4200 OFF-DUTY EMPLOYMENT

A. Policy

The nature of the law enforcement task requires department employees to have the ability to work irregular duty schedules, which are subject to change in meeting deployment needs. Additionally, it is necessary that an employee have adequate rest to be alert during his tour of duty. For these reasons and because certain occupations inherently conflict with an employee's primary responsibility to the community, the department may impose conditions on outside employment or may prohibit it altogether.

B. Procedure

1. Employees requesting approval of off-duty employment shall submit an action memorandum via the chain of command to the Chief of Police describing the nature of the employment, number of hours a week, and listing the employer.

C. Rule

1. Off-duty employment, which the Division Commander determines conflicts with the employee's primary duties shall not be approved. Restrictions, as outlined in extra-duty employment, will be taken into consideration prior to approval.

2. Employees shall not engage in off-duty employment until an action memorandum approving such employment has been first signed by the employee's Division Commander and the Chief of Police.

4201 EXTRA-DUTY EMPLOYMENT

A. Policy

Extra-duty police service shall be optional employment and considered to be an extension of a sworn employee's departmental responsibilities. The extra-duty program is provided by the department as a supplementary police service to a separate employer, and shall be conditioned upon vested police powers of sworn personnel. The service shall be rendered during a period of time not within the employee's assigned hours of duty.

B. Procedure

1. Payment for the provision of extra-duty police service to a separate employer by the department shall be a financial contract between the private employer and the City based upon an established fee schedule.

2. Payment for the provision of extra-duty police service to a sworn employee of this department who provides such service shall be paid by the City to the employee.
3. The Chief of Police or his designee shall be responsible for the administration and approval of all requests for extra-duty police service within the city of Lakewood.

4. The Professional Standards Section Commander shall be responsible for the daily administration and coordination of the availability and assignment of sworn employees, and physical resources required for the extra-duty police service assignments.

5. Sworn employees shall be deemed to be acting within the course and scope of official duties while fulfilling extra-duty assignments within the city of Lakewood. The duties performed shall be restricted to the duties as set forth and authorized in the approved application or as provided by law.

6. In the event a sworn employee working an extra-duty assignment effects an arrest, he shall be responsible for completing the initial reports with the exception of the custody II report and associated booking reports. An on-duty patrol unit shall respond to the scene, transport and book the prisoner, and book any associated evidence or property.

7. In the event a sworn employee is requested to work over the projected time period by the separate employer, the sworn employee shall notify the Communication Section of the extension of duty.

C. Rule

1. Extra-duty police service employment, which is prohibited, shall include any form of employment, which may involve a potential conflict of interest between the outside job and the police job, or when the nature of the work is considered detrimental to the professional law enforcement goals of the department.

2. The following are examples of assignments, which are prohibited but are not all-inclusive and shall be amended as required:

   a. Employment as an investigator or in any capacity involving the use of police records for other than law enforcement purposes.

   b. Employment in any capacity in or upon premises licensed as an adult business or massage parlor, tavern, club, or retail liquor store.

   c. Employment involving any special function or activity where liquor will be served. In such cases, a member of command staff shall be consulted prior to arranging for an extra-duty assignment.

   d. Employment with the official police garage or any firm connected with the official police garage.

   e. Employment as a process server.
f. Employment as a bill collector, or for any credit or collection agency, or in any capacity involving repossession of property or eviction from premises.

g. Employment primarily outside the corporate boundaries of the city of Lakewood.

h. Employment at Bail Bonding Companies, Pawn Shops or any business licensed or regulated by the City of Lakewood or the State of Colorado.

i. Employment in any capacity that would interfere with an employee being called for emergency police duty or otherwise interferes with an employee's departmental responsibilities.

4202 ELIGIBILITY FOR EXTRA - DUTY EMPLOYMENT

B. Procedure

1. Sworn employees who desire to participate in extra - duty employment shall have the written approval of their Division Commander prior to engaging in such employment.

2. Sworn employees who desire to participate in extra-duty shall be trained in the use of the online extra-duty software application. The employee shall notify the extra-duty coordinator at least one month before they want to participate in order to provide time to be trained and activated.

3. An approved employee can be removed from the extra - duty list by the Division Commander for the following reasons:

   a. An unsatisfactory sick leave record.

   b. An unsatisfactory performance evaluation.

   c. Relief from duty pending an investigation or administrative action or as a result of disciplinary action.

4. In order to provide for adequate time off, a sworn employee's extra - duty police service assignments shall be limited to a cumulative maximum of 16 hours a workweek. Permission to exceed the maximum shall require specific approval of the sworn employee's respective Division Commander. Approval or disapproval shall be on an individual basis.

C. Rule

1. Sworn employees shall not accept extra - duty employment of a police nature until an application has been approved.

2. Sworn declassified employees at the rank of Commander and above shall not participate in extra - duty employment.
3. Sworn employees on probation shall not be eligible for extra-duty employment. While on probation, sworn employees can sign up for an extra-duty assignment with the provision that the probationary period terminates prior to the starting date of the extra-duty assignment.

4203 APPLICATIONS FOR EXTRA-DUTY EMPLOYMENT

B. Procedure

1. All extra-duty assignments are made by the Professional Standards Section. Sworn employees shall refer requests for outside employment of a police nature to that Section. Separate employers may request a police service but not a specific individual to perform that service.

2. If a contractor requests extra-duty police service employment, at an overtime rate of pay, the Division Chief of the affected division staff first determines if this request is within the course and scope of official duties.

3. If the request for overtime extra-duty is approved, the Division Chief shall determine the process for scheduling Agents.

4. The Division Chief, or his designee, shall ensure the Finance Department receives the appropriate billing information.

5. Applications for extra-duty service shall be received by the Professional Standards Section for processing both in person or by facsimile.

6. An application shall not be approved for any person, firm, or organization whose officers, members, business, or operations are questionable or for any event of a potentially compromising nature.

7. Extra-duty employment shall be granted with the explicit understanding by all parties that the employee shall be subject to emergency recall to police service.

4204 ADMINISTRATION OF EXTRA-DUTY EMPLOYMENT

B. Procedure

1. No prepayment shall be required from the outside employer. A current fee schedule will be provided to the applicant at the time of application.

2. The prospective outside employer must give a minimum of twenty working days advance notice prior to the start of the extra-duty assignment. It will be determined after consulting with the prospective employer the date in which they need to be notified of the status of the extra-duty assignment.
a. Unless cancellation of an extra-duty assignment is received within five working days prior to the start of the extra-duty assignment, the department shall bill the extra-duty employer who cancelled the assignment for two hours using the department's current hourly fee schedule.

3. Sign-up for extra-duty will be administered through the use of the online extra-duty software application. The online extra-duty software application shall list current and upcoming extra-duty assignments. Interested sworn personnel shall sign up through the online extra-duty software application. An e-mail message will be sent to all Agents who participate in the extra-duty program to verify the date and time that they will be able to sign up.

4. If a job is not filled, the vendor will be advised.

5. Agents are allowed to sign up for 16 hours of extra-duty during the initial sign-up period. The initial sign-up period will be approximately 10 days before the month that jobs will be worked. Once all participating Agents have completed the initial sign-up they can sign up for any jobs that have not been filled for that month. Agents cannot exceed the weekly (16) hours or monthly (64) hours per department policy. Should the availability of jobs change, the limit on the initial sign-up hours may be changed accordingly.

6. Since agents will have online access to sign-up for extra-duty, no one else will be authorized to sign up for them.

7. During the school year, any extra duty assignment at a school or on school property will automatically be assigned to that school's SRO. However, if the school requests additional Agents or the SRO does not want to work the assignment, a broadcast message will be put out and the first Agent responding will get the job. This rule does not apply to school events held at locations away from school.

8. Once a sworn employee accepts an assignment the following procedures will be in place:

a. The Agent can cancel the assignment using the online system if it is at least 7 days prior to the date to be worked. No further action on their part is required.

b. The Agent can “cancel-pending” the assignment using the online system if it is less than 7 days prior to the date to be worked but more that 48 hours. This means if no one applies for the job, the agent is still responsible for finding a replacement. If no one applies for the job, and the agent cannot work it, he must contact the extra-duty Coordinator to advise of their reason for not being able to work.

c. The Agent cannot cancel an assignment using the online system if it is less that 48 hours prior to the date to be worked and must contact the extra-duty Coordinator to advise of their reason for not being
able to work. In the event the Agent needs to cancel at the last minute, they must also notify the Vendor that they will be absent. (Note: a voice message left for the extra-duty Coordinator does not constitute notification; confirmation must be obtained).

9. An Agent can sign-up as a back up to no more than four assignments per month. Should they accept an assignment as a back-up they will be held to the same procedures as listed above.

10. Sworn employees engaged in extra-duty assignments (regardless of regular departmental assignment) shall be responsible for:

   a. Either prior to or upon arrival at the place of assignment, notification to the Communication Section:
      
      Location of assignment
      
      Hours of assignment
      
      Nature of duties
      
      Personnel assigned
   
   b. Notification to the Communication Section upon completion of the assignment. For extra-duty assignments involving multiple sworn employees, the senior Agent or supervisor assigned shall be responsible for making such notification.
   
   c. The Communication Section shall be responsible for notifying the on-duty watch Commander of extra-duty assignments.

11. Equipment for extra-duty assignment shall be subject to availability and need as determined by the on-duty watch Commanders. It shall be the responsibility of the personnel receiving the extra-duty assignment to notify the watch Commander of the need for equipment (marked vehicle) and/or supplies for an extra-duty assignment.

12. Watch Commanders shall be responsible for the functional supervision and security of all extra-duty assignments, which occur during their watch. The watch Commander shall cause periodic checks to be made of all extra-duty assignments to ensure compliance with this order.

13. When multiple employees are needed for a single assignment, the on-duty watch Commander shall determine if a supervisor is necessary.

C. Rule

1. Nothing in these procedures shall preclude any sworn supervisor from exercising command authority in the cancellation of extra-duty assignments when such action is in the best interest of the department.
B. Procedure

1. Upon receipt of a request for extra-duty police service by the Professional Standards Section, the following will occur:

   a. The assignment will be created within the extra-duty software application by the extra-duty Coordinator.

   b. The assignment will be made available to participating agents to select via the on-line system following the established rules.

2. Once an extra-duty assignment has been selected, the assigned employee shall:

   a. Print a copy of the assignment details.

   b. Upon completion of the assignment, “Bill” the assignment (Job) within the extra-duty software application indicating the job was completed as assigned, or making any appropriate changes. If changes are made, comments as to why must be included in the appropriate field.

   c. As needed have the outside employer sign all required copies of the printed assignment details.

   d. Upon completion of the assignment, give a copy of the printed assignment details to the outside employer, if requested, and forward a copy to the Professional Standards Section.

3. In the event a sworn employee is requested by the outside employer to work over the projected time period, the outside employer shall be required to pay for the additional time. If the sworn employee is required to work over the projected time period due to department requirements (i.e., report completion, etc.), the City shall pay for the additional time.

4. Upon receipt of the printed assignment details by the Professional Standards Section, the following occurs:

   a. The forms will be maintained by the extra duty Coordinator as a backup to the online tracking of the assignments.

   b. On a bi-weekly basis that coincides with the payroll entry period the extra-duty Coordinator will enter the total hours worked into the JD Edwards payroll system to be retrieved by the Department of Finance.

5. Upon receipt of the JD Edwards extra duty time entry data the Department of Finance will bill the outside employer as indicated in the fee section of the form.
6. When payments are more than 30 days in arrears, the Department of Finance will notify the outside employer and the Commander of the Professional Standards Section who shall suspend further extra-duty police service pending settlement of account.

C. Rule

1. Agents shall be paid at their current hourly, straight-time rate.

2. Sergeants may be assigned extra-duty employment at their request but shall be paid at the top Agent rate unless assigned as a supervisor.

4206 CHARGES FOR EXTRA-DUTY SERVICE

B. Procedure

1. Hourly rates charged for each Agent to outside employer shall be determined by the Police Department in conjunction with the director of the Department of Finance. The minimum charge for any extra-duty provided shall be the amount applicable for 2 hours of service at the appropriate rate.

2. There will be an additional charge for the use of a marked or unmarked police vehicle as determined by the Commander of the Professional Standards Section.

3. Hourly charges for assignments shall be made from the starting place and time specified by the outside employer to the ending time and place of assignment. Travel time to and from shall not be included. The geographical points at which an extra-duty assignment commences and terminates shall be established at the time of the request.

C. Rule

1. A sworn employee and the outside employer shall not agree to a pay rate different from the fee schedule. Personnel fulfilling extra-duty assignments shall be compensated on the regular payroll and shall not accept any compensation in any form directly from the outside employer.