



<b>University of Pennsylvania Police Department</b> 4040 Chestnut Street, Philadelphia, Pa 19104		 
<b>Directive:</b> 4	<b>Subject:</b> Outside Employment	<b>Effective Date:</b> 03/18/1996
<b>Order of:</b> Maureen S. Rush, Superintendent of Police		<b>Amended Date:</b> 02/01/2015

**I. Purpose**

The purpose of this directive is to set forth guidelines to govern off-duty or outside employment by sworn officers of the University of Pennsylvania Police Department (UPPD).

**II. Policy**

The policy of the UPPD is to provide guidelines to sworn officers to inform them of the types of outside employment which are appropriate; and to establish procedures to maintain accountability for the welfare of the UPPD. These requirements are essential for the efficient operation of the police department and for the protection of the University community.

**III. Scope**

This directive shall affect both civilian and sworn employees of the University of Pennsylvania Police Department.

**IV. Definitions**

- A. Employment: The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer charity work.

**V. Procedures**

- A. Administration And Management

1. The Superintendent of Police will oversee adherence to the policies and procedures contained within this directive and other matters governing outside employment of UPPD personnel.

2. Employees of the UPPD may only engage in outside employment or be self-employed with the written authorization of the Superintendent of Police.

#### B. General Rules And Regulations

1. Outside employment shall not conflict with the duties and responsibilities of the employee or the interests of the UPPD, nor interfere with or take precedence over the proper performance of any duties at any time or under any circumstances.
2. Determination of the compatibility of outside employment with the interests of the University of Pennsylvania and the UPPD shall be made by the Superintendent of Police.
3. Any infringement on performance, conflict of interest or any compromise of ethical or professional standards is unacceptable. When an employee of the UPPD is on Sick Leave, Injury On-Duty (IOD), Workers' Compensation, Medical Leave, Funeral Leave or other similar leaves, either paid or unpaid, outside employment is prohibited.
4. Employment may not exceed thirty-two (32) hours a week or a total of seventy-two (72) hours in combination with regular duty in each calendar week. Whenever an employee is too tired, or is either late or absent because of their outside employment, UPPD job performance is compromised.

#### C. Criteria For Outside (Off-Duty) Employment

1. UPPD employees may engage in off-duty employment that meets the following criteria:
  - a. Employment that presents no potential conflict between their duties as an employee of the UPPD and their duties for their secondary employer. Some examples of employment representing a conflict of interest are:
    - 1) As a process server, reposessor, bill collector, tow operator, or any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.
    - 2) When the badge, uniform or exercise of police authority are to be used in the performance of the job; this includes personnel investigations, obtaining any police information, records, files or correspondence for a secondary private employer as a condition of employment.
    - 3) Which assists (in any manner) the case preparation for the defense in any criminal or civil action or proceeding.
    - 4) Employment by an employer involved in a labor dispute or any employment that result in participation in a labor dispute.

- 5) At any employment or business which will in any way reduce an employee's effectiveness as a member of the UPPD or present an unusual amount of physical danger to the employee.
- b. Employment that does not constitute a threat to the status or dignity of the department as a professional occupation. Examples of employment presenting a threat to the status or dignity of the department are:
  - 1) Establishments which sell pornographic books, magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
  - 2) Any employment involving the sale, manufacture or transport of alcoholic beverages as the principal business whether private or publicly owned (Waivers may be granted on a case by case basis).
  - 3) Any gambling establishment not exempted by law.
2. UPPD sworn officers are not permitted to work for other police departments.

#### D. Limitations On Regular Off-Duty

1. In order to be eligible for off-duty employment, an employee must be in good standing with the UPPD. Any record of excessive days off for sickness, poor work record, or misconduct may result in a denial or revocation of authorization. Continued departmental approval of an employee's off-duty employment is contingent on such good standing.
2. An employee engaged in any off-duty employment is subject to being called-in to work by the UPPD in case of emergency and may be expected to leave his/her off-duty employment in such situations.

#### E. Requirements

1. Prior to engaging in any off-duty or self-employment, all departmental employees must submit an "Off-Duty Employment Request Form" (UPPD-54), for authorization for outside employment to the Superintendent of Police via the chain of command.
2. Prior to accepting outside employment, employees shall obtain permission from the Superintendent of Police.
3. All employees who are currently self-employed or work for an employer other than the University of Pennsylvania will submit an "Off-Duty Employment Request Form" through the chain of command to the Superintendent of Police within ten (10) days of this notice.
4. Authorization shall apply to the specific work, location and conditions stated on the request form. This request will provide the name of the organization, the location, the Superintendent Operating Officer's name and telephone number, and full job function.

5. Any injury, disability or illness incurred during outside employment must be reported immediately to an on-duty supervisor.
  - a. The supervisor shall submit a detailed memorandum to the Superintendent of Police via the chain of command.
6. Permission for outside employment shall remain in effect until termination of employment or until cancelled by the Superintendent of Police.
7. Failure to obtain written authorization, giving false information when requesting authorization or failure to adhere to the conditions of outside employment shall result in disciplinary action, up to and including termination.
8. Permission for outside employment shall not be arbitrarily or capriciously withheld.

#### F. Termination Of Outside Employment

1. Employees who have received authorization to work outside employment in accordance with this directive, and plan to terminate their outside employment, must complete Section II of their original (UPPD-54) form. The employee will then forward the completed form via the chain of command to the Office of the Superintendent of Police ten (10) days prior to their termination date.

#### G. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

#### H. Officers Assigned To Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

#### I. Application

This directive constitutes department policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.