

## Outside Employment for Police Officers

1. Definition of Outside Employment – Any employee of the Police Department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, products or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, products or benefits rendered.

### 2. Obtaining Approval

a. No employee of the Police Department may engage in any outside employment without first obtaining prior written approval of the Police Chief. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Permit, which shall be forwarded to the Police Chief for consideration.

If approved, the employee will be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid through the end of the calendar year. Any employee seeking to renew a permit shall submit a new Outside Employment Permit no later than January 15<sup>th</sup>.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial.

### b. Appeal of Denial of Outside Employment

If an employee's Outside Employment Permit is denied or withdrawn by the Police Department, the employee may file a written notice of appeal to the Police Chief within 10 days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance pursuant to City Policy 4.2.5.

### c. Revocation/Suspension of Outside Employment Permits

Any outside employment permit may be revoked or suspended under the following circumstances:

i. Should an employee's performance at the Police Department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Police Chief may, at his/her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

- ii. Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.
  - iii. If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of Department policy, the permit may be suspended or revoked.
  - iv. When an employee is unable to perform at a full-duty capacity due to an injury or other condition, any previously approved outside employment permit may be subjected to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full-duty status.
3. Prohibited Outside Employment
- Consistent with the provisions of Utah Administrative Code R477-9-2, the Police Department expressly reserves the right to deny any Outside Employment Permit submitted by an employee seeking to engage in any activity which:
- a. Interferes with an employee's efficiency performance.
  - b. Conflicts with the interests of the Police Department or Sunset City.
  - c. Gives reason for criticism or suspicion of conflicting interests or duties.
  - d. Employment 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.
  - e. Personnel investigations for the private sector or any employment which might require a police officer to have access to the police information, files, records or services as a condition of employment.
  - f. Assists, in any manner, the case preparation for a defense counsel in any criminal or civil action or proceeding which involves Sunset City.
  - g. For a business or labor group on strike.
  - h. Establishments involved in the sale of pornographic materials, sexual devices or videos, or provides entertainment or services of a sexual nature.
  - i. Any employment at an establishment or for a company whose principal business is the sale, manufacture or transport of alcoholic beverages.
4. Review of Financial Records

If, before or after approving a request for an outside employment position, the Police Department is concerned that a conflict of interest exists based on a financial reason, the

Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her Outside Employment Permit may be denied or revoked.

#### 5. Changes in Outside Employment Status

If an employee terminates his/her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Police Chief. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Police Chief any material changes in outside employment including any change in the number of hours, type of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.