

		Policy & Procedures			No. 4.21	
		Subject:				
		Outside Employment				
		Issuing Authority:		Effective Date:	Review Date:	
		Chief of Police		07/08/2014	08/08/2023	
				References:		
Review						
Revision	06/05/2016					
Reissued	05/03/2018					
Dates:	04/20/2020					

CALEA STANDARDS

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Purpose

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Officer Safety and proper police service to the public requires, among other factors, proper rest, high alertness levels, and high ethical standards. In order to foster an environment which provides for this, the Department must play a role in monitoring related activities, including allowable work hours, and secondary employment outside the department by all department employees.

Policy

The Department has an obligation to support and protect their employees and the public. Among factors to be considered are employee work hours, including regular service; overtime duties and details; and outside employment. In addition, ethical conflicts that may affect the employee's ability to perform expected job duties should be considered.

To the extent necessary to meet this obligation, the Department may monitor and exercise control over situations which could lead to potential conflicts for the employees.

Further, certain types of outside employment or activities may incur liabilities upon the Department, based on training and knowledge gained during employment with the Canton Police Department. The Department has an obligation to monitor and control such liability.

Department Employment

Department Employment, within this policy, refers to the duties or activities, approved and/or administered by the Department. For any sworn personnel, there is an expectation that it may involve the exercise or police powers granted by virtue of CPD employment.

These duties or activities may include:

- Regular shift, or other assigned duties, on behalf of the Department
- Overtime administered through the Department, either in-house, or for an event or activity within the jurisdiction;

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- Duties or activities out of jurisdiction, or on behalf of another law enforcement agency, as authorized by the Chief or designee. This may include:
 - o “Road jobs” or other details
 - o Joint Task Force or regional working groups for special enforcement of drug or alcohol laws, terrorism, canine, tactical, training, motor vehicle theft, etc.
 - o Other approved purposes such as MPTC training or community presentations.
- May be paid or unpaid
- Department uniforms and personal equipment may be used

Standard Expectations

Employees must clearly understand that their primary obligation is to the Canton Police Department; fellow employee; and the public they serve.

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This expectation dictates the following requirements;

- Unless required by exigent circumstances, and approved by a Lieutenant or higher rank:
 - o Employees shall not work, by direction or by choice, in excess of 17 hours in a 24-hour period;
 - o In the absence of a Lieutenant or above, a Sergeant may give an emergency order to extend work hours.
- Employees are expected to work assigned department duties, unless granted advance time off.

Outside Employment

Outside employment, within this policy, refers to duties or activities, (aka ‘work’) which are not administered by the Department. This may include working for a private business.

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For outside employment, the following shall apply to both sworn and non-sworn:

- The Department will honor and respect personal and constitutional rights in the review and enforcement of restrictions noted within this policy, while protecting itself from undue liability, as well as protecting other employees.
- If an employee fails to fulfill their primary obligations to the Canton Police Department, and off-duty employment is considered a potential factor, it will be subject to review.
- Department uniforms and equipment, either issued or purchased with allotted CPD funds, may only be utilized for Department employment, as previously defined.
- Such uniforms and equipment may not be used in conjunction with Outside Employment.
- An employee will behave in a professional manner and will not bring discredit to the agency.

All personnel engaging in outside employment should clearly understand that their primary obligation is to the police department and the community they serve. Officers must not perform work that will make them unavailable in emergencies, exhaust them, require special scheduling or excessive shift swapping, or bring the department into disrepute or impairs its operation or efficiency.

Conflicts of Interest

Some types of outside employment in which the use of law enforcement power is not anticipated may create inherent conflicts of interest for the employee or Department, or may adversely impact upon the public trust conferred upon those in the law enforcement field.

- Such categories of outside employment should not be engaged in, and may result in an inquiry and corrective action being initiated by the Department.

Examples of Conflicting Employment Types – should be avoided

The Department recognizes certain types of outside employment as inherently in conflict with the primary employment.

The following list of outside work, industries and companies are intended as a reference for areas of concern, for actual or potential conflict or liability, which should be avoided.

Any which:

- Would violate the Conflict of Interest Statutes, including MGL C268A, governing the conduct of public officials and employees;
- Would create an ethical or moral conflict for the employee or department;
- Involves the sale or service of alcohol, or working at a bar, club or liquor store, or a gambling establishment;
- Any bail bond services, investigative work for insurance companies, private guard services, collection agencies or attorneys.
- Is owned, controlled, or associates itself with known felons;
- Inherently relies upon training or certification provided by the Department, which may invoke institutional liability; (ie: Private Security; private consultant or trainer based on Department training or position; private accident reconstruction; etc.)

Department Notification

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Officers shall not engage in any compensated off-duty employment without the knowledge and approval of the Chief of Police. The approval of the Chief of Police shall be based upon such factors as:

- Increasing off-duty efficiency and availability
- Avoiding potential conflicts of interest
- Protecting the image of the department
- Avoiding impairment of on-duty performance

All Employees considering secondary employment in any capacity outside his/her role as a Canton Police Officer, must submit a detailed letter of intent for the Chief's review to discuss any potential conflicts and related matters that could interfere with the position they hold within the Canton Police Department.

- This letter must be submitted prior to initiating the employment;
- This letter shall be maintained in the Chief's office.

Point of Contact within the Agency

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The Deputy Chief is designated as the point of contact for purposes of coordinating and administering all extra duty employment, to include overseeing adherence to the policies and processes governing paid details.