command to the Chief of Police. The employee’s request must be approved by the Chief of Police or his/her designee prior to the employee entering into such business or employment.
  - a. A copy of all approved requests for secondary employment and public safety volunteer/ auxiliary employment will be forwarded to the Personnel and Training Officer for inclusion within the approved employee’s personnel file.
  - b. Any change of business or employment description will require the filing of a new request.
- 2. Department employees who seek to engage in public safety volunteer / auxiliary employment shall meet the following conditions before an approval to engage in public safety volunteer / auxiliary employment is granted:
  - a. The Department employee must be in good standing with the Department;
  - b. The Department employee must have achieved an average to above average rating on his/her most recent Department performance evaluation;
  - c. The Department employee must not be involved within or have experienced any recent Department disciplinary actions; and
  - d. The Department employee must have cleared their probationary status.
- 3. Employees may not engage in secondary employment or public safety volunteer / auxiliary employment that threatens to damage the officer’s professional reputation or the Department’s image and status as a professional law enforcement organization. Although not inclusive, the following list demonstrates such employment threats:
  - a. Employment at establishments that promote obscenity or pornography as defined by the Arkansas Criminal Code is prohibited;

Page 5 of 8 <b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment	<b>Revision Date: May 9, 2017</b>

- b. Any employment where the dispensing or consumption of alcoholic beverages is a primary function of the business is prohibited;
  - c. With the exception of civic fund raising events where the proceeds are used to support legitimate charities or other nonprofit organizations, any employment where gambling occurs in any form is prohibited;
  - d. Any employment finding the employer involved in disputes originating from labor or civil rights issues, or employment finding the employer involved in collective bargaining disputes/negotiations is prohibited;
  - e. Any employment where the employer expects the police employee to enforce the employer's rules and regulations.
4. Employees will not engage in any secondary employment or public safety volunteer / auxiliary employment that might affect the objectivity and independence of their judgment and conduct necessary to perform their official duties and responsibilities. Employees will not engage in any secondary employment or public safety volunteer / auxiliary employment that might present potential conflicts of interest for employees between the Departmental duties and their duties for a secondary employer.
  5. Work hours for all secondary employment positions and public safety volunteer / auxiliary employment positions must be scheduled in a way that does not conflict or interfere with the performance of the employee's required Department duties. Special consideration will not be given to an employee's Department scheduled duty hours in an effort to accommodate secondary employment or public safety volunteer / auxiliary employment.
  6. All employees of the Department engaged in secondary employment or public safety volunteer / auxiliary employment are subject to recall in cases of emergency and will be expected to leave any other employment in such situations. For more information regarding emergency recall to duty, refer to [General Order 1102.31--Incident Command System](#).
    - a. All employees of the Department engaged in secondary employment or public safety volunteer / auxiliary employment are subject to be recalled to duty in emergencies and will be expected to leave any other employment in such situations.
  7. Employees absent from duty, due to sickness, may not engage in secondary employment or public safety volunteer / auxiliary employment for twenty-four (24) hours following the end of the shift for which they reported sick.
  8. Employees may—as a result of disciplinary action as directed by the Chief of Police—be prohibited from working secondary employment or public safety volunteer / auxiliary employment.
    - a. It shall remain the responsibility of the Department employee to notify their secondary employer or the public safety organization affiliated with their public safety volunteer / auxiliary employment during those times that find the employee's ability to function in this secondary role becomes compromised due to Department sanctioned disciplinary actions.
  9. Unless approved by the Uniform Patrol Division Commander, employees must have completed their probationary period (one year) before becoming eligible to work secondary employment or public safety volunteer / auxiliary employment.
  10. Employees of the Department are prohibited from accepting secondary employment or having a financial interest in any private detective agency or private security agency.

Page 6 of 8	<b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment		<b>Revision Date: May 9, 2017</b>

11. Employees will not report to duty physically or mentally exhausted to the point where their performance is affected because of any secondary employment or public safety volunteer / auxiliary employment.
12. While within the jurisdiction of the City of Texarkana, Arkansas—and when the circumstances of the situation necessitate immediate police action—all sworn personnel working within a secondary employment or a public safety volunteer / auxiliary employment position are required to take emergency enforcement action during those times in which the officer is engaged in duties associated with their secondary employer or duties affiliated with their public safety volunteer / auxiliary employment.
  - a. Emergency enforcement action may require the sworn employee to forego their secondary employment duties to take appropriate police action. Dispatch shall be notified as soon as possible.
13. Employees may not engage in any secondary employment or public safety volunteer / auxiliary employment where the employee's official position might be used to advance private interests.
14. Employees who engage in secondary employment or public safety volunteer / auxiliary employment are reminded if they become injured while engaged in secondary employment or their public safety volunteer / auxiliary employment, their injury will not be covered by the City of Texarkana worker's compensation provider.
15. To be eligible for secondary employment and public safety volunteer / auxiliary employment, employees must remain in good standing with the Department. Continued Departmental approval of an employee's secondary employment and public safety volunteer / auxiliary employment is contingent upon the employee's duty performance and his/her compliance with Departmental guidelines and standards. The Chief of Police will have final approval or disapproval authority for requests surrounding secondary employment and public safety volunteer / auxiliary employment.
16. Employees who are engaged in public safety volunteer / auxiliary employment, and as a result of their employment therein, are placed on any type of administrative leave which affects their status as a commissioned officer will not be allowed to return to active duty with the Texarkana Police Department until their commissioned status has been cleared. Commissioned officers can either rely upon their Department accrued vacation hours or take leave without pay.
17. **Secondary Employment and Public Safety Volunteer and Auxiliary Employment—Revocation of Approval**
  - a. Once granted, approval for secondary employment or public safety volunteer / auxiliary employment can be revoked or the annual renewal denied when—in the judgment of the employee's chain of command—the secondary employment or the public safety volunteer / auxiliary employment becomes incompatible with the their Departmental duties or adversely affects the employee's job performance or efficiency. The Uniform Patrol Division Commander may deny any secondary employment or public safety volunteer / auxiliary employment request if they believe the employment is not in the best interest of the Department or the employee.
  - b. Employees who find themselves under suspension or under investigation of employee misconduct/violation of Department General Orders are prohibited from engaging in public safety volunteer / auxiliary employment, and any previous approval for such employment will be revoked.
    - (1) Although not inclusive, when considering the denial of a secondary employment or a public safety volunteer / auxiliary employment request—or the revocation of its

Page 7 of 8	<b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment		<b>Revision Date: May 9, 2017</b>



approval—The Uniform Patrol Division Commander will consider the following information:

- (a) The employee's work performance, attendance record and disciplinary history;
  - (b) The employee's overall health and fitness;
  - (c) The employee's medical restrictions, injury and sick leave status; and
  - (d) The nature of the proposed employment.
- c. Failure to obey a denial or revocation of secondary employment or public safety volunteer / auxiliary employment may result in disciplinary action up to and including termination.

**18. Secondary Employment—Annual Approval**

- a. The Uniform Patrol Division Commander shall maintain all requests for secondary employment and public safety volunteer / auxiliary employment for one year from the date of their submission. This shall include both *approved and denied* requests for secondary employment or public safety volunteer / auxiliary employment.

(1) This documentation will also be placed within the affected employee's personnel file.

19. All secondary employment and public safety volunteer / auxiliary employment must be renewed on an annual basis. Any information regarding secondary employment or public safety volunteer/ auxiliary employment must be renewed with the Uniform Patrol Division Commander by January 31<sup>st</sup> of each year in which the secondary employment or public safety volunteer / auxiliary employment is to be worked. Failure any secondary employment or public safety volunteer / auxiliary employment may result in their revocation.

Page 8 of 8 <b>Number: 1101.01</b>	Effective Date: June 01, 2008
Subject: Additional Employment	<b>Revision Date: May 9, 2017</b>