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- I. Policy
  - II. *Secondary Employment at Commission Facilities – All Staff*
  - III. *Secondary Employment Off Commission Property – All Staff*
  - IV. *Secondary Employment Off Commission Property – FOP Bargaining Unit Members*
  - V. Liability

- I. Policy

All employees who desire to engage in any secondary employment must recognize that their primary duty, obligation and responsibility is to the Division. Officers remain subject to call at any time for emergencies, special assignments or extra duty. It is the policy of this Division to allow employees to engage in secondary employment *on and off Commission property* pursuant to the terms of the Collective Bargaining Agreements *and* procedures outlined in this Directive.

*The Chief, Park Police will authorize the secondary employment request so long as it is in compliance with the respective Collective Bargaining Agreement and Division Directives and does not pose a conflict of interest for the Commission or a conflict of interest with the employee's duties for the Commission. Employees will not allow any secondary employment responsibility to negatively impact their ability to fulfill their primary duty obligation to the Park Police.*

- II. *Secondary Employment at Commission Facilities – All Staff*

- A. All secondary employment activities at Commission facilities for Division officers who are bargaining unit members are governed by the Collective Bargaining Agreement with F.O.P. Lodge 30, "Working Conditions, Secondary Employment".
- B. The Chief, Park Police Division will designate *the Community Services Section* to coordinate all requests for secondary employment at Commission facilities. This office will issue a notice regarding every request for service and select the appropriate number of employees to work based on written responses. All selections will be made in a fair and impartial manner. This office will keep a record of all requests and responses.
- C. All employees performing secondary employment services at Commission facilities will report at the proper time and location. If for some reason an assigned employee is unable to work a detail after being scheduled, it is that *employee's* responsibility to find a replacement and notify the coordinator.
- D. All officers performing secondary employment services at Commission facilities will wear their regular duty uniform and necessary equipment, unless advised otherwise by the coordinator.
- E. Officers are permitted to drive Commission police vehicles to and from secondary employment details at Commission facilities.
- F. All *employees* performing secondary employment services at Commission facilities will notify the Communications Section when they arrive and when they clear the location.
- G. Officers working in a secondary employment capacity at a Commission facility will handle all incidents or calls for service at that location while they are there. Assistance from on-duty units will be requested whenever necessary.

- H. All *employees* performing secondary employment services at Commission facilities will be covered by worker's compensation and disability benefits.

III. *Secondary Employment Off Commission Property – All Staff*

- A. *All requests/notifications related to secondary employment off Commission property will be sent through the employee's chain of command and the Office of Internal Affairs to the Chief, Park Police. The Office of Internal Affairs will serve as the repository for all requests, documentation, and notifications for secondary employment off Commission property. The Office of Internal Affairs will conduct an annual audit to ensure all secondary employment requests, notifications, and documentation are current and valid.*

At the time the employee requests to work secondary employment, he or she will provide the following information:

1. The name, address and telephone number of the employer for whom the officer will work during off-duty hours.
  2. The hours and days to be worked.
  3. A description of the duties involved.
- B. *All civilian employees (including Bargaining Unit Members of MCGEO-UFCW Local 1994, any employee who is not a member of a bargaining unit, and any Park Police Candidate) must notify the Chief, Park Police Division via their chain of command of all outside employment at least seven (7) days prior to beginning his or her secondary employment.*
- C. The employee will notify the Chief, Park Police Division within three (3) days of any material change in the employment information previously provided.
- D. Management will review all notices to determine if the secondary employment constitutes an actual or potential conflict. If cause exists to find that an actual or potential conflict exists, then management will have the right to require that the bargaining unit member or employee cease to engage in that secondary employment.
- E. No employee will wear M-NCPPC uniforms, *insignia*, or use M-NCPPC equipment for any secondary employment *off Commission Property except as provided by their respective collective bargaining agreement.*

IV. *Secondary Employment Off Commission Property – FOP Bargaining Unit Members*

- A. All requests and responses/approvals for secondary employment not on Commission property will be in conformance with the terms *and conditions* of the current Collective Bargaining Agreement. *When the secondary employment is security related, officers are required to obtain authorization from the Chief, Park Police prior to the start of such employment. When secondary employment off park property involves twenty (20) hours or more each week, the Chief, Park Police, or designee, will review the information to ensure that the secondary employment does not compromise the employee's ability to effectively perform his or her duties for the Commission.*
- B. Officers are required to provide their Chief, Park Police Division or his/her designee with

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notice of secondary employment that is not on Commission property three (3) days in advance of the start of such employment. If three (3) days notice cannot reasonably be provided, then the officer will provide as much notice as can reasonably be provided.

- C. Officers *engaging in secondary employment off Commission property* are permitted to wear *or use* their issued *duty belt*, bulletproof vest, and portable radio. *They will be permitted to commute to and from secondary employment and sit in their Division issued vehicle while working secondary employment.* No officer will wear the park police uniform *or insignia* for any secondary employment off *Commission* property.
- E. Officers on sick leave, disability leave, Workers' Compensation or FMLA leave due to their own serious health condition, may not engage in secondary employment while in such leave status.
- F. Officers on FMLA to care for family members, parental leave, administrative leave or professional improvement leave, may not engage in secondary employment during their normal work schedule hours.
- G. Officers on light duty will have all security related secondary employment reviewed for appropriateness by the Chief, Park Police Division or designee. *Officers with police powers suspended will not engage in any security related secondary employment and will not utilize any agency equipment or vehicle for any secondary employment.*
- H. Officers are required to notify Communications prior to commencing *secondary employment* security services (on or off *Commission* property). Notification will include:
  - 1. The officer's ID number.
  - 2. The radio number they will be using (i.e. OD2188).
  - 3. A telephone number where they may be reached, if applicable.
  - 4. Location
  - 5. Time of employment (i.e. 1800 – 2200).
  - 6. Any other safety information they feel is pertinent (clothing description, location on sight, etc.)

## VI. Liability

- A. The Commission will not assume any liability, including Worker's Compensation, for any injury, damages or civil action incurred by employees while they are performing secondary employment activities off *Commission* property.
- B. The Commission will not provide a legal defense for claims arising from the secondary employment activities of an employee off *Commission* property.
- C. Officers working security related secondary employment off *Commission* property *must* carry a comprehensive insurance policy pursuant to the terms of the Collective Bargaining Agreement. *Officers who work security related secondary*

*employment off Commission property must submit documentation of the policy through their chain of command and the Office of Internal Affairs to the Chief, Park Police with the request for secondary employment off Commission property pursuant to the CBA. Officers who continue to work approved secondary employment off Commission property must annually submit a copy of the insurance policy valid for the period of their employment.*



Issuing Authority: \_\_\_\_\_

**Chief Darryl W. McSwain**  
**Maryland-National Capital Park Police**  
**Montgomery County Division**

**End of Directive**