PBP FORM 290	PITTSBURGH BUREAU OF POLICE *"...accountability, integrity and respect."*	SUBJECT: "SECONDARY EMPLOYMENT"	ORDER NUMBER: 29-1
		PLEAC STANDARD: 1.7.1	PAGE 1 OF 14

ISSUE DATE:	EFFECTIVE DATE:	ANNUAL REVIEW DATE:	RESCINDS:	AMENDS:
7/29/15	7/29/15	JULY		NONE

1.0 POLICY OR PURPOSE

1.1 The purpose of this policy is to set forth guidelines to govern secondary employment by members of the Pittsburgh Bureau of Police.

1.2 It is the policy of the Pittsburgh Bureau of Police to permit members to engage in secondary employment within the guidelines set forth in this policy. These guidelines are intended to inform members of the types of secondary employment that are appropriate and to establish procedures to maintain accountability. These requirements are essential for the efficient operation of the Bureau of Police and for the protection of officers, the Bureau and the community.

2.0 DEFINITIONS

2.1 Secondary Employment – Any employment of a member by a private entity that is conditioned on the actual or potential use of law enforcement powers by the police officer employee.

2.2 Outside Employment – Any employment of a member by a private entity that will not require the use or potential use of law enforcement powers by the off-duty employee.

2.3 Secondary Employer - A private entity that employs a member conditioned on the actual or potential use of law enforcement powers by the police officer employee.

2.4 Coordinator - A currently employed Pittsburgh Bureau of Police Officer, with four (4) complete years of service, who has been designated by a Secondary Employer and approved by the Chief of Police to coordinate and assist in scheduling a secondary employment opportunity. Any reference to a "coordinator" in this policy is understood that the "coordinator" has been designated by the Secondary Employer and approved by the Chief of Police.

2.5 Senior Supervisor – Any management or non-management police officer with oversight responsibility for other officers, including commanders, assistant chiefs, the Chief and other officers with similar responsibilities.

2.6 Seniority Based – This feature of the computer system will award secondary employment opportunities in a rotating seniority basis. Seniority based jobs are those secondary employment details that are generally posted the first of the preceding month of the secondary employment opportunity and generally filled on the fifteenth of the preceding month of the secondary employment opportunity. (Example: February seniority based jobs are posted on January 1st and filled on January 15th.)

2.7 Short Bids – Additional job requests received, after the typical bid posting on the first of the month and at least 96 hours prior to the start of the detail for secondary employment opportunities that would be seniority based will be posted on the "Short Bid" feature of the computer system and will award secondary employment opportunities 72 hours before the start of the detail in a rotating seniority basis.

2.8 "My Agency's Open Jobs" – Secondary employment opportunities that are awarded on a first-come, first-serve basis. These are jobs that need to be scheduled as soon as possible and the deadline for the seniority based job posting has passed.

2.9 Rotating Seniority - secondary employment opportunities awarded by following a list which begins with the most senior officer eligible to work secondary employment and ends with the least senior officer eligible to work secondary employment. As each employment opportunity is filled, the next opportunity will be awarded to the *next* most senior employee. Opportunities will not be filled on a "straight" seniority system, or one that requires the City to return to the

most senior officer each time an opportunity is presented. A new seniority cycle begins every three months starting on January 1 (i.e. January, April, July, and October).

2.10 Detail - The secondary employment opportunity. The word "detail" is interchangeable with the phrase "secondary employment opportunity."

2.11 Preference List - A list of officers specifically requested by the secondary employer to work a specific secondary employment opportunity. The secondary employer must submit the request for specific officers in writing to the Special Events and Cost Recovery Office.

2.12 Special Hauling Permit – This is any permit issued by the Commonwealth, County, or City that is required prior to being allowed to haul any non-standard cargo or operate any non-standard vehicle on the roadways with-in the City of Pittsburgh.

2.13 Special Events Coordinating Office Normal Business Hours – Monday through Friday from 0800-1630 hours, excluding holidays.

2.14 Cost Recovery Fee – A per officer per hour fee (at the rate of 10% of time and a half of the PO4 wage) that is charged to all secondary employers, that elect to hire off duty Pittsburgh Police Officers.

2.15 Cover Your Assets (CYA)- A contracted company that provides a secure website allowing Secondary Employment opportunities to be scheduled, bid on, posted, and selected.

See also General Order 66-3 CALL SIGNS, Section 10.0

3.0 AUTHORITY

3.1 The Chief of Police or his/her designee shall have the authority to approve or disapprove the secondary employment of any member of the Bureau of Police.

3.1.1 All PBP officers working secondary employment shall be in full uniform. Only the Chief of Police or his/her designee may authorize a plainclothes detail.

3.2 The police uniform is the property of the City of Pittsburgh, and as such, the Chief of Police or his/her designee may deny permission to wear such uniform in any off-duty capacity or for the purpose of secondary employment.

3.2.1 No officer is permitted to wear the police uniform for secondary employment unless the secondary employment opportunity is approved by the Chief of Police or his/her designee and logged with CYA.

3.2.2 Members will abide by all general uniform regulations prescribed by the Bureau of Police. At no time while engaged in secondary employment will a member of the Bureau of Police wear only part of Pittsburgh Bureau of Police uniform or any informal uniform attire.

3.3 The Chief of Police or his/her designee may regulate the type of employment and the hours a member may work.

3.4 CYA will schedule **all** of the secondary employment opportunities where the member will wear the police uniform or in plainclothes when the detail involves the actual or potential use of law enforcement powers.

3.5 The Planning supervisor has the authority to oversee adherence to this policy.

4.0 ACCOUNTABILITY

4.1 Members will conduct themselves as though they were on-duty, and will be subject to all departmental rules, regulations, policies and procedures set forth by the Pittsburgh Bureau of Police while engaged in a secondary employment capacity.

5.0 ELIGIBILITY

5.1 In order to be eligible for approval to engage in secondary employment, as a detail officer or a coordinator, a police officer must be in good standing with the Pittsburgh Bureau of Police. Continued annual approval of secondary employment is contingent upon such good standing.

5.2 No member will be approved for secondary employment, as a detail officer or a coordinator:

5.2.1 If member has a history of other non-job related absenteeism

5.2.2 If member has a pattern of violations of this policy

5.2.3 If any disciplinary actions are sustained.

5.3 All members of the Bureau of Police in good standing are eligible to engage in secondary employment, as a detail officer coordinator, except for the following:

5.3.1 Any officer who has less than (18) eighteen months from date of hire with the Pittsburgh Bureau of Police. Effective with recruit class BR-13-01 (date of hire: 04/01/2013).

5.3.2 Any officer who is on suspension, sick leave, X-leave, administrative leave, compensation, absence without permission, a limited duty assignment, maternity duty, catastrophic leave, military leave, Family and Medical Leave Act, any type of leave resulting from an off-duty injury or who is temporarily assigned to administrative duties due to possible criminal charges or pending investigation of a PBP policy infraction.

5.3.3 Any officer whose Secondary Employment privileges have been disapproved.

5.3.4 Any officer who is not currently employed with the Pittsburgh Bureau of Police.

5.3.5 Any officer who has been suspended from working secondary employment.

5.3.6 Any officer who is currently under a Protection from Abuse Order with firearms restrictions.

5.4 Upon approval of an officer's ability to work "Secondary Employment "officers will be authorized to work the following maximum number of hours per work week, which will commensurate with number of years an officer has been employed with the Pittsburgh Bureau of Police:

5.4.1 Officers will be eligible to work a maximum of 16 hours per week in secondary employment opportunities after (18) eighteen months from date of hire with the Pittsburgh Bureau of Police, until they have completed three (3) years of service. Effective with recruit class BR-13-01 (date of hire: 04/01/2013).

5.4.1.1 Effective with basic recruit class BR-14-01 (date of hire 3/17/14), Officers will be eligible to work a maximum of 16 hours per week in specific types of secondary employment opportunities after (12) twelve months from date of hire with the Pittsburgh Bureau of Police, until they have completed (18) months of service. These secondary employment opportunities include only special event and traffic details. Officers are not permitted to work any other types of secondary employment opportunities, until the completion of (18) eighteen months of service.

5.4.2 Officers will be eligible to work a maximum of 24 hours per week in secondary employment opportunities from three (3) to four (4) years of completed service.

5.4.3 Officers are eligible to work the maximum of 32 hours per week in secondary employment opportunities upon completion of four (4) years of service.

6.0 PRIMARY DUTY

6.1 All members engaged in secondary or outside employment must recognize that their primary duty, obligation and responsibilities are to the Pittsburgh Bureau of Police.

6.2 Members are subject to call at all times for emergencies, special assignments or extra duty, and no secondary or outside employment may infringe on these obligations, unless otherwise noted as a priority detail on the job description of the secondary employment opportunity posted on CYA.

6.3 No member shall hold more than one compensated position in the City government, and no compensated city employee shall hold a compensated position in any other government except as follows:

6.3.1 Member of Military Reserve or PA National Guard; and or

6.3.2 Member or employee of a Pension Board (Section 707, Home Rule Charter)

7.0 SECONDARY EMPLOYER OBLIGATIONS AND OPTIONS

7.1 The Secondary Employer must complete and submit a PBP Form #219.10, "Secondary Employment Application Agreement."

7.2 The "Secondary Employment Application Agreement" is reviewed, approved or disapproved by the Chief of Police or his/her designee.

7.3 Approved applicants are notified in writing of the approval of their "Secondary Employment Application Agreement." Obligations and options are also presented.

7.4 There shall be a standardized pay rate of no less than one and a half times the hourly rate of a PO4 working any detail.

7.4.1 Supervisors are the exception to this regulation. A Sergeant or Lieutenant may apply for and work at one and a half times the PO4 rate.

7.5 The Secondary employer will be billed for the officer(s) time, administrative fee and any other fees by CYA. The Secondary Employer will make payment of the invoice to the City Treasurer, Pittsburgh Department of Finance. **Officers shall not be paid directly by the employer, whether by cash or check or compensated in any manner**.

FAILURE BY A SECONDARY EMPLOYER TO COMPLY WITH THIS REQUIREMENT WILL RESULT IN THE IMMEDIATE SUSPENSION AND/OR TERMINATION OF ANY AND ALL SECONDARY EMPLOYMENT PROVIDED TO APPLICANT AND THE DENIAL OF ANY FUTURE APPLICATIONS.

7.6 Secondary employers have two options when scheduling officers for a detail.

7.6.1 **Option 1**-The secondary employer can schedule officers by utilizing the services of CYA.

7.6.1.1 The CYA system will list the detail on the Secondary Employment web site and all qualified Pittsburgh Bureau of Police officers will have opportunity to bid on the detail. The detail will be assigned based on a rotating seniority basis.

7.6.1.2 The Secondary Employer will be billed for the officer(s) hourly rate and cost recovery at the end of each month. The Cost Recovery Fee ("CRF") is 10% of the time and a half rate of PO4 per hour/per officer. Failure to pay this bill within thirty (30) days of receipt may result in the revocation of the secondary employer's approved status.

7.6.1.3 All details must be paid through the Pittsburgh Bureau of Police payroll system. A Secondary Employer may not directly pay an officer via cash, check, or any other means. In addition, the Secondary Employer may not pay an officer through a third party.

7.6.1.4 All Secondary Employers subject to special events or traffic obstruction permits or vehicle escorts special hauling permits are required to use this option.

7.6.2 **Option 2**- An approved Secondary Employer may request to designate an active PBP officer to coordinate details

7.6.2.1 The secondary employer will complete and submit a PBP Form #219.20, "Secondary Employer's Optional Designation of a Pittsburgh Police Officer to Coordinate and Assist in Scheduling Details"

Form and a PBP Form #219.30, "Secondary Employer's Optional Police Officer Preference Request" Form.

7.6.2.2 Coordinator must be in compliance with the rules and regulations of secondary employment. If a coordinator is denied the opportunity the contractual grievance procedure will be followed.

7.6.2.3 <u>Any coordinator shall not be employed by, own and/or have any pecuniary interest with any business entity engaged as a Secondary Employer for PBP personnel or be compensated in any manner for coordinating services.</u>

7.6.2.4 If an officer scheduled to work the detail is unable to work the detail he or she must cancel the detail and notify the coordinator. The coordinator will be responsible for filling the detail or notifying the vendor that there will be no police presence.

7.6.2.5 The Secondary Employer will be billed for the officer(s) hourly rate, administrative fee and any other fees by CYA. The Secondary Employer will make payment of the invoice to the City Treasurer, Pittsburgh Department of Finance. The secondary employer will be billed at the end of each month. The coordinators **shall not be paid directly by the employer, whether by cash or check or be compensated in any manner.** Failure to pay the Cost Recovery Fee within thirty (30) days of receipt may result in the revocation of the secondary employer's approved status.

FAILURE BY A SECONDARY EMPLOYER TO COMPLY WITH THIS REQUIREMENT WILL RESULT IN THE IMMEDIATE SUSPENSION AND/OR TERMINATION OF ANY AND ALL SECONDARY EMPLOYMENT PROVIDED TO APPLICANT AND THE DENIAL OF ANY FUTURE APPLICATIONS.

8.0 <u>SECONDARY EMPLOYMENT SCHEDULED BY THE CYA</u> <u>(OPTION 1)</u>

8.1 An officer who has been approved to work voluntary secondary employment details may pursue the opportunity by registering on the approved secondary employment scheduling system website at: [redacted]

8.1.1 **<u>It is the responsibility of each individual officer to have a full and complete understanding of the CYA system.</u>**

8.1.1.1 Training regarding the CYA system is available by contacting the Special Events Coordinating Office, Monday-Friday between 0800-1630 Hours, except on holidays.

8.1.2 All police officers requesting to work secondary employment details must provide CYA with a valid telephone number where he or she can be reached at all times.

8.1.3 Officers shall maintain and update their secondary employment profiles, should there be any change (phone number, assignment, address, etc.).

8.2 Voluntary secondary employment will be published through the [redacted] website. Accessing this website can be done from any computer or device with Internet access.

8.2.1 Once an officer accesses this website, he/she will be required to login and provide a password. Each authorized individual will be responsible for his or her private password and at no time shall this be divulged or disclosed to any other individual. *(Refer to G.O. #68.1, Section 2.3, Electronic Communication/Computer Network Policy.)*

8.2.2 All Secondary Employment opportunities under this section can be found at the "My Agency's Open Jobs", "Short Bids" or "Seniority-Based" features of the CYA system.

8.3 **Generally,** seniority based secondary employment opportunities are posted the first of the preceding month of the secondary employment opportunity and generally filled on the fifteenth of the preceding month of the secondary employment opportunity. (Example.: February seniority based jobs are posted on January 1st and filled on January 15th.)
. **Generally**, all postings will remain open for "bidding" for fourteen (14) days. Each posting will reflect:

8.3.1 The identity of the secondary employer(s).

8.3.2 The nature of the position(s) posted.
8.3.3 The location of each employment opportunity.
8.3.4 The date(s) of each employment opportunity.
8.3.5 The start time(s) of each employment opportunity.
8.3.6 Approximate end time(s) for each employment opportunity.
8.3.7 The number of personnel requested by each secondary employer.
8.3.8 Contact number for event holder.
8.3.9 Any specific instructions or conditions for each employment opportunity.

8.4 Ending times for events are approximate, and may vary depending on the nature of the detail.

8.5 After the deadline for volunteering for secondary employment opportunities, all bids will be organized in order of seniority and will be awarded on a rotating seniority system.

8.6 Secondary employment opportunity bids for Motorcycles, River Rescue, Bicycles, K-9, EOD, Sergeants and Lieutenants positions will be posted on the [redacted] website and will be bid separately.

8.7 **Generally**, officers will be notified of all approved bid awards **on the (15th) fifteenth of each month**, by the secondary employment opportunity being on their schedule listed on CYA.

8.8 If certain positions are not filled through the first posting and bid cycle, the Secondary employment opportunities will be posted on the **"My Agency's Open Jobs"** feature of the computer system.

8.9 Additional requests received, prior to the typical bid awards on the (15th) fifteenth of each month, for secondary employment opportunities that would be seniority based **will be posted upon receipt and filled with that corresponding month's seniority based jobs.**

8.10 Additional requests received, after the typical bid awards on the (15th) fifteenth of each month, for secondary employment opportunities that would be seniority based will be posted on the **"Short Bid"** feature of the computer system.

8.11 Once an officer submits a request to work, he or she is required to check the "**My Schedule**" feature of the computer system after the deadline to submit requests has expired, to see if he/she were awarded the secondary employment opportunity.

8.11.1 If the officer does not have access to a computer, he/she can call CYA during business hours at [redacted] to check the status of Secondary employment bids.

8.12 All officers scheduled to work a secondary employment opportunity are required to check the "**My Schedule"** feature of the computer system twenty-four (24) hours prior to the start of their secondary employment opportunity to see if has been cancelled.

8.12.1 If the secondary employment opportunity is cancelled **within** twenty-four (24) hours of the start of the assignment ,CYA will call to notify the officer at the phone numbers listed in his or her profile.

8.12.2 If the secondary employment opportunity is cancelled more than 24 hours prior to the job, notification may be in the form of an e-mail message, a phone call, a phone message, or the deletion of the detail from the officer's schedule on the CYA system.

8.13 All officers who report to a secondary employment opportunity scheduled through CYA where the detail has been cancelled or postponed upon arrival, and the officer was not previously notified, shall be entitled to the full detail hours of pay.

8.13.1 If the detail is cancelled and an officer is notified within less than one hour of the scheduled start time of his/her shift, the officer shall be entitled to two (2) hours of pay at the posted detail rate.

8.13.2 If an officer works a portion of the scheduled shift and is released early by the hiring company, he/she shall receive pay for the entire shift scheduled at the posted detail rate.

8.14 Once an officer completes a secondary employment opportunity, he/she must close out the job and enter the correct hours in which he/she worked no later than the following Monday at 0800 hours. This is to ensure the officer is paid for that job during the appropriate pay period and for cost recovery purposes. If the officer is unable to close out his/her job within this time frame, then he/she must call the CYA at [redacted] and request that the job be closed out. The officer must include the name, date and times of the secondary employment opportunity in the message.

8.15 Cancellation of seniority-based secondary employment opportunities scheduled by CYA:

8.15.1 If an officer is awarded a secondary employment opportunity and needs to **cancel the job, he/she shall hit the "cancel" button next to the job listed on their schedule. The detail will be posted to eligible jobs. If no other Officer "takes" the job then the Officer who was awarded the detail originally is responsible for working**.

8.15.2 Once an officer has been awarded a secondary employment opportunity by "Seniority-Based"," Short Bids" or "My Agency's Open Jobs", it is **final**. No officer can bid on or change his or her schedule to work a different secondary employment opportunity during that same time period.

8.15.3 Emergency cancellations of assigned secondary employment opportunities scheduled by the CYA will be accepted for emergencies, including but not limited to: hospitalization of the officer, the officer's spouse or child, injury to the officer in which he/she would not be able to report for his/her regular tour of duty, death in the officer's family, or mandatory overtime at the officer's duty location.

8.15.3.1 The Planning supervisor may request proof of such emergencies.

8.15.3.2 To cancel a secondary employment opportunity due to an emergency or mandatory forced overtime, the officer must call CYA at 412-200-5220.

8.15.3.3 The officer who needs to cancel due to an emergency or mandatory forced overtime must give as much notice as possible to CYA.

8.16 The City of Pittsburgh will honor all requests from secondary employers prohibiting specific officers from working secondary employment opportunities. The secondary employer must submit this request in writing to the Chief of Police.

9.0 SECONDARY EMPLOYMENT SCHEDULED BY AN APPROVED DESIGNATED COORDINATOR (OPTION 2)

9.0 All secondary employment scheduled outside of CYA must be approved by the Chief of Police or his/her designee and recorded with the CYA.

9.1 An approved secondary employer may request a specific, currently employed PBP officer to coordinate and assist in scheduling a secondary employment opportunity detail. The coordinator will schedule the detail through CYA.

9.1.1 Coordinators shall have four (4) completed years of service with the Pittsburgh Bureau of Police.

9.1.2 This request shall be documented on PBP Form #219.2 "Secondary Employer's Optional Designation of a Pittsburgh Police Officer to Coordinate and Assist in Scheduling Details." The Chief of Police or his/her designee must approve all coordinator requests.

9.1.3 The City of Pittsburgh will also honor all requests from secondary employers prohibiting specific officers from scheduling secondary employment opportunities for that Secondary employer. The secondary employer must submit this request in writing to the Chief of Police or his/her designee.

9.1.4 A list of approved coordinators is on file with CYA.

9.2 Subject to the officer's eligibility status, the City shall honor a written request from a secondary employer, with regard to which officer/officers will be assigned to a particular detail.

9.2.1 This request shall be documented on PBP Form #219.3 "Secondary Employer's Optional Police Officer Preference Request."

9.2.2 Any such request will be subject to the Secondary Employer meeting the qualifications established by the Pittsburgh Bureau of Police and the officer/officers involved being in compliance with this policy.

9.2.3 The City of Pittsburgh will also honor all requests from secondary employers prohibiting specific officers from working secondary employment opportunities. The secondary employer must submit this request in writing to the Chief of Police.

9.2.4 If an approved designated coordinator exhausts the preference list provided by the Secondary Employer, then the scheduler/coordinator must notify CYA 72 hours prior to the start of the job, and the job will be posted under "My Agency Open Jobs" feature of the computer system for all eligible officers to work.

9.3 Coordinators must report the names of all officers who fail to report or who arrive late to a scheduled detail, **in writing** to the Planning supervisor.

9.4 All scheduling and cancellation of details **that utilize a designated coordinator** are the responsibility of the designated scheduler/coordinator.

9.4.1 Secondary employers who hire outside of CYA shall be directed to contact the designated scheduler/coordinator for that event, **not** CYA.

9.4.2 All approved coordinators must be available to the secondary employer throughout the course of the secondary employment opportunity to address any scheduling concerns.

9.4.3 Coordinators must schedule officers for the correct number of hours' works. Any attempt by coordinators to hide income for officers by under-reporting hours worked may result in criminal charges or civil fines. Scheduler/coordinators must schedule officers for the correct hourly rate and number of hours worked. Any attempt by coordinators to hide income for officers by under-reporting hours worked or listing the incorrect hourly rate, may result in criminal charges or civil fines.

9.5 Once an officer completes a secondary employment opportunity, he/she must close out the job and enter the correct hours in which he/she worked by the following Monday at 0800 hours. This is for cost recovery purposes. If the officer is unable to close out their job within this time frame, then they must call CYA at [redacted] and request their job be closed out. Officers must include the name, date and times of the secondary employment opportunity in the message.

10.0 SECONDARY EMPLOYMENT APPROVAL NOTIFICATION/LOG/SUPERVISION

10.1 **Secondary Employment Approval** Secondary Employment approval will be conducted annually during performance evaluations. The initial reviewing supervisor will approve or deny secondary employment privileges with supporting arguments as necessary, and forward it to the Commander. The Commander will review the performance evaluation and concur or non-concur with the secondary employment privileges, with supporting arguments as necessary.

10.1.1 The chief of police shall have final authority to grant or deny the off duty employment request.

10.1.2 All officers of the Pittsburgh Bureau of Police in good standing are eligible to engage in secondary employment, as a detail officer or a coordinator, except for the following:

10.1.2.1 Any officer who has less than (18) eighteen months from date of hire with the Pittsburgh Bureau of Police. Effective with recruit class BR-13-01 (date of hire: 04/01/2013).

10.1.2.2 Any officer who is on suspension, sick leave, X-leave, administrative leave, compensation, absence without permission, a limited duty assignment, maternity duty, catastrophic leave, military leave, Family and Medical Leave Act, any type of leave resulting from an off-duty injury or who is temporarily assigned to administrative duties due to possible criminal charges or pending investigation of a PBP policy infraction.

10.1.2.3 Any officer who's "Secondary Employment Application" has been disapproved.

10.1.2.4 Any officer who is not currently employed with the Pittsburgh Bureau of Police.

10.1.2.5 Any officer who has been suspended from working secondary employment.

10.1.2.6 Any officer who is currently under a Protection from Abuse Order with firearms restrictions.

10.1.2.7 Any Officer who has a consistent poor work performance.

10.1.4 If an officer's secondary employment privileges have been suspended or revoked, the Chief or his/her designee will send a memo to CYA stating that the officer's secondary employment privileges have been suspended or revoked.

10.1.5 If the officer's secondary employment privileges are subsequently reinstated, the Chief or his/her designee will send a memo CYA to include the reinstatement date.

10.2 **Secondary Employment Log** – Any time an officer works a secondary employment opportunity that does not have a supervisor, he/she will be required to phone the Zone Duty Location where the secondary employment will be worked.

See General Order 66-3 CALL SIGNS, Section 10.0 for more guidance

10.2.1 The officer shall advise the Desk Officer/Sergeant who answers the call as to the following:

10.2.1.1 Name/assigned number of the officer working the secondary employment opportunity.

10.2.1.2 Location of the secondary employment opportunity.

10.2.1.3 Hours the secondary employment opportunity is to be worked.

10.2.1.4 The name of the coordinating officer or CYA.

10.2.2 The Desk Officer/Sergeant will be responsible for logging this information on PBP Form #300.1 "Secondary Employment Detail Log" which shall be kept electronically in the appropriate zone's "I" drive folder .

11.3.2.1 Log sheets are to be saved by the appropriate date in the "I" drive.

10.2.3 Additionally, the Desk Officer/Sergeant will enter his/her name and assigned number and date/time the call was received in the appropriate block on the Secondary Employment Detail Log.

10.2.4 A new log shall be made commencing with the start of the AM shift each day.

10.2.5 The Desk Officer/Sergeant shall be responsible for faxing a copy of the log to the EOC at the start of each shift.

10.2.6 The Night Turn Desk Officer/Sergeant will be responsible for forwarding the daily electronic log to the mail to: [redacted]

10.2.7 Zone Commanders are to ensure their clerks are entering information from the secondary employment log into the OMS database. (*Refer to ACA #11-030, dated 2/11/2011*)

10.3 On duty supervisors shall conduct checks of the officers working Secondary Employment within their Zones.

11.0 SECONDARY EMPLOYMENT ARRESTS/COURT PAY

11.1 The member working the secondary employment opportunity is responsible for handling the initial reports for incidents that occur at the detail location and for summoning the zone or investigative units to assist or follow-up on serious incidents.

11.2 If an arrest is made by a member working a secondary employment opportunity that is directly related to that secondary employment opportunity, the officer working the secondary employment opportunity will handle the arrest and testify as required in any subsequent court case, and **shall not turn it over** to another officer to handle.

11.3 The officer will mark "Off-Duty" in the assignment block of all reports/court kiosk screens related to such arrests.

11.4 Central Records and Report Unit (CRRU) personnel will question the officer if there is any doubt as to the officer's work status.

11.5 When an arrest is made during an approved secondary employment opportunity, the officer will be compensated for any overtime incurred to process arrest (after scheduled detail concludes) and court appearance in his/her paycheck.

11.6 When appearing in court for an arrest in connection with an approved secondary employment opportunity, officers must check in and check out of the courts by utilizing the court kiosks.

11.7 All court appearances resulting from secondary employment opportunities are to be paid by the City at the three (3) hour minimum as stated in the Collective Bargaining Agreement.

12.0 SECONDARY EMPLOYMENT LIMITATIONS

12.1 Secondary employment shall be limited to a reasonable number of hours per workweek, not to exceed 16 hours per day in combination with the officer's scheduled tour of duty or the permissible number of hours per week, which is outlined in Section 5.4. A workweek runs from Monday-Sunday.

12.1.1 No requests will be submitted or approved to engage in secondary employment beyond the permissible number of hours limited per work week.

12.1.2 Work hours for all secondary employment must be scheduled in a manner that will not exceed the permissible limit.

12.2 Work hours for all secondary employment opportunities must be scheduled in a manner that will not conflict or interfere with a police officer's performance of his/her primary duty as a member of the Pittsburgh Bureau of Police.

12.3 A member may not work a secondary employment opportunity where it appears that the secondary employment might impair his/her ability to discharge his/her obligation to the Bureau of Police.

12.4 Police officers **may not engage in secondary employment** that is conditioned on the actual or **potential use of law enforcement powers outside of the limits of the City of Pittsburgh**, either in uniform or in plainclothes.

12.5 An officer may engage in secondary employment opportunities at establishments whose primary purpose is the selling and dispensing of alcoholic beverages under the following provisions:

12.5.1 Officers shall be in full uniform.

12.5.2 Officers are not permitted to work inside the establishment, but may respond inside to handle any disturbances, crimes, etc., occurring in the establishment.

12.5.3 Officers are not permitted to "card" patrons.

12.5.4 Officers may not search patrons prior to entry into the establishment. (This provision also prohibits the use of hand-held metal detectors for the purpose of scanning or searching customers for weapons.)

12.5.5 Officers must ensure that the establishment is adhering to the posted occupancy limitations.

12.6 Officers may not work secondary employment at any location that may tend to bring the Bureau of Police into disrepute. or that may reduce the efficiency or usefulness of the officer as a member of the Bureau of Police. Some examples of employment that present a threat to the status or dignity of the Bureau of Police include, but are not limited to:

12.6.1 Establishments that sell pornographic books, magazines, sexual devices, or videos that otherwise provide entertainment or services of a sexual nature.

12.6.2 Any gambling establishment not exempted by law.

12.7 Officers are prohibited from actively soliciting Secondary Employment from any business. Businesses shall directly contact the Pittsburgh Bureau of Police when seeking officers for Secondary Employment.

13.0 SECONDARY EMPLOYMENT DISCIPLINE AND REVOCATION (PLEAC Standard 1.7.1)

13.1 **Secondary Employment Revocation-** [redacted] Any sworn member who is denied Secondary Employment privileges may appeal any such decision by means of the contractual grievance-arbitration procedure (*Working Agreement between the City of Pittsburgh and the Fraternal Order of Police Fort Pitt Lodge No. 1,* page 140).

13.1.1 Upon the annual completion of performance evaluations, respective Commanders may make the recommendation to approve, approve with restrictions, or disapprove secondary employment privileges, which is ultimately determined by the Chief of Police or his/her designee.

13.1.2 [redacted]

13.1.2.1 [redacted]

13.1.3 [redacted]

13.1.4 [redacted]

13.2 Violations of Secondary Employment Policy

13.2.1 It is the duty of CYA to review the number of hours worked by an individual officer on a weekly basis and notify the Planning supervisor if any officers worked in excess of the permissible number of hours. [redacted]

13.2.2 [redacted]

13.2.3 [redacted]

14.0 OUTSIDE EMPLOYMENT

14.1 Employees may engage in off-duty outside employment that will not require the use or potential use of law enforcement powers by the off-duty employee as long as the following requirements are met:

14.1.1 The employment is of a non-police nature in which police powers are not a condition of employment and the work provides no real or implied law enforcement service to the employer.

14.1.2 The employment is not performed during assigned hours of duty.

14.1.3 The employment presents no potential conflict of interest between primary duty as a police officer and the duties required by the outside employer. Some examples of employment representing a conflict of interest include, but are not limited to:

14.1.3.1 Process server, re-possessors, bill collector, tow truck operator or any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.

14.1.3.2 As an investigator for a private sector agency or any employment which might require the police officer to have access to police information, files, records or services as a condition of employment.

14.1.3.3 For a business or labor group that is on strike.

14.1.4 The employment does not constitute a threat to the status or dignity of the police as a professional occupation. Some examples of employment that present a threat to the status or dignity of the police profession include, but are not limited to:

14.1.4.1 Establishments that sell pornographic books, magazines, sexual devices or videos or that otherwise provide entertainment or services of a sexual nature.

14.1.4.2 Any gaming establishment not exempted by law.

14.1.3.4 Any private security company

15.0 GENERAL RULES, REGULATIONS & GUIDELINES

15.1 If a police officer is in compliance with these requirements regarding secondary employment, the City will consider any injury or illness that the police officer suffers while so engaged in secondary employment to be the same as if actively employed on behalf of the Bureau. That is, if otherwise qualified, the police officer will be entitled to Heart and Lung or Worker's Compensation Benefits under the law. (*Refer to the Fraternal Order of Police, Fort Pitt Lodge No. 1 and City of Pittsburgh Act 111 Interest Arbitration Award, Case No. 55 630 L 00341 04, Supplemental Award and Grievance Awards)*

15.2 If an officer works a portion of a scheduled shift and is released early by the hiring company, he/she shall receive pay for the entire shift scheduled at the posted detail rate.

15.3 If an officer works a portion of a scheduled shift because of late arrival or leaving the detail earlier for any other reason than being released by hiring company, the officer is only entitled to be paid for the actual time worked at the posted detail rate.

15.4 Officers scheduled to work secondary employment opportunities shall report to the secondary employment opportunity at the designated starting time.

15.5 Upon reporting to a secondary employment opportunity location, if the officer cannot locate the employer, the officer shall:

15.5.1 Call the employer's contact person listed on the CYA detail page or the designated coordinator).

15.5.2 Immediately call CYA at [redacted] which provides 24 hour coverage.

15.6 Officers working secondary employment details will not enforce business rules or directions of the Secondary Employer.

15.7 Officers are prohibited from utilizing any police vehicle for secondary employment opportunities unless specifically authorized by CYA. When using any police vehicle for secondary employment officers are to clean the vehicle on the inside, check all equipment and replace equipment, when necessary; no vehicle shall be returned with less than half a tank of fuel when returned to the pickup location.

15.7.1 While using a police vehicle to report to and return from a secondary employment opportunity, officers must be wearing a City of Pittsburgh police uniform.

15.7.2 Any officer or supervisor who uses a police vehicle, marked or unmarked, for a secondary employment detail, must complete a PBP Form #1.1, "City of Pittsburgh Police Uniform Daily Activity Report." All blocks must be completed, including the vehicle condition and equipment inventory. The completed form shall be left at the duty location from which the vehicle was assigned.

15.7.3 The start time for a detail is when the officer is to arrive at his or her post, NOT when he or she picks up a police vehicle. The vehicle must be procured prior to the detail start time

15.8 When working a traffic detail that requires officers to operate a traffic light or direct traffic, officers will not sit in their personal vehicle, police vehicle, or on a chair, stool, steps, etc., unless directed to do so by a police supervisor or the job foreman.

15.8.1 Officers must be dressed in full uniform and wearing either a green traffic vest, green raincoat, or the issued police jacket with the reflective markings displayed.

15.9 All personnel will report directly to the designated location of their assigned post, unless directed otherwise, for roll call purposes. Personnel should use the call sign of the venue where they are located.

15.9.1 Officers shall obtain this call sign from the Zone desks and/or the Command Post/Supervisor working the event. All personnel should utilize the designated Police channel for the Zone they are working in or use the designated police channel for that event.

15.10 All personnel are to legally park their personal vehicles on any city street (example, not on a sidewalk). No officer shall park his/her personal vehicle on private property, unless given permission from the private property owner.

15.11 If at any time, a member has a problem at any secondary employment opportunity location, the officer is to notify the Event Supervisor for assistance.

15.11.1 If he/she cannot resolve your problem, they will contact CYA who will contact the Duty Commander or the designated coordinator, if not scheduled through CYA, for final disposition.

15.11.2 If no supervisor is assigned to your particular secondary employment opportunity, contact CYA who will contact the Duty Commander. **Do not confront** personnel at the various venues in an adversarial manner, but defer your problem(s) to the appropriate Supervisor or CYA.

15.11.3 If you have an emergency and need to speak to someone about the secondary employment opportunity contact the Duty Commander through the EOC.

15.11.3.1 The Duty Commander must document all calls received related to secondary employment issues on their daily recap report.

15.12 Officers must remain on location until one of the following four conditions are met all patrons leave the premises, the scheduled detail hours are completed, released by a Pittsburgh Police supervisor at the event, or released by the scheduling venue supervisor.

15.13 Officers awarded any secondary employment opportunity will work the secondary employment opportunity assigned to them.

15.14 Officers are not permitted to accept secondary employment opportunities with the intention of giving it to another officer to work.

15.15 Officers are not permitted to leave a detail unless they can find a replacement or if subjected to a call out for a special unit, they must notify CYA. If the CYA is not open, then officers should notify the EOC via radio.

15.16 All members who wish to work or schedule secondary employment opportunities shall adhere to the Bureau of Police Manual of Procedural Orders at all times while working secondary employment opportunities.

15.17 Late arrival, failure to appear, and unexcused call-offs are examples of actions subject to the suspension of secondary employment privileges and possible disciplinary action.

15.18 Scheduler/coordinators who do not adhere to this policy shall be subject to the suspension of secondary employment scheduling authorization and possible disciplinary action.

15.19 With the approval by the Chief of Police or his/her designee, officers may voluntarily work details and not be compensated i.e. for non-profit or community events.

Approved By:

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Cameron McLay
Chief of Police