
	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>104.00 PART-TIME (OFF-DUTY) EMPLOYMENT</b>
	<b>Effective Date: April, 2014</b>
	<b>Approved:</b> _____  <b>Chief of Police</b>

- I. The Mesquite Police Department recognizes the desire of many employees to engage in part-time (off-duty) employment. The Chief of Police must approve all requests for part-time (off-duty) employment. Approval does not constitute agreement that the employee is working for the City of Mesquite while engaged in part-time (off-duty) employment.
- II. Employees shall not engage in an off-duty business or occupation that limits their effectiveness in the discharge of their public obligations.
- III. Employees shall not use their official position to the direct or indirect benefit of a private business or occupation that limits their effectiveness in the discharge of their public obligation.
- IV. Employees shall only engage in off-duty occupations that are in keeping with the high standards of conduct and professional manner of duty required by their official position as employees of a law enforcement agency. The off-duty occupation chosen must not in any way reflect unfavorably upon this official position.
- V. Employees shall take care to avoid the appearance as well as the actuality of a conflict of interest between primary and part-time employment.
- VI. Off-duty officers represent the Mesquite Police Department and the City of Mesquite and are required to maintain the same professional and ethical standards as that of on-duty employment. Officers must be reliable and dependable to the private businesses. Violations of this basic work ethic may result in the affected officer being denied off-duty employment status for a period of up to twelve months.
- VII. A copy of all approved requests for part-time employment will be forwarded to the Staff Support Captain.
  - A. The Staff Support Bureau will maintain records of each officer's part-time job.
  - B. The Staff Support Bureau will send a letter to each business or individual employing Mesquite Police Officers on a part-time basis. The letter will establish the Staff Support Bureau Captain as the contact person in the event issues arise between the part-time employer and the police employee.
- VIII. The actual hours worked for any law enforcement or security related off-duty employment shall be documented in Telestaff in a manner consistent with General Order 128.00 (Responsibility for Accurately Reporting Work Time).

**Provisions:**

- A. Any employee who owns or operates any private business, who works on a commission, percentage, or salary, or who receives compensation in any form, from any person, firm, or corporation, other than the City of Mesquite, must submit an "Application to Engage in Off-Duty Employment," (see Exhibit 100-4). The application will be sent to the Chief of Police through the employee's Bureau Commander. The request must be approved prior to engaging in the part-time job. The approval is valid for up to one year, and will expire on April 15 of each year. The form used for this purpose will be titled, "Application to Engage in Off-Duty Employment."
- B. Income derived from dividends, interest or military duty in an Armed Forces Reserve unit or National Guard unit are not subject to this provision.
- C. A lieutenant or above may authorize temporary off-duty employment, valid for a period of up to one week, where time limitations preclude the normal approval process.
- D. Generally, no employee of the department will be allowed to own, operate, or be an agent or employee of an establishment where the principal business is the sale, dispensing,

manufacture or transporting of alcoholic beverages. "Principal business" means that more than 51% of the business' gross receipts are due to the sale and/or dispensing of alcoholic beverages as defined by the Texas Alcoholic Beverage Code. Any exception to this rule will be by specific authorization of the Chief of Police.

- E. No employee shall be allowed to sell tickets, take tickets, transfer or exchange customer's money for tickets at any business, promotion, or special event, including movie theaters, while in uniform.
- F. No employee shall be permitted to work at collecting any bills or checks, nor may such employment involve civil, domestic, and/or labor difficulties.
- G. No employee shall be employed by or own financial interest in any private detective agency.
- H. No employee shall be employed by any other law enforcement agency.
- I. Employees working off-duty in police uniform shall not perform tasks that would not normally be performed by an on-duty Mesquite Police Officer.
- J. Employees engaging in off-duty employment shall not utilize departmental supplies or services for private purposes.
- K. While on duty employees shall not:
  - 1. Respond to requests for service from the off-duty employer other than in the normal scope of their duties.
  - 2. Provide police service at a higher level than that provided to other businesses and citizens with similar needs.
  - 3. Provide non-duty related services, including but not limited to closing swimming pools, locking clubhouses, enforcing private curfews, unlocking apartments, etc.
- L. Probationary employees whose field training program has not been completed shall not engage in enforcement related, security related, or uniformed off-duty employment.
- M. Employees whose off-duty employment will require a written contract shall submit a copy of the proposed contract with the Application to Engage in Off-Duty Employment.
- N. Any substantial change in off-duty employment status, hours, duties, or conditions shall require submission of a new Application to Engage in Off-Duty Employment.
- O. Off-duty employment shall not conflict with the employee's obligations to the Mesquite Police Department.
- P. Enforcement-related, security-related, and uniformed off-duty employment authorization is automatically suspended while an employee is under departmental suspension.
- Q. Employees engaging in off-duty employment are encouraged to require the off-duty employer to explain their medical and workmen's compensation benefits, if any. City of Mesquite workmen's compensation insurance may not cover injuries incurred in non-job-related activities.
- R. Employees will immediately prepare a special report about any incidents or situations arising from, or connected with, their off-duty employment that might adversely affect the department or its personnel.
- S. The policy of the department authorizes an officer who is assigned a home-storage vehicle to drive that vehicle to and from a part-time job within the city of Mesquite. It prohibits the use of that vehicle as part of the employment, unless specifically authorized by the Chief of Police. Officers shall not enter into any agreement to provide security services, or any other services, on an off-duty basis where the use of a city vehicle is required except as authorized by the Chief of Police. Officers shall not promise or imply to any potential off-duty employer that a city vehicle is or will be available as part of any services provided by the officer. This provision does not apply to city-funded programs.
- T. Submission of an Application to Engage in Off-Duty Employment shall constitute authorization for the Chief of Police or his designee to examine employee records and time sheets at the off-duty employer's place of business.
- U. Employees are subject to the Mesquite Police Department Code of Conduct and other

written directives at all times.

- V. Approval of an Application to Engage in Off-Duty Employment does not constitute authorization for overtime by the Mesquite Police Department.
- W. Enforcement-related, security-related, uniform or non-uniform employment outside the City of Mesquite is not authorized without approval of the Chief of Police.
- X. Prior to engaging in any law-enforcement or security related off-duty employment, employees shall notify dispatch of their location and when their employment starts and ends. Officers working security-related jobs will be placed on the dispatch status screen while they are working.
- Y. Employees who are working off-duty security related positions shall utilize their city-issued police portable radio to maintain radio contact with dispatch during their off-duty employment.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: B/86-29; REVISED: January, 1996; REVISED: August, 2003; REVISED: March, 2004; REVISED: August, 2011; REVISED: March, 2013; REVISED: April, 2014

### APPLICATION TO ENGAGE IN OFF-DUTY EMPLOYMENT

I HEREWITH MAKE APPLICATION TO ENGAGE IN OFF-DUTY EMPLOYMENT. I HAVE READ AND UNDERSTAND THE CURRENT GENERAL ORDER ON THE SUBJECT OF PART-TIME (OFF-DUTY) EMPLOYMENT, AND AGREE TO ABIDE WITH ITS POLICY AND PROVISIONS.

ACTUAL HOURS WORKED AT OFF-DUTY EMPLOYMENT MUST BE REPORTED ON TELESTAFF.

NAME: \* \_\_\_\_\_ ID#: \* \_\_\_\_\_ BUREAU: \_\_\_\_\_

NAME OF BUSINESS: \* \_\_\_\_\_ TYPE OF BUSINESS: \_\_\_\_\_

ADDRESS: \* \_\_\_\_\_ PHONE: \_\_\_\_\_

OWNER/MANAGER: \_\_\_\_\_ PHONE: \_\_\_\_\_

DESCRIPTION OF WORK: \* \_\_\_\_\_

HOURS PER WEEK: \* \_\_\_\_\_

WILL POLICE UNIFORM BE WORN? \*

☐ YES

☐ NO

IS WORK SEASONAL, TEMPORARY OR INTERMITTENT? \*

☐ YES IF YES GIVE DETAILS: \_\_\_\_\_

☐ NO

IS WRITTEN CONTRACT REQUIRED? \*

☐ YES IF YES, ATTACH COPY OF CONTRACT.

☐ NO

IS WORKERS COMP INSURANCE PROVIDED? \*

☐ YES IF NO, YOU ARE ENCOURAGED TO MAKE PROVISIONS FOR PROTECTION IN THE  
EVENT OF AN OFF-DUTY INJURY FOR WHICH THE CITY OF MESQUITE WORKERS  
COMPENSATION CARRIER DENIES COVERAGE.

☐ NO

OTHER CURRENT PERMITS OR PENDING APPLICATIONS FOR OFF-DUTY EMPLOYMENT: \*

TOTAL HOURS OF OFF-DUTY EMPLOYMENT PER WEEK, INCLUDING THIS AND ANY OTHER

PENDING APPLICATIONS: \*

#### LIMITATIONS OR CONDITIONS

1. Subject to Policy and Provisions enumerated in the current General Order regarding Part-Time (Off-Duty) Employment, or its successors.
2. Part-Time Off-Duty Employment shall be secondary to any overtime required by the Mesquite Police Department.
3. Employee/Applicant is aware and agrees that the City of Mesquite, The Mesquite Police Department and/or their respective Workers Compensation Insurer is not responsible for any injuries that the Employee/Applicant may suffer in the course of Off-Duty Employment that is considered outside the scope of activities related to the apprehension and arrest of violators or the investigation of a criminal complaint.

4. \_\_\_\_\_

Submit

**Exhibit No. 100-4 Application to Engage in Off-Duty Employment**