



POLICE DEPARTMENT

**SECONDARY
EMPLOYMENT**

**PERSONNEL
PROCEDURE #313**

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard Jr.
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Table of Contents

POLICY STATEMENT 1

WHO IS GOVERNED BY THIS POLICY 1

PURPOSE 1

DEFINITIONS 2

POLICY 2

PROCEDURES 2

POLICY ENFORCEMENT 6

RELATED RESOURCES 6

CONTACTS 6

Policy Statement

It shall be the policy of the Johns Hopkins Police Department (JHPD) that all officers, in compliance with MD Code, Public Safety, § 3-110, along with other members of the JHPD, have the ability to work secondary employment with the approval of the Chief of Police, subject to reasonable rules and regulations intended to protect the reputation of the JHPD and Johns Hopkins and to ensure the health and safety of JHPD members and the Johns Hopkins community they serve.

Who Is Governed by This Policy

This Directive governs all bureaus, sections, and their members, including sworn, nonsworn, and contractual or voluntary persons in service with JHPD.

Purpose

The purpose of this Directive is to establish guidelines governing secondary employment performed by members of the JHPD.

Definitions

Employment:	Any work, occupation, labor, or profession that results in pay to the members or volunteer work.
Extra-Duty Employment:	Any secondary employment where the actual or potential use of law enforcement powers is anticipated or reasonably foreseeable. This does not include any overtime opportunities, including uniform overtime for special events.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Secondary Employment:	Any employment not for the JHPD. For purposes of this Directive, secondary employment does not include service as a member of an armed forces reserve component or National Guard unit, or reserve, guard, or prior service personnel recalled to active duty for a period of deployment.
Security-Related Secondary Employment:	Any employment for the express purpose of protecting the proprietary interests of the employer.

Policy

The primary employment duty, obligation, and responsibility of members of the JHPD is to the JHPD and to the community it serves. As certified police officers in the state of Maryland, JHPD officers' activities in the community, both on-duty and off-duty, must always be consistent with their obligations as JHPD officers. Moreover, the nature of law enforcement work, with its considerable mental and physical demands, requires the close monitoring of secondary employment issues as related to the performance of duty. It is imperative that members engaged in secondary employment can perform all tasks and provide professional police services to the Johns Hopkins community, and that the needs of the JHPD and the Johns Hopkins community come first.

This Directive is designed to govern JHPD members' secondary employment and protect Johns Hopkins and the members of the JHPD from any liability issues arising from engaging in secondary employment opportunities. Members shall not engage in any secondary employment without the written permission of the Chief of Police. All requests from members to engage in secondary employment must be in writing and shall be filed with the Chief of Police. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 22.2.4)

Procedures

I. **General Guidelines for Secondary Employment** (CALEA 22.2.4)

- A. Members are subject to recall at any time for emergencies and other special circumstances.

- B. Members will not engage in other employment, in any private business, or in another profession during normally scheduled work hours with the JHPD, without their supervisor's approval.
- C. Members must be on preapproved leave in order to work secondary employment during normally scheduled work hours. Work hours cannot be adjusted in order to accommodate secondary employment unless preapproved by a member's supervisor.
- D. Members will not engage in employment, operation of a private business, or any other vocation in addition to or outside their regular work hours with the JHPD that is likely to adversely affect their performance as a member of the JHPD or would be in violation of JHU policies, including Conflict of Interest and Conflict of Commitment (GOV033).
- E. Within the parameters established by this Directive, members are allowed to participate in secondary employment that is considered off-duty employment. Off-duty employment is secondary employment that is not conditioned on the actual or potential use of law enforcement powers by off-duty officers.
- F. Members engaging in secondary employment act as agents for their secondary employers. As such, liability protection, workers' compensation coverage, and other civil protections provided during the course of their normal employment are **not** available to employees working secondary employment.
- G. Members sustaining an injury during the course of their secondary employment must notify or cause to be notified the Chief of Police immediately but not later than within 24 hours of the injury.

II. **General Restrictions on Secondary Employment for All Members**

- A. Members are **prohibited** from engaging in secondary employment that is considered extra-duty employment, wherein the actual or potential use of law enforcement powers is anticipated. (CALEA 22.2.5)
- B. In accordance with the JHU policy Conflict of Interest and Conflict of Commitment (GOV033), members shall not engage in secondary employment that is, or gives the appearance of being, in conflict with the interest, purpose, vision, or mission of the JHPD. Examples of secondary employment that is not permitted include but are not limited to:
 - Repossessing personal property or bill collecting, serving as a bail bondsman, engaging in vehicle repossession, or engaging in any

other employment that requires use of police authority to collect money or merchandise for private purposes.

- Engaging in security-related employment for any employer, including working as a private security guard in any capacity.
- Engaging in any employment that might require a member to use their authority to access police information, files, records, criminal history information, or Motor Vehicle Administration record or services.
- Engaging in employment such as serving civil service documents, conducting private investigations, or assisting in any civil action or in any defense matter.
- Working in any sales capacity in which the employee divulges association with the JHPD to make a sale. Members must avoid the appearance of coercion or favoritism toward purchasers.
- Engaging in employment when the agency, firm, or establishment for which the member will work is not properly registered or licensed as required by law.

- C. Members shall not engage in any secondary employment that would discredit the JHPD or that could be reasonably perceived to be inconsistent with the JHPD's vision, mission, and core principles.
- D. In addition, the Chief of Police may expressly prohibit members from secondary employment at a specific location or performing specific job tasks.
- E. Members engaging in secondary employment will ensure that their secondary employment schedule, duties, or requirements do not interfere or conflict with their primary duty to the JHPD and their ability to perform their job functions. This includes but is not limited to:
- Engaging in any secondary employment or making arrangements for secondary employment while on sick leave or during their scheduled work hours. This includes the eight-hour period before and/or after any secondary employment.
 - Engaging in any secondary employment that impairs the member's efficiency or capabilities to perform their JHPD job functions or the JHPD's ability to provide proper service coverage for daily operations and special events.
 - NOTE: Employees may not work more than a total of 16 hours in any 24-hour period, including work time at the secondary employment and the JHPD, without approval of a Lieutenant or above.

- F. Members shall not use their police powers, jurisdictional authority, uniforms, or equipment (firearm, oleoresin capsicum spray, baton, handcuffs, etc.) granted or provided through their employment with the JHPD for any secondary employment purposes.
- G. Members who are in entry-level training, comparative compliance, field training, or their probationary period are prohibited from working secondary employment.

III. Specific Restrictions of Secondary Employment for Exempt Members (CALEA 22.2.4)

- A. Secondary employment for exempt members (rank of Captain and above) will be limited to:
 - Teaching for an accredited educational institution,
 - Teaching for or training for other law enforcement agencies,
 - Writing books, articles, or pamphlets,
 - Serving as a consultant,
 - Serving as an assessor for a law enforcement accrediting organization, or
 - Secondary employment not related to law enforcement, approved by the Chief of Police.
- B. In addition, secondary employment for exempt members will be subject to all general restrictions enumerated within this Directive.

IV. Request Procedures (CALEA 22.2.4)

- A. Members must obtain written authorization from the Chief of Police or their designee before engaging in secondary employment. Members must submit a Secondary Employment Request Form, which includes a liability agreement form, through the chain of command 30 days prior to beginning their secondary employment or as soon as practicable. In the Secondary Employment Request Form, the requesting member must describe, fully and with particularity, the nature of the proposed secondary employment and provide as full an accounting as possible as to the duties (both routine and reasonably foreseeable).
- B. Approval, if granted, shall expire on the date exactly one year from the date of signed approval by the Chief of Police or their designee. An approved request must be submitted for review on a yearly basis. The requesting member is responsible for initiating the request for renewal at least 30 days prior to the date of expiration.

- C. The Chief of Police or their designee may at any time revoke permission for a member to engage in secondary employment whenever it is determined such secondary employment is not in the best interest of the department or on the basis of poor job performance or excessive use of disability or sick leave. Written notification with an explanation will be provided to the member in such cases. (CALEA 22.3.4.c)
- D. The Chief of Police shall designate a Deputy Chief of Police as a point of coordination within the JHPD to oversee the adherence to all directives, procedures, and other matters deemed necessary to secondary employment.
- E. The Deputy Chief of Police shall also ensure that all needed documentation for each member who wishes to engage in secondary employment is accurate, complete, and turned in prior to the start of any secondary employment.

Policy Enforcement

Enforcement	JHPD managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this Directive should be reported to the Office of Public Safety.

Related Resources

University Policies and Documents
Personnel Procedure #312, Awards Personnel Procedure #350, Complaints Against Police Personnel <u>Conflict of Interest and Conflict of Commitment (GOV033)</u>
External Documentation
Police Department Forms and Systems

Contacts

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Policy Management	(667)306-8618	jhpdpolicyinquiry@jh.edu