



**KNOXVILLE POLICE DEPARTMENT
KNOXVILLE, TENNESSEE**



General Order No. 1.7

Subject: Secondary Employment	Effective Date: October 1, 1995	Revised Date: November 19, 2013
Title: Establishment of Procedures and Guidelines for Secondary Employment	Pages: 8	Distribution: All Members
Cross Reference: CALEA Standards 22.3.3, 22.3.4	Chief of Police Approval:	

PURPOSE:

The purpose of this directive is to set forth guidelines to govern secondary employment by members/employees of this police department.

This directive shall consist of the following sections:

- I. Policy
- II. Definitions
- III. Personnel Section Responsibilities
- IV. Procedures for Secondary Employment

I. Policy

The policy of this department is to provide guidelines to members/employees to inform them of the types of secondary employment which are appropriate and to establish procedures to maintain accountability for the welfare of the department. These requirements are essential for the efficient operations of the police department and for the protection of the community.

II. Definitions

- A. Employment: The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer charity work.
- B. Secondary Employment: Any employment whether extra-duty or off-duty, outside the Knoxville Police Department and the member's/employee's primary employment.
- C. Extra-Duty Employment: Any employment that is conditioned on the actual or potential use of law enforcement powers by the member.
- D. Off-Duty Employment: Any employment that will not require the use of or potential use of law enforcement powers by the off-duty employee. (This includes both sworn and civilian employees.)

III. Personnel Section Responsibilities

- A. The Personnel Section is responsible for the coordination and administration of secondary employment.
- B. The Personnel Section will:
 - 1. Handle requests for secondary employment that come through the department.
 - 2. Maintain a roster of eligible members/employees that seek secondary employment.
 - 3. Ensure that each member/employee completes the "Secondary Employment Form."
 - 4. If the employment has the potential to have an effect on the day-to-day operations of the department, notification will be sent to the Division Commanders and the Deputy Chief of Operations.

- C. Any secondary employment secured by the member/employee must be coordinated with the Personnel Section. In these cases the Personnel Section will ensure that each member/employee completes the "Secondary Employment Form."
- D. The Personnel Section Supervisor will be responsible for the final approval, review and revocation of secondary employment except as otherwise provided in this section.
- E. Some special events that utilize sworn personnel for extra-duty assignments may be coordinated and approved by the Chief of Police or designee. Such events may include, but not be limited to: U.T. Football Games, Boomsday, Tennessee Valley Fair, etc.

IV. Procedures for Secondary Employment

A. Secondary Employment

1. Off-Duty Employment: Members/employees may engage in off-duty employment that meets the following criteria:
 - a. Employment of a non-police nature in which vested police powers are not a condition of employment; the work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.
 - b. Employment that presents no potential conflict of interest between their duties as a police department member and their duties for their secondary employer.

Examples: Employee works at a clothing store, employee owns an electronics store.
 - c. All members/employees must register off-duty employment with the Personnel Section. Member/employee must complete the "Secondary Employment Form."
2. Extra-Duty Employment: Members may engage in extra-duty employment as follows:
 - a. Where a government, profit-making or not-for-profit entity has a

contract agreement with the police department for police officers in uniform who are able to exercise their police duties.

Examples: KCDC, University of Tennessee football.

b. Types of extra-duty services may be considered for contracting are:

- (1) Traffic control and pedestrian safety
- (2) Crowd control
- (3) Security and protection of life and property
- (4) Routine law enforcement for public authorities
- (5) Plain clothes assignments

3. The rate of pay will be a minimum of \$25 per hour for members working department approved security events. The rate of pay for supervisors who are **supervising** an event will be a minimum of \$30 per hour.

4. Events with four or more officers will require an onsite supervisor (sergeant or above). Span of Control for events requiring multiple officers is four (4) to twelve (12) members, as provided for in the Patrol SOP, with more allowed for short periods dependent upon circumstances. In those situations, the district supervisor shall monitor the event.

B. Limitations on secondary employment are as follows:

1. In order to be eligible for secondary employment, a member must be in good standing with the department. Continued departmental approval of a member's secondary employment is contingent on such good standing.
2. Entry-level probationary members shall not be eligible to engage in extra-duty employment, unless approved by the Chief of Police or designee.
3. Any member on suspension or other than regular duty status will not be eligible for extra-duty employment during that time period.

4. Any member assigned to remedial training as a result of a disciplinary action for a performance issue will not be eligible for extra-duty employment during that time period.
5. Work hours for all secondary employment must be scheduled in a manner that does not conflict or interfere with the member's/employee's performance of duty.
6. A member engaged in any secondary employment is subject to call-out in case of emergency, and may be expected to leave their off-duty or extra-duty employment in such situations.
7. A member/employee may work a maximum of 40 hours of off-duty or extra-duty employment in any calendar week (Sunday through Saturday) in addition to their primary employment with the Knoxville Police Department. Any hours above 40 must be approved on a case by case basis by the Chief of Police or designee.

Example: A member/employee may be on annual leave from the department and desire to work more than 40 hours in a week.

8. Prior to obtaining secondary employment, a member/employee shall comply with departmental procedures for granting approval of such employment, or registration for secondary employment.
9. Extra-duty employment will be reviewed by the member's/employee's supervisor and the Personnel Section supervisor to insure compliance with this general order.
10. Extra-duty employment will be limited to work within the Knoxville city limits unless otherwise authorized by the Chief of Police or designee.
11. A member/employee **will not** engage in any secondary employment which represents a conflict of interest. Some examples are:
 - a. As a process server, re-possessor, or bill collector, towing of vehicles, or in any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.

- b. Employment in investigations for the private sector which might require the member to have access to police information, files, records or services as a condition of employment. (E.g. employment as a private investigator, traffic reconstruction of accidents within the department's jurisdiction).
- c. In police uniform in the performance of tasks other than that of a police nature.
- d. Employment which assists (in any manner) the case preparation for the defense in any criminal proceeding or for the plaintiff or defense in any civil action or proceeding.
- e. In occupations that are regulated by, or that must be licensed through the police department.

Examples: Towing or wrecker service, taxi service, pawnshop or in instances where individual must obtain a beer permit.

- 12. An employee will not engage in any secondary employment that constitutes a threat to the status or dignity of the police as a professional occupation. Examples of employment presenting a threat to the status or dignity of the police profession are:
 - a. Establishments which exclusively sell pornographic books, magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
 - b. Any employment involving the sale, manufacture or transport of alcoholic beverages as the principal business.
 - c. Any illegal gambling establishment.
- 13. Employees shall not utilize any police equipment in extra-duty employment other than that authorized by the Chief of Police or designee. Police vehicles may be used for transportation to and from extra-duty employment. Use of vehicles for off-duty employment must be approved by the Chief of Police or designee.
- 14. Permission for an employee to engage in secondary employment may be revoked where it is determined by the Chief of Police or designee pursuant to departmental procedures that such secondary

employment is not in the best interest of the department.

15. Any request for a member/employee to testify as an expert witness in any court must be approved by the Chief of Police.
16. Published material and public speaking engagements, whether paid or unpaid, shall be first submitted in writing to the Office of the Chief of Police for prior review. This does not apply to non-police related material or material that does not reflect on the Knoxville Police Department, nor is it to be construed in any way as restricting the constitutional rights of any employee. Additionally, all must comply with Part II of the Code of Conduct.

C. Employee responsibilities:

1. The secondary employer may be responsible for liability, compensation, and indemnification issues arising from injuries or other incidents occurring during secondary employment. Should the employee not be covered by the secondary employer then that employee is responsible for liability, compensation and indemnification issues arising from injuries or other incidents occurring during secondary employment.
2. Any employee seeking secondary employment (off-duty and extra-duty) will complete the necessary "Secondary Employment Form." All recurring secondary employment activities must be renewed at a minimum on a yearly basis in the month of January.
3. Police officers working any extra-duty employment in uniform will wear the complete uniform of the day. Specialty uniforms may be approved by Division Commanders prior to extra-duty employment, and any other exceptions must be authorized by the Chief of Police or designee. Plainclothes employment requests must receive prior approval by the Chief of Police, or designee in writing.
4. Any employee engaged in secondary employment will not use any departmental files or investigative resources to provide information to that secondary employer that would not be available to the public.

Examples: N.C.I.C., criminal history checks.

5. If any arrest or citation is given as a result of extra-duty employment and it results in court time, the Knoxville Police Department will not pay court time.
6. There may be situations during normal business hours where an extra-duty job comes up where an officer is needed immediately. When such a situation occurs and there is no time for a form to be completed and submitted, a telephone call to the Personnel Unit supervisor should be made for approval prior to the job being accepted and staffed. If approved, the member then shall complete and submit the form with a note that the job has been pre-approved.
7. Any extra-duty employment request which occurs after normal business hours will be directed to the Patrol Supervisor on duty. The employee shall specify the location where the work will be performed to avoid any conflicts with patrol responsibilities. The responsibility of the supervisor reviewing the request shall be limited to a temporary approval or rejection of any secondary employment with regards to compliance with departmental policy. The employee must turn in the "Secondary Employment Form" the following business day. The supervisor granting approval/disapproval shall complete the portion of the form and forward it to the Personnel Section for their record and review. All secondary employment will be reviewed on a regular basis to insure compliance.
8. Members engaged in secondary employment shall not broker, apply for or arrange for any City-issued permit required for the secondary employer or event for which the member is hired. If a member is approached about a festival or special event requiring a road closure that has not been staffed by the police department, the member should refer the organizers to the Personnel Unit, Traffic Services and Traffic Engineering to ensure that the proper permits have been acquired. Likewise, organizers of events serving alcohol should be referred to the Inspections Unit for information about gaining approval from the Beer Board.