

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject SECONDARY EMPLOYMENT	Policy Number GC-18 Effective Date 03-04-22
Related Information Maricopa County Policy HR2422 CP-2, <i>Code of Conduct</i> EA-18, <i>Law Enforcement Extra-Duty and Off-Duty Employment</i> GH-2, <i>Internal Investigations</i> GH-5, <i>Early Identification System</i>	Supersedes GC-18 (11-25-10)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for the Office's management of deputies, detention officers, and civilian employees who work secondary employment.

POLICY

It is the policy of the Office to provide direction and ensure accountability for those Office employees who work secondary employment.

DEFINITIONS

Division File: Records for each employee, maintained at the division level, containing current information necessary for Employee Performance Appraisals, assignment decisions, and other management functions.

Employee: A person currently employed by the Office in a classified, unclassified, contract, or temporary status.

Secondary Employment: Employment worked by an Office employee where compensation is not from the Maricopa County payroll system and is otherwise separate from their Office job duties such as, computer repairs; teaching classes; construction; or sales, and where compensation is attained through the secondary employer. Secondary employment is **not** considered extra-duty or off-duty law enforcement employment and is **not** managed through the Office or the Off Duty Management (ODM) OfficerTRAK application. Secondary employment shall not include employment otherwise indicated as prohibited by this Office Policy.

PROCEDURES

- Secondary Employment:** Secondary employment worked by a deputy, detention officer, or civilian employee is **not** considered extra duty/off duty law enforcement employment, as specified in Office Policy EA-18, *Law Enforcement Extra-Duty and Off-Duty Employment*. Employees working secondary employment **do not** receive compensation from the Maricopa County payroll system or the ODM. Volunteer work performed by an employee is not considered secondary employment.
- Secondary Employment Responsibilities:** Employees are authorized to work secondary employment when the employment does not interfere with their Office responsibilities, create a conflict of interest, or create an appearance of impropriety. Employees shall conduct themselves at all times, both on and off-duty, in such a manner as to reflect favorably on the Office, as specified in Office Policy CP-2, *Code of Conduct*. If it is identified that the secondary employment does not meet the requirements of this Office Policy, employees shall cease or modify their secondary employment immediately upon direction by command staff.

- A. Employees are required to inform their immediate supervisor of any secondary employment, to include any self-employment, and submit a *Secondary Employment Request Form*.
 - B. All employees working secondary employment are required to have a *Secondary Employment Request Form* on file.
 - C. The *Secondary Employment Request Form* is located in the Official MCSO Forms folder on the Office's shared drive and placed within this Office Policy folder.
 - D. Employees are prohibited from working any secondary employment, including self-employment, unless they have an approved *Secondary Employment Request Form* on file.
 - 1. Employees are responsible for keeping their supervisor informed of any changes to their secondary employment including their status, duties, and work hours, and are required to complete a new *Secondary Employment Request Form* regarding the changes.
 - 2. When informed by an employee their secondary employment work status has ended, the employee's supervisor shall notate the information on the *Secondary Employment Request Form* located in the employees Division File.
3. **Prohibited Secondary Employment:** In accordance with Maricopa County Policy HR 2422, employees are prohibited from working secondary employment when the employment:
- A. Violates any law, statute, or regulation;
 - B. Poses, could pose, or has the appearance of a potential conflict of interest;
 - C. Compromises the integrity or credibility of the Office; and/or
 - D. Impairs the performance of Office duties or operations including, but not limited to:
 - 1. Use of Office work time, facilities, personnel, equipment, technology, supplies, badges, or uniforms;
 - 2. Where employees may directly or indirectly, inspect, review, or audit their outside work within the performance of their normal Office duties;
 - 3. Where employees use their official position or confidential information acquired through the course of their official Office duties;
 - 4. Places employees in an adversarial relationship with the Office;
 - 5. Renders employees' performance of Office duties less efficient, or prevents them from working overtime, stand-by, or on call; or
 - 6. At an entity that conducts business with Maricopa County when satisfactory management of any potential conflict of interest is not possible.
4. **Maximum Number of Hours Worked:** Employees who work any combination of an on duty, secondary employment (and/or extra-duty/off-duty law enforcement employment as specified in Office Policy EA-18, *Law Enforcement Extra-Duty and Off-Duty Employment*) and who reach a maximum of 16 hours worked in a 24-hour rolling period, shall have an 8-hour rest period prior to the start of their next on-duty, secondary,

or extra duty/off-duty law enforcement employment shift. **Exceptions shall only occur with the approval of the employee's division commander or next level supervisor if for a division commander or above.**

- A. Employees are prohibited from overlapping on-duty shifts with secondary employment;
 - B. Employees shall not engage in secondary or extra-duty/off-duty law enforcement employment which would impact the employee's ability to successfully meet performance, conduct, attendance, or appearance expectations; or interferes with the business needs of the Office.
5. **Secondary Employment Request Form Reviews:** When making approval or denial determinations, supervisors and commanders shall review the information provided by the employee in Sections II and III of their *Secondary Employment Request Form*.
- A. For approval of the form, the information provided by the employee shall **not** indicate prohibited secondary employment or that the employee will exceed 16-hours worked in a rolling 24-hour period without an 8-hour rest, as specified in this Office Policy.
 - B. Supervisors and commanders shall also consider any extra-duty and/or off-duty law enforcement employment scheduled by a sworn employees submitting a *Secondary Employment Request Form*, to ensure any combination of the 16-hours worked limit is not exceeded.
 - 1. The supervisor shall complete their review, indicate their approval or denial, and forward the *Secondary Employment Form* through the chain of command to the division commander for review.
 - 2. The division commander shall approve or deny the request within five business days of receipt. A copy shall then be provided back to the employee and a copy placed into the employee's Division File.
 - 3. In the event the employee submitting a *Secondary Employment Request Form* is the rank of division commander/captain or above, the review and determination shall be completed by their next level immediate supervisor.
 - C. Division commanders and above are authorized to approve exceptions to the maximum hours worked by an employee and shall document their reason in the comment section on the *Secondary Employment Request Form*.
 - D. Employees may appeal a denial of their secondary employment by offering a response through a memorandum within five business days to their bureau chief through the chain of command for a final determination.
6. **Supervisory Responsibilities for Secondary Employment:** Office supervisors who supervise employees working secondary employment jobs are responsible for the following:
- A. Providing oversight and monitoring activities to:
 - 1. Prevent overlapping on-duty shifts with secondary employment;
 - 2. Ensure their employees are aware of the requirements specified in this Office Policy regarding the maximum number of hours worked; and

3. Identify and address any indications that secondary employment may be impacting the employee's ability to successfully meet performance, conduct, attendance, or appearance expectations; or that secondary employment may be interfering with the business needs of the Office.
- B. Blue Team Entries: No Blue Team Supervisor Note entries are required relating to an employee's secondary employment unless the supervisor has been notified of a complaint related to the secondary employment.
1. Blue Team entry procedures regarding complaints shall be followed, as specified in Office Policies GH-2, *Internal Investigations* and GH-5, *Early Identification System*.
 2. Supervisors may complete a Blue Team Supervisor Note in the event the secondary employment employer provides a compliment for the employee's work performance.