

	POLICY & PROCEDURE	SERIES # 650	PAGE 1 OF 3
	SUBJECT SECONDARY EMPLOYMENT (MOONLIGHTING)		EFFECTIVE DATE 12/16/2020
			OVERSIGHT Support Services
DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P # 650 dated 09/05/2019.		

I. PURPOSE:

The purpose of this policy is to establish guidelines and procedures in reference to **R&R 5.12**, Secondary Employment (moonlighting) by employees of the Hampton Police Division.

Secondary Employment (moonlighting) definition:

- A. Employment: All outside professional service or consulting regardless of type. Employment does not include volunteer charity work.
- B. Secondary Employment: Employment outside of the Division that is not conditioned upon the actual or potential use of law enforcement powers.

II. POLICY:

It is the policy of the Hampton Police Division to ensure that secondary employment of Division employees, both sworn and civilian, does not present an actual or potential conflict of interest between the Division and the secondary employer; or constitute a threat to the status or dignity of the police profession. Sworn Division employees are prohibited from engaging in any employment outside of the Division requiring the use of law enforcement powers, unless such employment is authorized under P&P 649, Extra-Duty Employment.

III. PROCEDURE:

- A. Employees may engage in secondary employment that conforms to the following criteria:
 1. The nature of the employment does not involve the actual or implied use of law enforcement powers. However, this policy does not prohibit an employee from exercising his law enforcement authority while engaged in secondary employment when circumstances would dictate that actions be taken to safeguard life or property.

APPROVED:
CHIEF OF POLICE



2. The employment is performed outside of normal duty hours.
3. The employment presents no actual or potential conflict between the employee's duties as a police officer and the duties for the secondary employer. Examples of employment that presents a conflict of interest include, but are not limited to:
 - a. Employment as a process server, reposessor, bill collector, or towing of vehicles, or any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.
 - b. Employment as a personnel investigator for the private sector, or any employment which might require the employee to have access to police information, files, records, services, or equipment as a condition of employment.
 - c. Employment involving the wearing of the police uniform to perform tasks other than that of a law enforcement nature.
 - d. Any employment or position which assists (in any manner) in case preparation for the defense in any criminal case or for either party in a civil action or administrative proceeding.
 - e. Employment for a business or labor group that is on strike.
 - f. Employment in occupations that are regulated by or licensed through the Hampton Police Division.
4. The employment presents no threat to the status or dignity of law enforcement as a professional occupation. Examples of employment presenting a threat to the status of dignity of the police profession are:
 - a. Establishments that sell pornographic books, magazines, sexual devices, or videos; or that otherwise provide entertainment or services of a sexual nature.
 - b. Any employment involving the sale, manufacture or transport of alcoholic beverages.
 - c. Any gambling establishment, including but not limited to race tracks and casinos.

B. Eligibility

1. Prior to engaging in secondary employment, the employee will complete and submit a Secondary Employment Approval Form

through their chain of command to the Chief of Police. This request must be received in the Chief's office two weeks prior to beginning any such employment. A signed version may be scanned and submitted electronically (or utilization of an electronic signature) in lieu of a hard copy. The Chief of Police will approve or deny the request for secondary employment. Once approved it is incumbent upon the employee to resubmit this form each year for approval. Forms are available in the Forms Folder on the Division Intranet.

2. The employee may engage in secondary employment if he is in good standing with the Division. Continued Division approval of the employee's secondary employment is contingent on such good standing.
3. Employees on leave due to illness, temporary disability for an on-duty injury, or who are on leave during an investigation for disciplinary, health, or criminal reasons, are eligible for secondary employment subject to the continued approval of the Chief of Police. Employees on leave for the above stated reasons must submit a Special Report through the chain of command to the Chief of Police, requesting continued approval of the secondary employment.
4. The secondary employment must not interfere physically or mentally with the officer's on-duty job performance.
5. Secondary employment schedules must be coordinated in a manner that does not interfere with the employee's normal duty hours.
6. Permission to engage in secondary employment may be revoked at the discretion of the Chief of Police if it is determined that the secondary employment is not in the best interests of the Division or the City of Hampton. The Officer will be given two weeks' notice of the revocation.
7. An employee engaged in secondary employment is subject to call-out in cases of an emergency. The employee is expected to leave his secondary employment in such situations.

C. Additional Procedures

1. Take home vehicles may be utilized for secondary employment in accordance with P&P 1504, Take Home Car Program.
2. This provision does not apply to those employees who are members or perspective members of the U.S. Armed Forces Reserve or National Guard when serving in such capacity.