

# UW Whitewater Police



## Off Duty and Extra Duty Employment

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Special Instructions: CALEA 22.2.5			
Approved By: Chief Kiederlen	Effective Date: 9/20/2008	Revised Date: 03/07/2024	Revision number: 4

### I. Purpose

The purpose of this General Order is to provide guidance on off-duty and extra-duty employment outside of duties assigned by the UW-Whitewater Police Department.

### II. Definitions

**Employment:** The provision of a service, whether in exchange for a fee, service, or product. Employment does not include volunteer charity work.

**Extra-Duty Employment:** Any secondary employment that is conditioned on the actual or potential use of law enforcement powers by the officer-employee.

**Off-Duty Employment:** Any secondary employment that is not conditioned on the actual or potential use of law enforcement powers by the off-duty employee.

### III. Policy

It is the policy of the UW-Whitewater Police Department (UWWPD) to allow employees to work off-duty and extra-duty employment to the degree that it does not interfere with the operational needs of UWWPD.

### IV. Procedure

#### A. Off-Duty Employment

1. Personnel may engage in off-duty employment only if such employment does not create a conflict of interest with UWWPD's mission or interfere with the employee's ability to satisfactorily perform department duties.
2. Personnel requesting permission to engage in off-duty employment must submit to the Chief or their designee a Request for Off-Duty Employment (see Attachment A).
3. A request for off-duty employment shall be reviewed by the Chief or their designee, which shall be approved based upon the operational needs of UWWPD.
4. No off-duty employment that requires the employee, including student workers, to bartend or hold a bartender license for the sale or distribution of alcohol will be permitted. No off-duty employment will be allowed at facilities engaged in adult entertainment or products.

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5. Employees, including student workers, wishing to work at a location that serves or distributes alcoholic beverages in another capacity, i.e. delivery driver, waiter/waitress, or bouncer will be considered by the Chief of Police or designee on a case-by-case basis for approval.
6. Such requests for off-duty employment will only be good for one calendar year from the date of the Chief's or designee's signature. Renewal of permission for off-duty employment must be submitted by the employee one month prior to the expiration of the previous year's approval.
7. Whenever an employee enters into a Worker's Compensation status, authorization for off-duty employment is immediately revoked.
8. No departmental equipment, uniforms, or items may be used to facilitate, assist, or supplement off-duty employment activities without the express consent of the Chief or their designee.
9. All personnel currently engaged in off-duty employment must submit for updated approval upon release of this General Order.
10. No employee on probation is allowed to work off-duty employment jobs unless they receive special permission from the Chief of Police or their designee.

## **B. Extra-Duty Employment:**

In addition to the above procedures, officers wishing to work Extra-Duty assignments must follow the below procedures.

1. Agency Approval, Review, and Revocation Processes
  - a. Sworn personnel shall receive permission from the Chief or their designee prior to engaging in Extra-Duty Employment.
  - b. Sworn personnel applying for Extra-Duty Employment shall submit a request (Appendix A) and a letter to the Chief of Police or designee. The letter shall contain the prospective employer's name, address, and telephone number, the name of the employee's immediate supervisor, the type of employment, and the dates and hours of employment.
  - c. Such applications shall outline all significant job-related aspects. The Chief of Police or designee shall review all applications for Extra-Duty employment before granting approval. Advice shall be sought from legal authorities when necessary and appropriate.
  - d. The Chief of Police or designee may deny or revoke approval when Extra-Duty Employment results in any of the following:
    - i. being unavailable during an emergency,
    - ii. requiring special consideration for scheduling regular duty hours,
    - iii. being physically or mentally exhausted,
    - iv. bringing the Department into disrepute,
    - v. impairing the operational efficiency of UWMPD or its employees,
    - vi. requiring or encouraging access to privileged information.

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2. Behavior and Activities During Extra-Duty Employment:
  - a. The authority of sworn personnel working in an Extra-Duty employment capacity shall be clearly defined prior to the commencement of job-related duties. Such authority shall be determined by one or more of the following: state statute, UWWPD directives, established written agreements, and jurisdiction.
  - b. UWWPD shall be considered each sworn personnel's primary work responsibility. UWWPD has the first priority claim to personnel services for both regular and overtime assignments. Sworn Personnel may be required to miss Extra-Duty employment assignments to meet UWWPD staffing needs.
  - c. No special consideration shall be given to scheduling regular duty hours to accommodate Extra-Duty Employment.
  - d. No sworn personnel shall engage in Extra-Duty Employment that would constitute a conflict of interest or would bring discredit to UWWPD. Sworn personnel shall not use UWWPD uniforms or equipment for Extra-Duty employment purposes unless approved by the Chief of Police or designee.
  - e. Sworn personnel under investigation by their Extra-Duty employer shall notify their supervisor and the Chief of Police.
  - f. Sworn personnel terminating Extra-Duty employment shall submit a notification in writing to the Chief of Police or designee as soon as they terminate Extra-Duty employment.
  - g. Sworn personnel must notify the on-duty or on-call supervisor if one of the following occurs. For a major incident, this should be completed as soon as possible, for minor instances this may be done with an e-mail or text.
    - i. Injury to the officer or a person the officer is acting against
    - ii. Complaints received against the personnel
    - iii. Any court appearances that are scheduled
    - iv. Any liability and indemnification concerns
    - v. Any lost or damaged police department property
    - vi. Major incidents that involved use of law enforcement powers
3. Point of Coordination and Documentation of Extra-Duty Employment
  - a. The executive assistant to the Chief or designee shall act as the point of coordination for Extra-Duty and Off-Duty employment and shall maintain records of all secondary employment by UWWPD employees.
  - b. Records should include, at minimum:
    - i. Date, time, and place of employment;
    - ii. Injury to the personnel or others
    - iii. Complaints received;
    - iv. Court appearances (scheduled and attended) resulting from Secondary Employment; and

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- v. Liability and indemnification concerns stemming from actions during Extra-Duty employment.
- c. These records should be kept in a secure folder, either an electronic folder or paper folder.

## **C. Special Circumstances Extra Duty Employment**

Officers who are approved to work at UW-Madison Football Games shall follow all of the above procedures in working at Camp Randall. However, since officers are working as part of a University of Wisconsin event, in a jurisdiction that they have authority for and are under guidelines from the UW-Madison Police Department which are shared with all other University of Wisconsin Police Chiefs, no letter as described in B.1.b above is required as the Chief of Police already has this information.

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## Attachment A. Secondary Employment Request

Name: \_\_\_\_\_

Off-Duty Employer: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_

Expected Hours per Week: \_\_\_\_\_

In requesting secondary employment, I understand and agree that such employment will always be of a secondary nature and the UW-Whitewater Police Department will be my priority employer. I acknowledge and agree the scheduling, assignments, and needs of the UWWPD will not be jeopardized, altered, or compromised to facilitate my secondary employment. I also understand and agree permission for secondary employment can be withdrawn at any time based solely on the determination of the UWWPD. I understand that any such withdrawal will be given to me in writing. I also understand and recognize that permission for secondary employment is considered immediately withdrawn whenever I enter into worker's compensation status with the UWWPD regardless of whether or not I have received written notification. I acknowledge that no UWWPD equipment, uniforms, or properties will be utilized in any way to facilitate my off-duty or secondary employment without permission from the Chief of Police or designee. I understand this authorization must be renewed annually based on the procedures outlined in General Order 22.3.4.

Officer's/Employee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Administrative Use Only:**

Approved: \_\_\_\_\_

Denied: \_\_\_\_\_

Chief or Designee Signature: \_\_\_\_\_

Date: \_\_\_\_\_