



POLICY & PROCEDURE

ELKHART LAKE POLICE DEPARTMENT

SUBJECT: **SECONDARY EMPLOYMENT**

SCOPE: All Sworn Personnel

DISTRIBUTION: Policy & Procedure Manual

REFERENCE:

NUMBER: 2.04

ISSUED: 06/01/2015

EFFECTIVE: 07/15/2015

RESCINDS

AMENDS

WILEAG 4TH EDITION

STANDARDS: 2.4.7

INDEX AS: Extra-Duty Employment
Off-Duty Employment
Secondary Law enforcement Employment

PURPOSE: The purpose of this Policy & Procedure is to establish guidelines for secondary employment by members of the Elkhart Lake Police Department.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. EXTRA-DUTY OR SECONDARY LAW ENFORCEMENT EMPLOYMENT
- IV. SECONDARY EMPLOYMENT
- V. LIMITATIONS
- VI. RETENTION OF SECONDARY EMPLOYMENT RECORDS

I. POLICY

- A. It is the policy of the Elkhart Lake Police Department to provide guidelines for any secondary employment by any member of the Department.

II. DEFINITIONS

- A. OFFICER: An officer is defined as sworn personnel employed by the Elkhart Lake Police Department.
- B. EMPLOYMENT: Work, as customary trade, craft, service, or vocation in which one's labor or services are paid for by an employer or for which a consideration is received. Employment does not include volunteer charity work.
- C. SECONDARY LAW ENFORCEMENT EMPLOYMENT: Any employment by a member in another law enforcement agency or agencies, which is part-time and/or the member is sworn personnel.
- D. EXTRA-DUTY EMPLOYMENT: Any employment that is conditioned on the actual or potential use of Elkhart Lake Police Department law enforcement powers by the Department employee and for which there is a contract or agreement between the Department and the employer.
- E. SECONDARY EMPLOYMENT: Any employment where the member acts or works as a contracted employee or part-time employee for any employer other than the Elkhart Lake Police Department.
- F. MEMBER: Any person employed by the Elkhart Lake Police Department, whether sworn or non-sworn.

III. EXTRA DUTY OR SECONDARY EMPLOYMENT (Law Enforcement Related)

- A. Officers of the Department may engage in outside employment without limitation provided nominal notification requirements are complied with and that outside employment does not result in a conflict of interest or cause the Officer to be unfit for regular duties.
- B. Request for Approval: Any Officer requesting extra duty or secondary employment shall prepare an inter-office report with the subject heading "Request for Outside Employment" and submit it to the Chief of Police, for approval.

This form will be distributed as follows:

- 1. Original - Personnel file.
 - 2. Copy – Employee Requesting the extra duty or secondary Employment.
- C. Annual Renewal: Officers granted approval of an "outside" employment request shall re-submit an inter-office report with the subject heading "Request for Outside Employment" for renewal as follows:
 - 1. Annually - on January 1st.

2. Immediately upon any significant change in the specific duties or employer outlined in prior request.

D. Denial of Requests: Requests for approval of outside employment shall be denied, if the circumstances of the employment are contrary to Department Policy & Procedures, Directives and/or Orders.

E. Revocation of Extra Duty or Secondary Employment Status: Extra Duty or Secondary Employment may be denied or revoked for any of the following reason(s):

1. Any violation of this procedure.
2. Excessive use of sick leave.
3. Low on-duty performances or productivity.
4. Nature of off-duty work.
5. Where conflict of interest exists.

IV. SECONDARY EMPLOYMENT

A. Members may engage in secondary employment that meets the following criteria:

1. Employment that presents no potential conflict of interest between duties as a Elkhart Lake Police Department employee and duties for a part time secondary employer. Examples of employment representing a conflict of interest are:
 2. As a re-possessor, bill collector, or other employment in which law enforcement authority might tend to be used to collect money or merchandise for private purposes.
 3. Personnel investigations for the private sector or any employment which might require a member to have access to law enforcement information, files, records or services as a condition of employment.
 4. Conduct which assists (in any manner) the case preparation for the defense in any criminal or civil action or proceeding.
 5. Or a business or labor group that is on strike.
 6. In occupations that are regulated by, or that must be licensed through the Department or the Village of Elkhart Lake.

B. Employment that does not constitute a threat to the status or dignity of the Department as a professional occupation. Some examples of employment representing a threat to the status or dignity of the Department profession are:

1. Establishments which sell pornographic books, magazines, videos, or sexual devices, or that otherwise provides entertainment or services of a sexual nature.
 2. Any employment involving the sale, manufacture or transport of alcoholic beverages as the principle business.
 3. Any gambling establishment not exempted by law.
- C. Members engaged in secondary employment are required to notify the Chief of Police in writing of the secondary employment in which they are engaged.

V. LIMITATIONS

A. Limitations on extra duty or secondary employment are as follows:

1. Members who are on medical leave shall be limited in extra duty or secondary employment in compliance with medical restrictions set forth by the attending physician(s) and shall not work extra duty or secondary employment during their normal duty hours.
2. Members when engaged in extra duty or secondary employment are prohibited from wearing the Elkhart Lake Police Department uniform or any part or item of the uniform. Members are prohibited from using Elkhart Lake Police Department issued equipment when engaged in extra duty or secondary employment. Members are prohibited from utilizing Department information, reports, records or other documents for extra duty or secondary employment purposes.
3. Members may work a maximum of 24 hours of extra duty or secondary employment per week; or a total of 64 hours in combination with regular duty in each calendar week.
4. Work hours for extra duty or secondary employment must be scheduled in a manner that does not conflict or interfere with the member's performance of duty.
5. A member engaged in extra duty or secondary employment is subject to call-out in case of emergency, and may be expected to leave their extra duty or secondary employment in such situations.
6. A member who is injured working extra duty or secondary employment is ineligible to receive Village of Elkhart Lake Worker's Compensation payments for disability resulting from secondary employment.
7. A member who engages in secondary employment that presents a conflict of interest between their employment with the Elkhart Lake Police Department and the secondary employment or that presents a threat to the status or dignity of the Department may be subject to discipline.
8. Engaging in secondary employment is solely and completely at the risk of the employee.

VI. RETENTION OF SECONDARY EMPLOYMENT RECORDS

- A. All secondary employment records shall be permanently maintained in each employee's personnel file located in the Office of the Chief of Police.

Michael Meeusen
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 06/01/2015