

Outside Employment

1015.1 PURPOSE AND SCOPE

In order to avoid actual or perceived conflicts of interest for Department employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy and Utah Code 53-13-114.

1015.1.1 DEFINITIONS

Outside Employment - Any employee of the Department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Officers working any outside employment or UTA overtime on a scheduled work day are limited to a total of 14 hours of work per 24 hour period unless approved by the Chief of Police.

1015.2 OBTAINING APPROVAL

No employee of the Department may engage in any outside employment without first obtaining prior approval of the Chief of Police. Failure to obtain prior approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete a request for Secondary Employment form (Form SF-95), which shall be submitted to the Chief of Police or his/her designee for consideration.

If approved, the employee will then have the secondary employer sign the Secondary Employment Indemnification agreement (Form SF-96).

If approved, the employee will be provided with confirmation that the employment has been approved. Unless otherwise indicated, that approval will be valid through the end of the calendar year. Any employee seeking to renew their outside employment shall submit a new request form and indemnification agreement in a timely manner.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a reason for the denial of the application at the time of the denial.

1015.2.1 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT

Any outside employment approval may be revoked or suspended under the following circumstances:

- (a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any previously approved outside employment. That revocation will stand until the employee's

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performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment.

- (b) Suspension or revocation of a previously approved outside employment may be included as a term or condition of sustained discipline.
- (c) If, at any time during the term of a valid outside employment approval, an employee's conduct or outside employment conflicts with the provisions of Department policy, the outside employment may be suspended or revoked.
- (d) When an employee is unable to perform at a full-duty capacity due to an injury or other condition, any previously approved outside employment may be subjected to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status.

1015.3 PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of UAC R477-9-2, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Interferes with an employee's efficiency performance.
- (b) Conflicts with the interests of the Department or the State of Utah.
- (c) Gives reason for criticism or suspicion of conflicting interests or duties.

1015.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Due to the potential conflict of interest, no member of this department will generally be permitted to engage in any outside or secondary employment as a process server, vehicle reposessor, bill collector, towing of vehicles, private investigator, liqueur establishments or other similar employment in which police authority might be used to collect money or merchandise for private purposes.

Outside security employment may be authorized under the following conditions:

- a. Employment of 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.
- b. The employment is not performed during assigned hours of duty.

Law Enforcement Officer / Correctional Officer (another agency): officers will not be authorized to work for another law enforcement department as a law enforcement officer or correctional officer while employed with the Utah Transit Authority Police Department.

1015.4 DEPARTMENT RESOURCES

Employees are prohibited from using any Department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official

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records or databases of the Department or other agencies through the use of the employee's position with this department.

1015.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his/her outside employment during the period of a approval, the employee shall promptly submit written notification of such termination to the Chief of Police through their chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.