



Secondary Employment

Section: 1.446
Effective Date: February 25, 2011
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1.446 Secondary Employment

1.446 Primary Duty & Responsibility to the Agency

- A. The primary employment duty, obligation, and responsibility of employees of the UBPD is to this agency and this policy is designed to protect the university and the members of the UBPD from any liability issues arising from any secondary employment opportunities enjoyed by members of the UBPD. Moreover, the nature of law enforcement work, with its considerable demands placed on police officers, both mentally and physically, requires the close monitoring of secondary employment issues as relating to the performance of duty. It is imperative members engaged in secondary employment are capable of performing all tasks and provide professional police service to the university community, for which they have been hired.
- B. Employees are subject to recall at any time for emergencies and other special circumstances.
- C. Employees will not engage in other employment, in any private business, or another profession during normally scheduled work hours with this agency without their supervisor's approval.
- D. In order to work secondary employment during normal scheduled work hours, employees must be on pre-approved leave. Work hours cannot be adjusted in order to accommodate secondary employment unless pre-approved by an employee's supervisor.
- E. Employees will not engage in employment, private business, or the conduct of a profession outside the hours of employment with the agency in a manner likely to adversely affect their usefulness as employees of the agency.
- F. Within the parameters established by this directive, officers are allowed to participate in secondary employment that is considered off-duty employment. Off-duty employment is that secondary employment that is not conditioned on the actual or potential use of law enforcement powers by off-duty officers.
- G. Officers are not allowed to participate in secondary employment that is considered **extra-duty employment**. *Extra duty employment is that secondary employment which is conditioned on the actual or potential use of law enforcement powers by officers.*
- H. Listed, but by no means all inclusive, are examples of restricted secondary employment positions which are prohibited;
 - 1. bouncer or "door man" at a bar;
 - 2. bail bondsman;
 - 3. private investigator;
 - 4. civil process service;
 - 5. debt collector;

6. vehicle repossess or;
 7. employment connected with any establishment in which the primary business is the dispensing of alcoholic beverages (on site or package goods), catered non-profit events are excepted;
 8. in a sales capacity if the employee divulges association with the UBPD in order to make a sale. (Members must avoid the appearance of coercion or favoritism toward purchaser);
 9. jobs that are conditioned on the actual or potential use of law enforcement powers conferred on employees as the result of employment by the UBPD;
 10. jobs where the employee's access to agency or other criminal justice system records, files, or information is a factor.
- I. The Captain may expressly forbid employees from secondary employment at specific locations or performing specific job tasks.

1.446.10 Authorization

- A. Agency employees must obtain written authorization from the Captain before engaging in secondary employment by submitting an administrative report (95), through the chain of command to the Captain.
- B. These requests will be staffed through the employees' immediate supervisor to the Captain and are to contain:
1. Names, addresses, and telephone numbers of proposed employers;
 2. Job titles and descriptions of duties to be performed; and
 3. Anticipated duration of employment.
- C. Staffing of requests at each level will be accomplished in a timely and expeditious manner.
1. Comments and recommendations are to be provided at each level of staffing.
- D. The Captain will approve or reject requests for secondary employment and notify requesting employees of the action in a timely and expeditious manner.
1. In the absence of the Captain, a named representative may act on his/her behalf.
 2. The approval or rejection of secondary employment by a "names representative" is contingent pending the Captain's action.
- E. Requests for secondary employment which are denied by the Captain will contain written explanations of the reasons for such denials.
- F. Approved requests for secondary employment will be valid for one year from dates of approval. Employees desiring continued secondary employment must resubmit requests to the Captain no later than 30 days prior to expiration of approved periods.
- G. Employees must resubmit secondary employment requests any time there are substantive changes in their secondary employment duties or responsibilities.
- H. Copies of secondary employment requests will be maintained in agency.
1. Completed originals will be placed in employees' personnel files.
 2. Employees submitting secondary employment requests will be given one copy of their completed requests.
 3. A copy of each completed secondary employment request will be maintained in the secure file cabinets. Expired requests may be purged and destroyed after three years.

1.446.20 Military Reserves and National Guard

- A. Employees who enlist or reenlist in the military reserves or National Guard will submit written notice through their chain of command to the Captain. This notice must contain the:
 - 1. Branch of the military involved;
 - 2. Length of commitment under contract;
 - 3. Proposed or new MOS, if applicable; and
 - 4. Probable yearly schedule and obligation of service.
 - 5. Submit copies of orders when required to serve on active duty or attend unscheduled training.
- B. Employees with approved military reserve or National Guard secondary employment must submit yearly notices (when not on active duty) for the duration of their enlistments to the Captain containing the:
 - 1. Branch of the military involved;
 - 2. Length of commitment under contract;
 - 3. Proposed or new MOS, if applicable; and
 - 4. Probable yearly schedule and obligation of service.
 - 5. Submit copies of orders when required to serve on active duty or attend unscheduled training.

1.446.30 Restrictions and Limitations

- A. Secondary employment authorization will be denied, prohibited, or withdrawn when they involve:
 - 1. Employees working during hours when they are employed to work for the agency except when working approved military reserve, active, or National Guard duty;
 - 2. Conduct inconsistent with the objectives, directives, ethics, or reputation of the agency;
 - 3. The creation of a real or potential conflict of interest; or
 - 4. Sick leave records or other evidence indicating that secondary employment might be, or is, impairing an employees' ability to perform UB duties, obligations, or responsibilities.
- B. UBPD police officers shall not use their police powers, jurisdictional authority, uniforms and/or any equipment (i.e. weapons, ammunition, OC spray, baton, etc.) granted by, from, through the UBPD while engaged in secondary employment.
- C. Members are not permitted to engage in any secondary employment while on sick leave.
- D. Employees will not engage in other employment, private business, or the conduct of a profession outside the hours of employment with this department in a manner likely to adversely affect their usefulness as employees of this agency.
- E. Employees will not engage in any private or public investigative activity as a secondary employment endeavor
- F. Use of any departmental files and/or records of the UBPD and/or any files and/or records from any other allied agency is prohibited, except in the lawful and approved pursuit of duties performed for and at the UBPD.
- G. Members attending court for arrests made while engaged in secondary employment shall use their own leave time if the court appearance is scheduled during the officer's shift. Employees are not entitled to receive overtime pay in connection with the court appearance. Nor are members to wear their UBPD uniform to attend court for any arrest made in connection with secondary employment.

- H. Members engaged in secondary employment shall adhere to all policies, procedures, rules, and regulations of the University and the UBPD.
- I. Employees engaging in secondary employment act as agents for their secondary employers. As such, liability protection, Worker's Compensation coverage, and other civil protections provided during the course of their normal employment may not be available to employees working secondary employment.
- J. Employees sustaining significant injuries during the course of their secondary employment must notify or cause to be notified the Lieutenant or Captain within 48 hours of the injury

1.446.40 Additional Responsibilities

- A. Members are responsible to ensure and guarantee that their secondary employment shall in no way conflict with their duties and responsibilities to the department.
- B. If it is determined that a member's duties and responsibilities to the department are being compromised, or otherwise adversely affected by the member's secondary employment, authorization for such employment may be denied or rescinded. Officers are permitted to participate in secondary employment that is considered off-duty employment.
- C. Off-duty employment is that secondary employment that is not conditioned on the actual or potential use of law enforcement powers by off-duty officers granted by, from or through the University of Baltimore Police Department (UBPD).
- D. An approved request for secondary employment will be valid for one (1) year. In order to simplify the renewal process, members desiring to continue an approved secondary employment job must submit renewal requests no later than the third week in January.
- E. Members must resubmit a secondary employment request any time there are substantive changes in their secondary employment.
- F. Members will work daily and cumulative hours of secondary employment in accordance with the following guidelines:
 - a. do not work more than twelve (12) collective hours in any 24 hour period.
 - b. during any one (1) working day, an employee having worked eight (8) hours with the UBPD shall not be engaged in secondary employment of more than four (4) hours.
 - c. any overtime hours worked with the UBPD shall be deducted on a one-to-one basis from hours permitted for secondary employment.
 - d. do not work more than 20 cumulative secondary employment hours during any one week period. However, during a week where the employee is off five (5) or more leave days, except sick leave, an employee may work approved secondary employment but shall not work more than 40 hours of secondary employment.

1.446.50 Suspension/Termination of Secondary Employment

- A. Supervisors may order emergency suspensions of employees' secondary employment.
 - 1. Suspending officers will detail circumstances leading to secondary employment suspensions on an agency 95 form.
- B. Police Officers having their secondary employment authorizations suspended have the right to administrative reviews.

1. On the first business day following suspensions;
- C. Non-sworn employees having their secondary employment authorizations suspended have the right to administrative reviews.