

Outside Employment and Outside Overtime

1311.1 PURPOSE AND SCOPE

This policy provides guidelines for office members who seek to engage in authorized outside employment or outside overtime.

1311.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by members of this office for another employer, organization or individual who is not affiliated directly with this office when wages, compensation or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products or benefits rendered.

Outside overtime - Duties or services performed by members of this office for a private organization, entity or individual, that are requested and scheduled directly through the Office. Member compensation, benefits and costs for such outside services are reimbursed to the Office.

1311.2 POLICY

Members of the Montgomery County Sheriff's Office shall obtain approval from the Sheriff or the authorized designee prior to engaging in any outside employment or outside overtime. Approval of outside employment or overtime shall be at the discretion of the Sheriff or his designee in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment or overtime, or engaging in outside employment or overtime that is prohibited by this policy.

1311.3 OUTSIDE EMPLOYMENT

1311.3.1 REQUEST AND APPROVAL

Members must submit a written request to their immediate supervisors. The request form will then be forwarded through the chain of command to the Sheriff or his designee for consideration.

If approved, the member will be provided with a copy of the approval.

1311.3.2 DENIAL

Any member whose request for outside employment has been denied should be provided with a notification of the reason at the time of the denial.

1311.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.

Approval for outside employment may be revoked or suspended:

Montgomery County Sheriff's Office

Policy Manual

Outside Employment and Outside Overtime

- (a) When a supervisor determines the member's performance is failing to meet standards and the outside employment may be related to the deficient performance.
 - 1. Approval for the outside employment may be reestablished when the member's performance has reached a satisfactory level and with his/her supervisor's authorization.
- (b) When a member's conduct or outside employment conflicts with office policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the Office or county.

1311.3.4 APPEAL

If a member's request for outside employment is denied or if previous approval is revoked or suspended, the member may make an appeal to the Sheriff

1311.4 REQUIREMENTS

1311.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The Office reserves the right to deny any request for outside employment that involves:

- (a) The use of office time, facilities, vehicles, equipment or supplies.
- (b) The use of the Montgomery County Sheriff's Office badge, uniform or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money, favor or other consideration for the performance of duties or services that he/she would be required or expected to render in the course or hours of his/her employment, appointment or as a part of his/her regular duties.
- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other member of this office.
- (e) Demands upon the member's time that would render the performance of his/her duties for this office deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the Office.

1311.4.2 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates his/her outside employment, the member shall promptly give notification of such termination to the Sheriff or his designee through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Montgomery County Sheriff's Office

Policy Manual

Outside Employment and Outside Overtime

1311.4.3 LEAVE OR RESTRICTED DUTY STATUS

Members who are placed on leave or other restricted duty status are not allowed to continue their outside employment while on such leave or restricted status.

1311.5 OUTSIDE OVERTIME

1311.5.1 REQUESTS FOR SPECIAL SERVICES

Any private organization, entity or individual seeking special services (e.g., security, traffic control) from members of this office must submit a request to the Director of Field Services in advance of the desired service. Such services will be assigned, monitored by the Montgomery County Sheriff's Office.

- (a) A request for special services during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute will not be approved.
- (b) The requestor will be required to enter into an agreement that includes indemnification with the Office prior to services being performed.
- (c) The requestor will be required to reimburse the member for compensation associated with such outside services.
- (d) Should such a request be approved, any member working outside overtime shall be subject to the following conditions:
 - 1. The member shall wear the office uniform and carry office identification.
 - 2. The member shall be subject to the rules and regulations of this office.

1311.5.2 ARREST AND REPORTING PROCEDURE

Any deputy making an arrest or taking other official law enforcement action while working in an outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to the Report Preparation Policy. Time spent on the completion of such reports shall be considered part of the outside overtime assignment.