

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.4
	Effective Date: 07/12/03 Prv. Rev. Date: 06/05/22 Revised Date: 12/19/22
	Accreditation Standards: KACP: 10.2, 10.3, 12.1
Chapter: Personnel	
Subject: Secondary Employment	

## 2.4 SECONDARY EMPLOYMENT

### 2.4.1 POLICY

This policy establishes guidelines regarding secondary employment involving members of the Louisville Metro Police Department (LMPD). Secondary employment must not conflict with a member's duties as an employee of the department, reflect unfavorably on the department, or impair the member's performance of departmental duties.

### 2.4.2 DEFINITIONS

**Secondary Employment:** The provision of services to any person or entity other than the LMPD, including all self-employment which involves any use of the member's personal time in providing goods or services to another. This includes any volunteer work performed in an official capacity. This also includes situations where members receive reduced cost or no cost housing to act as a courtesy officer for a residential community. Secondary employment also includes self-employment that does not require the use of police authority (e.g. teaching, sales jobs, etc.). Secondary employment is work performed by either sworn **personnel** or **professional staff**.

### 2.4.3 SECONDARY EMPLOYMENT OPPORTUNITIES

The "LMPD Secondary Employment" user group, located within the department's email distribution list, is the only means for posting and receiving secondary employment opportunities for sworn members of the department. The Administrative Bureau Adjutant Lieutenant, or his/her designee, is responsible for adding and removing members from the "LMPD Secondary Employment" user group. Only those members who have requested to be added to the "LMPD Secondary Employment" user group will receive secondary employment opportunities. Members who wish to receive secondary employment opportunities will send an email to the Administrative Bureau Adjutant Lieutenant and request to be added to the "LMPD Secondary Employment" user group. If a member no longer wishes to receive secondary employment opportunities, he/she will send an email to the Administrative Bureau Adjutant Lieutenant requesting to be removed from the "LMPD Secondary Employment" user group.

Members who receive, and want to disseminate, secondary employment opportunities for sworn members of the department will send an email to the "LMPD Secondary Employment" user group. Professional business language will be used in the email and the email will include the following information:

- The subject line will only state where the secondary employment opportunity is to take place (e.g. KFC Yum Center, Cardinal Stadium, Circle K, etc.);
- Location (i.e. address);
- Date(s);
- Time(s);
- Pay rate;

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## 2.4.3 SECONDARY EMPLOYMENT OPPORTUNITIES (CONTINUED)

- Person in charge;
- Uniform requirement (i.e. uniform or plainclothes); and
- Whether a marked car is required.

## 2.4.4 APPROVAL (KACP 10.3a)

Members will complete a Secondary Employment Request form (LMPD #03-02-0100), via DocuSign, prior to engaging in secondary employment. The DocuSign Secondary Employment Request form can be found on the LMPD Intranet by clicking on the "Electronic Forms" button. If the member does not have access to a departmental computer or the DocuSign version is unavailable, he/she may complete hardcopy of the Secondary Employment Request form (LMPD #03-02-0100). All requests will be forwarded, through the appropriate chain of command, and are subject to final approval by the Chief of Police, or his/her designee. Members will indicate, on the form, the calendar months during which they intend to work the secondary employment.

The member's supervisor may verbally approve a one (1)-time event request if time does not permit completion of the Secondary Employment Request form. However, verbal approvals must be followed with a properly completed Secondary Employment Request form, which will be submitted to the member's commanding officer before the end of the member's next tour of duty. In situations where a one (1)-time event request is submitted in the proceeding calendar month (e.g. February 1 submission for a job worked on January 31), the form should indicate the month that the employment was actually worked.

If the secondary employment is to be performed at one (1) location during various times of the year and the activity is the same (e.g. shoplifting enforcement at the same business), only one (1) Secondary Employment Request form is required per calendar year. If the secondary employment is to be performed at various locations for the same company, a Secondary Employment Request form is required for each location per calendar year (e.g. security at various Kroger locations, a form must be submitted for each Kroger location: ten (10) locations requires ten (10) forms).

Officers who have formed a business in which the use of police authority is involved must submit a Secondary Employment Request form concerning the business. Each LMPD officer employed on that particular job must also submit a separate Secondary Employment Request form.

Members who are assigned a take-home vehicle, and have been approved to use the vehicle during secondary employment, are required to pay a fee to Metro Government to offset the cost of gasoline and vehicle wear and tear. This includes driving to a secondary job before or after his/her tour of duty, as well as driving to, and parking in, the general vicinity of the secondary job or courtesy apartment. The fees are deducted from the member's paycheck for every month that they use the vehicle for secondary employment. Gasoline fees may fluctuate and will be determined based on the average monthly retail price for a gallon of regular gasoline, in the Louisville area, as reported on the American Automobile Association's (AAA's) Daily Fuel Gauge Report for the previous month. The average monthly cost will determine the amount of the gasoline fee. The fee will be as follows:

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## 2.4.7 RESTRICTIONS (CONTINUED)

in any labor dispute; jeopardize, in any manner, the impartial position of the department; or involve the member in a violation of any procedures, ordinances, or state laws. The following restrictions apply to secondary employment:

- Officers are prohibited from engaging in secondary employment as a bouncer or security guard in establishments that specialize in nightclub-type entertainment or businesses that primarily sell liquor by the drink or package.

This does not prohibit secondary employment in parking lots of the aforementioned establishments. Officers are permitted to enter such establishments while working secondary employment for administrative functions or when requested by the business to address issues related to the following:

- Trouble calls beyond the scope of the security staff.
  - Disorderly subjects.
  - Active fights.
  - Domestic violence (DV) situations.
  - Other calls for service requiring a police response.
- While an officer is on probation, he/she will not engage in secondary employment where his/her official duties as a law enforcement officer might be required. Any officer who retired from the LMPD, and who is subsequently rehired within one (1) year, is exempt from this requirement and may engage in approved secondary employment during his/her probationary period. Any police lateral is permitted to work secondary employment upon his/her successful completion of the Police Training Officer (PTO) Program.
  - While in the academy, recruits are prohibited from engaging in secondary employment that requires use of police authority. This includes any employment as a security officer, security guard, or bouncer.
  - Traffic Control Officers (TCOs) will not work as a security officer or security guard in their LMPD uniform, under any circumstances. This does not include directing traffic.
  - Professional staff who have limited authority to issue citations for certain violations (e.g. TCOs, Tow-In Equipment Operators, Storage Equipment Operators, the Central Records Unit, etc.) will not issue citations while off-duty or working secondary employment, unless authorized, in writing, by the Chief of Police, or his/her designee.
  - Members who are assigned to 12-hour platoons are prohibited from performing secondary employment work within eight (8) hours of the starting time of the member's first shift in a consecutive set of workdays or between consecutive shifts in a set of workdays. Exceptions may be granted by sergeants or above with the approval of the Chief of Police, or his/her designee.

Members may work secondary employment between consecutive shifts if they take leave time or have scheduled time eliminated and:

- The total hours worked, whether for the department or during secondary employment, do not exceed 12 hours for any calendar workday; and
- The member does not perform secondary employment work within eight (8) hours of the starting time of the member's next scheduled work shift.

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## 2.4.7 RESTRICTIONS (CONTINUED)

The following aspects of secondary employment are prohibited:

- Using departmental records (e.g. case files, criminal records, etc.) for the benefit of a secondary employer, unless authorized, in writing, by the Chief of Police, or his/her designee.
- Working a secondary job when a member is on sick or injury leave (KACP 10.2c).
- Working a secondary job involving the use of official duties as an LMPD officer while a member is on suspension from the department.
- Performing secondary employment duties in exchange for compensation from any person or firm, during regularly scheduled hours.
- Soliciting secondary employment from any person, agency, or firm while on-duty.
- Signing any type of form waiving the liability of the secondary employer for any incident arising out of the secondary employment which may require the use of official powers granted by the department.
- Driving a departmental vehicle to a secondary job, or to the general vicinity of a secondary job, without prior approval.
- Failing to pay a gasoline fee for secondary employment where a departmental vehicle has been approved for driving to the secondary job, or otherwise using a departmental vehicle during secondary employment. This includes driving a departmental vehicle to the general vicinity of a secondary job.
- Transporting civilian riders or passengers in departmental vehicles without prior approval from the Chief of Police, or his/her designee.

Although the use of departmental property or equipment (e.g. computers, MDTs, phones, etc.) is permitted, members are held financially responsible for the loss or damage of any departmental property or equipment that occurs through negligent acts, omissions, or willful misconduct of the member during the course of any secondary employment. Members will comply with all policies regarding the use of equipment.

## 2.4.8 BINGO HALLS (KACP 10.3a-b)

Prior to the approval of secondary employment at a bingo hall, a member must submit, along with the Secondary Employment Request form, a letter from the bingo operator stating that the organization conducting the bingo is tax-exempt, as detailed by state law. Alcohol Beverage Control (ABC) regulations require bingo operations that sell alcoholic beverages to be properly licensed. Any alcoholic beverages sold or consumed on the premises must be in a separate room from where the bingo is conducted.

## 2.4.9 COORDINATOR RESPONSIBILITIES (KACP 10.3d)

The Inspections and Compliance Unit (ICU) has oversight of all secondary employment. The Chief's Office will forward a copy of all Secondary Employment Request forms (LMPD #03-02-0100) to Police HR and the ICU. **The DocuSign Secondary Employment Request form will be automatically sent to the Police HR and ICU.**

The ICU reviews the member's employee time records (e.g. time books, **TeleStaff**, or **Workday**) to verify that sick or injury leave time is not being used while working secondary employment and that