

Rockville City Police Department

GENERAL ORDER



Subject SECONDARY EMPLOYMENT		Procedure G.O. # 5 - 16
Authorizing Signature 	Effective: 07-01-11 Revised: 11-25-19 Revised: 11-20-25	Total Pages 5

I. POLICY

Any police department employee who chooses to engage in secondary employment must do so under the provisions set in this General Order with the understanding that it will not interfere with any of the duties or obligations of their employment with the Rockville City Police Department. Police department employees will not perform any secondary employment under any circumstances without the authorized signed approval of the Chief of Police and the City of Rockville Director of Human Resources. Authorized department Overtime is not considered Secondary employment. This policy is in conjunction with the City of Rockville PPP #180-00 *Policy on Employees Code of Conduct*.

II. PURPOSE

This General Order is issued for the purpose of defining policy and establishing regulations pertaining to secondary employment.

III. DEFINITIONS

A. Employment

Any work, occupation, labor or profession that results in remuneration to the employee.

B. Secondary Employment

Any employment not required by the Rockville City Police Department.

C. Security Related Employment

Secondary employment wherein the actual or potential use of law enforcement powers is anticipated.

IV. BASIC RESPONSIBILITY

A. The primary duty, obligation, and responsibility of every employee is to the Rockville City Police Department. Employees who are directed to work overtime or are directed to report to work on their days off, will do so despite the fact that secondary employment is approved. Secondary employment should not become additional full-time employment.

B. Officers will be available at all times to respond to emergencies. The Rockville City Police

Department is the primary employer and requirements of this Department will take precedence over any secondary employment. In an emergency, officers, at the direction of the on-duty supervisor, will leave secondary employment and respond wherever needed.

- C. When engaged in secondary employment the police officer must contact an on-duty police officer to handle any police related concerns or calls for service. However, in exigent circumstances that call for immediate action to protect the health, safety, welfare, or property of individuals from actual or threatened harm, or from unlawful acts, the off-duty officer has the authority to take appropriate police action (Criminal Procedure § 2-202 of the Annotated Code of Maryland).
- D. An employee, while engaged in all secondary employment shall observe and obey all laws and ordinances, General Orders, rules, and regulations of the Department.
- E. Under no circumstances shall any employee be on-duty concurrently with the City and any secondary employer, or receive pay from both the City and secondary employer for the same hours worked (see Criminal Law Article, §7-104, annotated code of Maryland)
- F. An employee, while engaged in secondary employment, shall at no time display any insignia, crest, badge, marking, etc. identifying themselves as a City of Rockville police officer (unless required by General Order 8-3, section IV, paragraph Q) or wear any shirt that only has the word "Police" written on same.

V. RESTRICTIONS

- A. Except for programs or activities funded or sponsored by the City of Rockville, Montgomery County, the State of Maryland, or the United States, secondary employment shall be governed by the following provisions:
 - 1. Secondary employment shall be limited to no more than 24 hours during the employees normally scheduled 40-hour work week. There is no limitation for hours worked on scheduled days off.
 - 2. During the initial probationary period with the Department, an employee shall not engage in secondary employment.
 - a. Waiver
 - (1) An employee may request a waiver of this restriction by submitting a written request to their bureau commander.
 - (2) The request for waiver must include full justification with comment from the employee's immediate supervisor.
 - (3) The bureau commander will then make a recommendation for approval or denial to the Chief of Police.

- (4) The Chief of Police will make the final determination for approval/denial of the request.
- b. A request for waiver will not be considered unless the employee has completed his/her formal training. This includes entrance level training, comparative compliance, and field training.
3. Any type of Security Related secondary employment is restricted to the corporate limits of the City of Rockville, no exceptions.
4. If injured in the performance of, secondary employment the employee shall submit or cause to be submitted, a detailed report of such injury to the Chief of Police within 48 hours of the injury.
5. Secondary employment will not be permitted when it may impair on-duty efficiency or conflict with the duties and responsibilities of department employees or cause or create a detrimental effect on the image of the Department.
6. Employees shall not engage in any secondary employment, which is, or gives the appearance of being, in conflict with the interest, purpose or mission of the Rockville City Police Department.
7. Employees, who are on sick leave, FMLA, parental leave, suspension, leave of absence, leave without pay, alternate duty status, on the job injury, administrative leave, or otherwise unable to perform the functions of their primary employment are prohibited from engaging in any form of secondary employment without the prior authorization of the Chief of Police.
8. No employee shall work in any capacity for any private individual, private business or any other secondary employer who does not carry Worker's Compensation and liability insurance coverage for such employee. The secondary employer agrees to maintain a comprehensive general public liability insurance policy in a minimum amount of \$500,000, which will cover the employee against any and all claims and/or liability resulting from such employment.
9. While on duty, no employee shall solicit any individual or business for the purpose of gaining any type of secondary employment.
10. Officers with a PPV are prohibited from utilizing their PPV as a part of any type of secondary employment. However, the PPV may be utilized for transportation to and from approved secondary employment in accordance with General Order 4-39.
11. Officer safety equipment, such as the employee's issued portable radio, service weapon, handcuffs, ballistic vest, and other protective instruments, have been approved by the Chief

of Police for use while engaging in secondary employment, but must be concealed.

12. Any police officer that, as a result of fulfilling their secondary employment, becomes physically incapacitated for the performance of their regular duties as an employee of the Police Department may be eligible for payments under the City of Rockville's off-the-job injury and/or income protection plans. However, if such injury results from the appropriate use of enforcement powers granted by the City of Rockville, the officer is eligible for consideration of service-connected income protection payments due to on-the-job injuries.
 13. When an employee ends any approved secondary employment, a memorandum stating this fact shall be forwarded to the Chief of Police. A copy shall be sent to the Director of Personnel.
 14. While on duty with the Department, the employee will show no preferential coverage to the place of their secondary employment, nor while employed there off-duty will they encourage visitation by on-duty officers.
 15. Under no circumstances will an officer or police employee establish themselves as a paid intermediary between a particular employer and a group of employees employed as watchmen/security guards for the purpose of scheduling, coordinating or any other similar activity unless they have first obtained the appropriate license from the Superintendent of the Maryland State Police.
 16. No follow-up investigations of previously reported offenses will be handled by off-duty officers, and all information coming to their attention relating to such incidents will be reported to investigating officers.
- B. All secondary employment must be approved by the Chief of Police, or the Chief of Police's designee, and forwarded to the Director of Human Resources for approval.
- C. Under the provisions of the CJIS Law, it is a violation to disseminate criminal record information to non-criminal justice agencies or to anyone when not in the scope of official business. Further, obtaining any information, criminal or non-criminal, can only be done in the same capacity as a private citizen when not for official police activity. Any deviation from this can subject the employee to tort liability.

VI. PROCEDURE AND ADMINISTRATION

- A. Personnel requesting permission to engage in secondary employment shall complete RCPD form #79 *ROCKVILLE CITY POLICE SECONDARY EMPLOYMENT FORM* and submit it to the Chief of Police who shall review the request and ensure it is consistent with the policy and regulations in this General Order. If, based on the review, the Chief of Police deems the employment acceptable, the Chief of Police shall sign the form to indicate the request has been reviewed and forward it to the Director of Human Resources for approval. After final review, the Chief of Police will return a copy of the request form to the employee marked approved or disapproved. If the Chief of Police

believes the employment is not acceptable, the Chief of Police will furnish an explanation stating the reason and return the form to the employee.

- B. Supervisory personnel shall ensure that the secondary employment activities of personnel under their command do not interfere with on-duty performance. Supervisors who discover conditions, which show that secondary employment is affecting a subordinate's performance, shall seek to rectify the situation by counseling the individual. If, after counseling, compliance with the conditions outlined in this General Order is not achieved, the supervisor shall send a written report to the Chief of Police, documenting the facts indicating non-compliance.
- C. All files on secondary employment, to include written requests for permission to work off-duty, approval or disapproval of the Director of Human Resources, and records of any action taken relative to an employee's secondary employment activities shall be maintained in the Office of the Chief of Police.

VII. CANCELLATION

- A. All secondary employment permissions expire at the end of each December. Employees desiring continued secondary employment should submit a new form no later than the second week in November.

Exception: Any new secondary employment application / request received and approved within sixty days prior to December 31st do not need to be renewed until the following year.

- B. Employees must promptly resubmit secondary employment requests any time there are substantive changes in their secondary employment responsibilities.
- C. The Chief of Police has the authority to cancel, temporarily or permanently, permission of any employee to engage in secondary employment. The employee concerned will be notified, by memorandum, of the reasons for any cancellation.