

## SCRANTON POLICE DEPARTMENT POLICY

*Effective Date:*  
**January 13, 2020**

*Policy Number:*  
**09-003**

*Policy Subject:*  
**Secondary Employment and Extra Duty Assignments**

*Reevaluation Date:*  
**January 13, 2021**

*No. Pages:*  
**5**

*PLEAC Standards:*  
**1.7.1**

### **I. PURPOSE**

It is the purpose of this policy to set forth guidelines to govern secondary employment and extra duty assignments by members of the Scranton Police Department.

### **II. POLICY**

The policy of the Scranton Police Department is to provide guidelines to law enforcement employees, to inform them of the types of secondary employment that are appropriate, and to establish procedures to maintain accountability for secondary and extra duty employment. These requirements are essential for the efficient operation of the agency and for the protection of the officers, the agency, and the community.

### **III. DEFINITIONS**

*Employment* – The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer work for charitable organizations.

*Extra-Duty Employment* – Any employment that is conditioned on the actual or potential use of law enforcement powers by the police officer employee.

*Regular Off-Duty Employment* – Any employment that will not require the use or potential use of law enforcement powers by the off-duty employee.

*Permanent List* – All extra-duty assignments which are regularly scheduled throughout the year which are not paid at an overtime rate.

*Extra-Duty List* – All other extra duty assignments which are not paid at an overtime rate.

*Overtime List* – All extra-duty assignments in which the officer will receive overtime rate of pay. There shall be three overtime wheels: department wide, patrol, and non-uniform.

#### IV. PROCEDURE

There are two types of off-duty employment in which an employee may engage:

##### A. Regular Off-Duty Employment

1. All regular off-duty employment by members of the Scranton Police Department shall be authorized by the Chief of Police.
2. The Chief of Police or his/her designee will review members' off-duty employment to ensure adherence to this policy. The employment will be approved or revoked on the basis of this policy.
3. Employees may engage in regular off-duty employment that meets the following criteria:
  - a. Employment of a non-police nature in which vested police powers are not a condition of employment; the work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.
  - b. Employment that presents no potential conflict of interest between duties as a law enforcement officer and duties for the secondary employer. Some examples of employment representing a conflict of interest include, but are not limited to, the following:
    - 1) Officers who work as a process server, reposessor, or bill collector, towing of vehicles which fall under the authority of the current City of Scranton towing contract, or any other employment in which police authority might be used to collect money or merchandise for private purposes.
    - 2) Work involving personnel investigations for the private sector or any employment that might require the police officer to have access to police information, files, records, or services as a condition of employment.
    - 3) Employment using the police uniform in the performance of tasks other than those of a police nature.
    - 4) Employment that assists (in any manner) the case preparation for the defense in any criminal action or for either side in any civil action or proceeding.
    - 5) Officers who work for a business or labor group that is on strike.
  - c. Employment that does not constitute a threat to the status or dignity of law enforcement as a professional occupation. Examples of employment that constitute such a threat and shall be denied include, but are not limited to;
    - 1) Establishments that sell pornographic books or magazines, sexual devices or videos, or that otherwise provide entertainment or services of a sexual nature.
    - 2) Any gambling establishment within our jurisdiction.
  - d. Employees may not work as a "Bouncer", "Bodyguard" or in any other private security fashion for any establishment or individual(s).

## B. Extra-Duty Employment

All extra-duty employment by members of the Scranton Police Department shall be authorized by the Chief of Police. All extra-duty employment shall also be coordinated by the Administrative Assistant to the Chief of Police or by another individual designated by the Chief of Police. Police Officers may engage in extra-duty employment as follows:

1. Where a government, profit-making, or not-for-profit entity has an agreement with the Scranton Police Department for Police Officers in uniform who are able to exercise their police duties.
2. Types of extra-duty services that may be considered for contracting are as follows:
  - a. Traffic control and pedestrian safety
  - b. Crowd control
  - c. Security and protection of life and property
  - d. Routine law enforcement for public authorities
  - e. Plainclothes assignments
3. The following shall apply to all extra-duty assignments:
  - a. All extra-duty assignments shall be assigned by the Administrative Assistant to the Chief of Police or by another individual designated by the Chief of Police. Officers shall not work extra-duty assignments that have not been authorized by the Chief of Police or assigned by his/her designee.
  - b. Extra-duty assignments are available to all officers that have completed the FTO Program. Officers that are currently in the FTO Program can only work extra-duty assignments if the extra-duty assignment(s) calls for more than one officer and at least one of those officers is a supervisor or any certified FTO Officer. In that case the trainee will be directly supervised by the ranking officer while working the extra-duty assignment. Officers currently on disability leave, sick leave, suspension and/or administrative leave are not eligible for extra-duty assignments. Whenever an officer calls off sick for his or her regularly scheduled shift he or she is not eligible to work extra duty again for twenty-four (24) hours from the time of the start of said shift he or she is calling off sick from.
  - c. All payments for extra-duty services rendered shall be payable to the City of Scranton. Officers shall not directly accept payment from an employer for services rendered unless it is prior approved by the Chief of Police.
  - d. Officers working extra-duty assignments shall maintain the same standards of personal appearance, conduct, and performance as if they were on regular duty. The full uniform of the day shall be worn on extra-duty assignments unless otherwise specified by the Chief of Police or his/her designee.
  - e. Officers may not work a plain clothes extra-duty assignment without the prior approval of the Chief of Police or his/her designee.
  - f. Prior to beginning an extra-duty assignment officers shall call into service, via the radio, and notify the desk officer indicating the following:
    - 1) In service status,
    - 2) Micro code number,

- 3) Hours of scheduled assignment (if known),
  - 4) Location of assignment
- g. Departmental written directives, policies and procedures shall be applicable to all officers engaged in law enforcement related extra-duty assignments.
  - h. If an incident or a call for service originates at the extra-duty site, the extra-duty officer shall be responsible for all law enforcement functions and related incident reports relating to that incident and/or call for service.
  - i. All officers working extra-duty shall be subject to the same report writing requirements as outlined in departmental policies and procedures.
  - j. If an officer cannot attend a job that they have previously committed to and its prior to 1500 hours the previous business day the extra-duty officer shall be contacted. The assignment will be filled in proper rotation using the respective list by the extra-duty officer. If the extra-duty officer is not working and/or cannot be contacted the committed officer is responsible for filling the assignment.
  - k. When an officer fills in as a replacement officer, the replacement officer shall send a DMS message to the extra-duty officer notifying him/her of the change. The replacement officer will then be skipped and listed as worked in the next rotation on the respective list.
  - l. School Resource Officers shall get the first offer to work all extra duty assignments at their respective school. The SRO will then be skipped and listed as worked in the next rotation on the respective list.
  - m. Once committed to an extra-duty assignment an officer shall not work another assignment (including shift overtime) without finding a replacement officer for the committed assignment.
  - n. Any officer working a permanent extra-duty assignment who fails to show for three (3) consecutive weeks will be removed from that assignment and it will be filled using the permanent list.
  - o. An officer scheduled to work an extra-duty assignment cannot be mandated to fill another assignment without the approval of the Captain.
  - p. When a permanent extra-duty assignment is eliminated during a calendar year the effected officer will have the ability to “bump” into another permanent job by seniority.
  - q. During a bid cycle if an officer voluntarily leaves their bid said officer will not be permitted to bump into another permanent extra-duty assignment. Officers that are bumped during a bid cycle may bump into another permanent extra-duty job.
  - r. When an officer is cancelled for an extra-duty assignment from the extra-duty and/or overtime list he/she will be put back up on the respective list. The officer cannot bump an already scheduled officer.
  - s. No officer can compensate another officer for working their scheduled extra-duty assignment, and all extra-duty assignments must be assigned through the extra-duty officer.
  - t. All permanent extra-duty assignments will take effect with the department changeover.

- u. Any officer can request to be removed and/or reinstated from being called for extra-duty assignments. This will be done by sending a DMS message to the extra-duty officer.
- v. All extra-duty assignments will be approved by the Chief of Police or his/her designee.
- w. The extra-duty officer will utilize the above procedures when filling extra-duty assignments.
- x. The lists that are utilized will be as followed:
  - 1) Permanent List
  - 2) Extra-Duty List
  - 3) Overtime Lists

C. Extra-Duty Officer

1. The extra-duty officer is to be filled by the current collective bargaining agreement.
2. The extra-duty officer will fall under the Chief of Police and/or his/her designee.
3. The extra-duty officer will have the authority to dictate the specifications of each extra duty assignment.
4. In the absence of the extra-duty officer, the Chief of Police will temporarily assign his or her duties and responsibilities.
5. The extra-duty officer will ensure the above procedure is utilized when hiring for all extra-duty assignments.
6. All permanent extra-duty assignments shall be filled between the approval of the bid board and changeover, and re-bid annually.
7. When calling for extra-duty assignments all available assignments must be offered.

By Order Of:

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Chief Carl R. Graziano  
Superintendent of Police  
Scranton Police Department