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Approval: Chief of Police	Manual: Policy and Procedure			

I. PURPOSE

The purpose of this policy is to establish departmental guidelines for sworn officers participating in Off-Duty/Extra Employment.

II. DEFINITIONS

- A. Off-Duty Employment: Outside employment where the use of law enforcement powers is not anticipated.
- B. Extra-Duty Employment: Outside employment where the use of law enforcement powers is anticipated.

III. POLICY

- A. The Kinston Police Department employees may engage in off-duty employment including self-employment, subject to the following limitations:
 - 1. The off-duty employment shall not interfere, conflict with, or bring discredit to the Kinston Police Department. Employees shall not engage in off-duty employment that requires the employee to: serve or sell alcoholic beverages; perform work as bouncers, doormen, or cashiers at nightclubs or bars; perform work for insurance agencies, collection agencies, private investigators, attorneys or bail bond agencies; perform work with taxi companies, as well as perform work with wreckers or service stations that contract services with the City of Kinston or are on the Lenoir County Central Communications Rotation Wrecker list; work or openly associate with convicted or known criminals.
- B. The Kinston Police Department sworn personnel may engage in department approved extra-duty employment. However, newly sworn personnel must wait six (6) months after being released from the Field Training Program before engaging in extra-duty employment. Extra-duty work is prohibited outside the jurisdictional boundaries of the City of Kinston unless approved by the Chief of Police. Employees seeking to engage in extra-duty employment shall complete an application for secondary employment form and forward the form through the chain of command to the appropriate Major. Final approval of extra-duty employment will be at the discretion of the Chief of Police. Copies of all secondary employment forms shall be maintained by Department.
- C. Sworn Personnel working extra-duty will be paid by their hired employer, to include any arrests and other related paper work involved. The City of Kinston will not compensate sworn personnel for extra-duty hours. The hourly salary for extra-duty police employment will be determined by the Chief of Police.

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- D. Under the direction of the Chief of Police, the Majors shall oversee adherence to the Kinston Police Department policies and procedures, loss of eligibility to work extra-duty assignments, and complaints or grievances concerning extra-duty work assignments.
- E. Extra-Duty Employment Conditions:
1. Officers working extra-duty assignments will be accountable for their actions in the same manner as they would be on their regular work assignment.
 2. Officers shall not work extra-duty jobs during meal breaks.
 3. Officers working extra-duty assignments are responsible for compliance with all state and federal laws applicable to reporting earned income.
 4. Officers working extra-duty assignments will wear the department issued uniform. No civilian clothing will be worn unless specifically authorized by the Chief of Police. Any requests to wear civilian clothing will be forwarded through the appropriate Major.
 5. The Chief of Police or his/her designee has the discretion to prohibit officers from extra-duty employment in the event an officer's extra-duty assignment exceeds the officer's training and tenure, requires a higher authority level, or the officer's current assignment does not allow adequate time or resources to meet the needs of the requesting agency.
 6. Officers who are scheduled to report for their normal duty assignment shall have at least four (4) hours between their off-duty or extra-duty employment and their regular tour of duty with the Kinston Police Department.
 7. There shall be a minimum of three (3) paid hours per officer per duty assignment.
 8. There must be a 15 minute period in between job assignments when an officer ends his or her regular tour of duty with the Kinston Police Department and begins his or her extra-duty or off-duty assignment.
 9. Any incident requiring police services (report taking, arrest, etc.) shall be performed by the officer working the assignment. Assistance from on duty officers will be granted by the on duty supervisor at his/her discretion.
 10. Officers assigned to light duty or using sick time are not eligible for any off duty or extra duty employment.
 11. Officers on suspension are not eligible for any extra-duty police status employment during the suspension period.

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12. Officers that accept an assignment but find that they are unable to fulfill their obligations are responsible for finding a replacement for the assignment.
 13. Unsatisfactory work performance by an employee while engaged in extra-duty employment may result in the limitation or suspension of extra-duty work. Officers that are assigned extra-duty who fail to show up will be taken off the extra-duty list for thirty (30) days and a second failure to show for an assignment within one year from date of first occurrence will result in removal for sixty (60) days.
- F. Officers receiving departmental disciplinary action may be suspended from their participation in extra-duty employment. Final approval of any suspension will be made by the appropriate Major.
 - G. Police officers are not to accept assignments directly from businesses. All communication from businesses must be directed to the Extra-duty Coordinator or person designated by the Chief of Police.
 - H. Officers wishing to work extra-duty shall provide their contact information (i.e., telephone number and/or email address in order to be notified when an assignment comes available.
 - I. Notification will be sent out by the Coordinator or the Chief's designee by email or telephone.
 - J. The Coordinator will maintain on file the records of extra-duty assignments for a period of six months to include:
 1. Date and time of job assignments
 2. Name of Officer assigned
 3. Copy of Extra-duty contract
 - K. The Coordinator will keep a list of officers wishing to organize an extra-duty assignment. If a new extra-duty assignment becomes available, the Coordinator will contact the officer(s) on list.
 - L. Officers wishing to organize extra-duty may add or remove their names from the extra-duty list at any time by phone or email.
 - M. Officers in charge of organizing extra-duty assignments shall turn in their monthly schedule by the (previous month) 25th of each month to the Coordinator. The Coordinator will keep each extra-duty assignment monthly schedule(s) on file.
 - N. An officer's extra-duty shall not exceed 125 hours within a month (28 days).
 - O. Officers shall check in-service and out-of-service over the radio when they work an extra-duty assignment. It is imperative shift supervisors are made aware when an officer is working an extra-duty assignment.

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- P. In the event of an emergency situation, the highest ranking shift supervisor has the authority to call in an officer who is working extra-duty; this is at the discretion of the Chief of Police and the practice shall not be abused.

- Q. In the event of an emergency request for extra-duty, such as a business needing immediate extra-duty security after hours, the on-call Major will make the decision to fill the need as quickly and as fair as possible.