



**OFFICE OF THE DIRECTOR
THE UNIVERSITY OF TEXAS SYSTEM POLICE
POLICIES AND PROCEDURES MANUAL**



TITLE: <p style="text-align: center;">OFF-DUTY EMPLOYMENT</p>		
POLICY NUMBER: <p style="text-align: center;">B-18</p>	EFFECTIVE DATE: <p style="text-align: center;">September 12, 2008</p>	RESCINDS / AMENDS: <p style="text-align: center;">Policy B-18 (09/01/04)</p>
RELATED LAWS:		RELATED STANDARD(S) / RULE(S): <p style="text-align: center;">CALEA 22.3.4, 22.3.5</p>

I. PURPOSE:

To provide guidance and a means of approval for U.T. System Police Officers who are contemplating off-duty employment.

II. POLICY:

OFF-DUTY EMPLOYMENT WITH A PRIVATE ENTITY IS NOT ENCOURAGED BUT MAY BE PERMITTED UNDER THE FOLLOWING CONDITIONS:

- A. In accordance with U.T. System Board of Regents Rules and Regulations, all employees contemplating outside employment or providing services for compensation during their off-duty hours must receive written approval from their Chief, as this term is defined in Policy B-8, Section 1.3.4, before engaging in such work. All approvals expire annually on August 31 and a new request must be submitted and approved before working an off-duty job after that date.

- B. In order to be approved for off-duty employment, an officer must have completed one year as a commissioned officer, not be on disciplinary suspension or probation, not be the subject of an internal investigation, and be performing satisfactorily in every category on his or her last performance evaluation.

- C. If given the authority by the Chief, first-line supervisors may approve temporary, one-time employment lasting not more than three days without the specific approval of the Chief if the employment opportunity would be lost due to the delay caused by utilizing the normal approval procedure. Any supervisor approving such temporary employment will describe all relevant information in a memo to the Chief immediately following the approval.

- D. Officers who utilize their police authority while working off-duty employment will immediately notify their Chief if any of the following incidents occur:
1. A detention is made,
 2. An arrest is made,
 3. Force is used,
 4. The officer suffers an injury requiring medical attention,
 5. A search is conducted,
 6. Someone dies or is seriously injured during an incident involving the officer,
 7. A motor-vehicle accident occurs,
 8. The news media films or interviews the officer, or
 9. The officer is involved in an incident that draws the attention of news media.

III. LIMITATIONS ON OFF-DUTY EMPLOYMENT:

- A. The employment must comply with the U.T. System Board of Regents' *Rules and Regulations*, Series 30000, Rule 30103, Standards of Conduct.
- B. The employment must not create a conflict of interest between the primary responsibilities/duties of a U.T. System Police Officer and the responsibilities/duties associated with the outside employment.
- C. The employment must not interfere in any way with the officer's ability to satisfactorily perform his/her law enforcement duties for the U.T. System.
- D. The employment must never be performed while wearing any part of the U.T. System-issued uniform or while using any U.T. System-issued equipment.
- E. Security-type jobs may be performed while wearing the uniform of a non-government, private business concern; however, if another uniform is worn, it shall bear no badge or insignia that identifies the person as, or may lead any person to believe that the person is, a police officer employed by the U.T. System.
- F. The employment must not involve the use of privileged information obtained in conjunction with the officer's employment with the U.T. System.
- G. The employment must not pose an unreasonable risk to the safety of the officer.
- H. The owner or manager of the business employing the officer must not be of questionable character.

- I. The employment must not involve the solicitation of funds for an organization.
- J. Supervisors must not work off-duty jobs in which they report directly to or are scheduled by a person who is their subordinate in the U.T. System Police chain of command.
- K. An officer who utilizes sick leave benefits for his/her own personal illness or injury on an assigned work day shall not have approval to work off-duty during that assigned duty shift or during the eight-hour period immediately following the missed assigned duty shift.
- L. The employment must be legal and honorable.
- M. The following are examples of employment that are not acceptable:
 - 1. Process Server.
 - 2. Re-Possessor.
 - 3. Bill or Loan Collector.
 - 4. Bouncer.
 - 5. Employment associated with the bail bond business.
 - 6. Case preparation and/or investigative activities for an attorney.
 - 7. Employment in any establishment when gambling is occurring.
 - 8. Providing motor vehicle escort services for funeral processions, sports teams, etc.
 - 9. Employment in any capacity where the officer is expected to provide a special advantage to private interest at the expense of the public, such as an officer hired to assist employees to enter or exit a bank or other private business establishment.
 - 10. Owning or managing a private security or investigation business unless properly licensed through the Texas Department of Public Safety Private Security Bureau.
 - 11. Any employment, excluding U.T. System or institution-sponsored events, that adversely affects or lowers the dignity of the police department or the U.T. System. Examples of employment presenting a threat to the status or dignity are:
 - a. Employment in an establishment that sells pornographic material or provides entertainment or services of a sexual nature.
 - b. Employment in establishments or at events where the officer will be required to sell alcoholic beverages or where alcoholic beverages are sold or given away without charge and consumed on the premises, or in a business that derives its primary source of income from the sale or on-premise consumption of alcoholic beverages. This includes nightclubs, bars, taverns, liquor stores, and their parking lots. It also includes events such as rave gatherings, parties and other such events, which are open to the public and where alcohol is consumed.

IV. CONTENTS OF REQUEST:

Requests for approval of off-duty employment must contain, at a minimum, the following information:

- A. The employer's name, address, phone number, and a description of the type of business;
- B. An accurate description of the work to be performed;
- C. The number of anticipated hours per week;
- D. The name, number, and expiration date of any required licenses; and
- E. A listing of all law enforcement-type equipment the officer must use on the job.

V. HOURS OF EMPLOYMENT:

The combined number of hours worked on U.T. System employment and off-duty employment will comply with the following:

- A. The maximum combined number of hours worked shall not exceed 72 hours in any consecutive seven-day period.
- B. The maximum combined number of hours worked shall not exceed 16 hours in any 24-hour period.
- C. Any off-duty employment that exceeds five hours shall be followed by a minimum six-hour period before reporting to work for the U.T. System.

VI. REVOCATION OF OFF-DUTY EMPLOYMENT APPROVAL:

The following is a non-exhaustive list of activities that may result in the revocation or limiting of any off-duty employment previously authorized:

- A. The officer performs any activity related to off-duty employment while on duty at the police department.
- B. The off-duty employment interferes or conflicts with police duties or the officer's availability for emergency duty at the police department.
- C. The officer performs below acceptable standards at the police department.
- D. Excessive sick days or other evidence indicate the off-duty employment is impairing the officer's ability to satisfactorily perform assigned police duties.
- E. The officer works an off-duty assignment while on sick leave.
- F. The off-duty employment is a security-type employment that requires the officer to wear a uniform and the officer is not able to wear a uniform while on duty for the police department.

- G. The officer fails to report the use of law enforcement authority to his or her Chief during off-duty employment.
- H. The officer fails to comply with Sections II.D., III and/or V of this policy.

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