



SECONDARY EMPLOYMENT

INDEX CODE: 712
EFFECTIVE DATE: 12-02-11

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I. PURPOSE

The purpose of this directive is to provide guidelines for engaging in and reporting secondary employment.

II. SECONDARY EMPLOYMENT POLICY

Secondary employment is employment by a company or other entity outside of Anne Arundel County employment for remuneration in addition to an employee's regular County employment. This directive applies to all employees of the Anne Arundel County Police Department.

An employee shall not engage in any employment that is restricted or prohibited under Article 7, Title 5 of the Anne Arundel County Code or any other provision of the County Public Ethics Laws contained in Article 7.

The Chief of Police designates the employee's Bureau Commander or above to review and approve all employee Secondary Employment requests. Violation of the rules and policy on secondary employment may be grounds for dismissal.

III. PROCEDURES

A. *An employee who desires to accept outside employment in addition to his/her regular County position shall complete and submit a Request for Secondary Employment form (PD 712) to his/her respective Bureau Commander or above, through the chain of command, informing him/her of the nature and extent of such outside employment. The significant aspects of the secondary employment will be listed in the "Job to be Performed" section on the form. The Bureau Commander or above will determine whether or not the holding of such employment conflicts with the secondary employment policy.*

B. Supervisors and managers in the requesting *employee's* chain of command will endorse the request with appropriate written comments regarding their knowledge of the secondary employment in question and any other relevant information.

C. *A Bureau Commander or above* in the requesting *employee's* chain of command is authorized to approve or *deny* the request. Should the request be denied, a written explanation will be provided to the requesting *employee*.

D. The final disposition of all copies and attachments will be as follows:

1. Original - requesting *employee's* personnel folder
2. 2nd copy – *requesting employee*

E. *All original requests for secondary employment are forwarded to the Police Personnel Section. Every request is entered into a database for historical documentation. Upon request, reports are generated chronicling each employee employed, type of employment, and location of employment. The original secondary employment form is filed as a permanent record in the employee's departmental personnel file*

F. *All personnel will immediately notify Police Personnel, via the Bureau Commander or above, in writing upon termination of such employment. When mileage reimbursement is required, Management & Planning will be sent a copy of the written notification of secondary employment termination.*

G. *Supervisors, as part of the annual performance evaluation process, will review the secondary employment database with the employee to ensure it is accurate and correct. Any changes to the type or place of employment will be submitted as a new "Request for Secondary Employment" form request. Any secondary employment that is no longer applicable will be handled as described in Section F above. Supervisors will check off the appropriate block on the Performance Evaluation that the review has been completed.*

IV. REVIEW CRITERIA

When considering a request for secondary employment, the *Bureau Commander or above* will be guided by the following criteria:

A. Requests for secondary employment or the continuation of such employment may be denied on the basis of poor job performance and/or excessive use of disability leave. Decisions will be made on a case-by-case basis after reviewing all pertinent factors.

B. *Supervisors shall review the Anne Arundel County Code, Article 7 (Public Ethics), to determine if the secondary employment creates a conflict of interest.*

C. Requests for secondary employment will be denied if the employment:

1. May require access to police records, documents or files;
2. Involves quasi-police functions such as serving civil documents, collecting bad checks or bad debts, or conducting private investigations; or
3. May present a conflict of interest with the *employee's* duties.

D. Approved secondary employment may be cancelled/*suspended* at any time by the approving *Bureau Commander or above*, whenever an *employee* fails to comply with the requirements of this directive, when continued secondary employment would constitute a conflict of interest, would tend to bring discredit to the department, *or when it negatively affects job performance*. Written justification will be provided to the *employee* in such cases.

V. TEMPORARY SECONDARY EMPLOYMENT

District/*Division* Commanders are authorized to approve temporary/*short-term* employment that does not exceed a *30 day period*. *The Bureau Commander or above will be notified of the temporary/short-term employment within the next business day. Employees requesting to work temporary/short-term secondary employment will still complete the "Request for Secondary Employment" form (PD 712) and submit it via the chain of command. Employment may begin prior to the submission of the form as long as verbal approval has been received from the employee's District/Division Commander.*

VI. PERSONAL PATROL VEHICLE AND SECONDARY EMPLOYMENT

A. *Sworn personnel shall be permitted to use County issued personal patrol vehicles and equipment in connection with secondary employment opportunities within Anne Arundel County, unless otherwise indicated by the Bureau Commander or above.* The personal patrol vehicle (PPV) may be used to perform patrol duties while engaged in secondary employment only upon the approval of the appropriate *Bureau Commander or above*. Officers requesting approval for use of the PPV in conjunction with secondary employment *must indicate the intended use in the "Job to be Performed" section of the request form. (i.e., stationary patrol, community patrol, etc.)*.

B. Officers receiving approval to use their PPV to perform patrol duties while engaged in secondary employment will reimburse Anne Arundel County based upon a per mile usage basis. This reimbursement will ensure that the taxpayers of Anne Arundel County are fully compensated for the secondary employment usage of a PPV.

C. Procedures for reimbursement:

1. Officers *are* required to keep track of the miles driven to allow for proper reimbursement. *At the conclusion of each secondary assignment, involving the use of the PPV for patrol duties, the officer will notify the dispatcher (CAD) of the actual miles driven for that secondary assignment.*
2. Reimbursement will equal the number of miles driven times the monetary sum per mile determined by the Management & Planning Section. The reimbursement will exclude the number of miles driven to and from the location of secondary employment.
3. Each *calendar* year (*January 1 to December 31*), the Management & Planning Section will determine and publish the monetary sum to be used to calculate the reimbursement to the County.
4. Reimbursement for long-term use of the PPV (more than one month) will be made on a monthly basis. Reimbursement for usage of less than a month will be made at the conclusion of the employment.
5. Reimbursement will be in the form of a check made payable to "Anne Arundel County" and forwarded to the Management & Planning Section for proper disbursement. *Form PD 712(A)* must accompany the reimbursement check identifying *the month and year the payment is for, the date, location, and miles driven for each assignment*, and the calculations used to determine the amount of reimbursement. *Additionally, the appropriate block must indicate if a secondary employer is submitting payment directly to Management & Planning on behalf of the officer(s). In this case, a point of contact for the employer and/or the scheduling officer must be indicated on the form.*

D. Officers who elect to drive their assigned PPV to and from secondary employment locations are required to use their personal patrol vehicle to transport prisoners who are taken into custody as a result of secondary employment duties. Unless otherwise approved by the appropriate *Bureau Commander or above*, the PPV will not be used as a means of travel upon arriving at a secondary employment location, i.e., as a delivery vehicle, to go from one job site to another, or any other activities connected with secondary employment.

E. Additionally, officers are reminded to adhere to all regulations regarding dress and police equipment while operating a PPV off duty and will park the personal patrol vehicle in a conspicuous location while attending to secondary employment duties.

VII. DEPARTMENT UNIFORM & INSIGNIA

All sworn personnel working security related secondary employment are required to wear the Class B uniform of the day, as described in Index Code 500. If there is a special circumstance to consider for not wearing a uniform during a security related secondary employment assignment, an inter-office memorandum is required to be attached to the "Request for Secondary Employment" form requesting an exemption.

VIII. NOTIFICATION TO COMMUNICATIONS SECTION

Sworn personnel engaged in security related secondary employment, where the employment is conditioned on the actual or potential use of law enforcement powers, will notify the Communications Section when they arrive at and depart from their secondary employment. *In addition, sworn personnel will continuously monitor district radio communications for possible calls for service at their secondary assignment and will advise Communications when handling any incidents or calls for service.*

IX. REQUIRED DOCUMENTATION

Sworn personnel will submit an incident report whenever any of the following conditions occurs as a result of secondary employment:

- A. Incidents involving the use of law enforcement powers;
- B. Incidents involving the use of force (also require submission of a Use of Force report);
- C. Incidents resulting in the injury of the officer or others;
- D. Incidents that will result in a court appearance by the officer.

X. CONDITIONS FOR THE RANK OF SERGEANT AND ABOVE

Members of the rank of sergeant and above *who are approved to work secondary employment are not relieved of their departmental supervisory role and function with regard to any law enforcement duties that occur as a result of the secondary employment detail. This includes any detail that includes more than one officer of varying ranks.*

XI. PROPONENT UNIT: Personnel Section.

XII. CANCELLATION: This directive cancels Index Code 712, dated 03-30-94 and Written Directive Memoranda 03-043 & 03-014.