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**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER NUMBER 2-12 [CALEA 22.3.4]**

OUTSIDE EMPLOYMENT

SUBJECT: Outside/Off Duty Employment

PURPOSE: The role of a peace officer is a unique one in society and, as such, some limitations and restrictions regarding off-duty activities apply to those who hold that position. Because peace officers are required to be objective and impartial when carrying out their responsibilities, and rely exclusively upon facts and information provided to them, it is imperative that there not even appear to be a conflict of interest on the part of those officers. Since respect for law enforcement officers is paramount to their ability to perform their job, engaging in outside employment which would bring discredit, disrespect or embarrassment to that officer and/or his or her agency would be considered incompatible and in conflict with the officer's primary role as peace officer. Government Code §1126 sets forth factors which, in and of themselves, create conflicts of interest. The Attorney General of California has opined that these are examples and not to be construed as a complete list. Additionally, the legislature required in 1996 that every agency articulate in its outside employment/conflict of interest policy those positions deemed incompatible and therefore, not permitted.

POLICY: It shall be the policy of this Department to require prior authorization for outside/off duty employment and to restrict the types of employment that are approved.

PROCEDURE:

I. Definitions:

- A. **Outside Employment:** For the purpose of this General Orders, the term "outside employment" shall mean: any off-duty work undertaken by an employee of this Department off campus for financial or other consideration.
- B. **Employee:** All sworn and non-sworn Police Department employees.

II. Primary Responsibility:

- A. In all cases of outside employment, the primary duty, obligation and responsibility of an employee is at all times to the Department.
- B. Emergency call back response to fulfill the Police Department's mission to the university shall take priority over outside employment.

III. Application for Outside/ Off Duty Employment

- A. Employees shall give prior written notification to the Chief of Police of any outside/off duty employment. Notification shall contain the name of the employer, the nature of the employment, and the number of hours to be worked and scheduling of those hours.
- B. The Chief of Police must grant written approval prior to an employee's acceptance of outside/off duty employment.

IV. Restrictions

- A. When the Chief of Police determines that the employment can reasonably be expected to adversely affect the employee's work performance and/or would be inconsistent with the accepted image of a University Police employee, then the Chief may direct the employee not to engage in such outside employment.
- B. No outside/off duty employment will be approved that involves the use for private gain or advantage of the Department's time, facilities, equipment and supplies, or badge, uniform prestige or influence of his/her status as a peace officer. (Unlawful activity under Gov. Code Section 8314).
- C. Outside employment shall not be approved for a University Police Department employee to work at, on, for or in:
 - 1. Any establishment where the sale of liquor is the principal business.
 - 2. In any employment requiring affiliation, membership or allegiance, which would tend to interfere with the proper discharge of his/her duties as an employee of the Department, or with his/her loyalty to the Department or the university's interests.
 - 3. Uniform of the Department.
 - 4. Any employment requiring the service of civil process.
 - 5. On investigations or other security work in which he/she may avail themselves of their access to police information, records, files or correspondence or use his/her powers of arrest as a CSUF Police Officer while in the employment of another.
 - 6. Any other municipality or political subdivision of the state, except by expressed permission of the Chief of Police.
- D. Government Code Section 1126 sets forth factors that create conflicts of interest.

V. Sick or I.O.D. (Injury on Duty) Status

- A. An employee shall not engage in outside employment while carried on sick or I.O.D. status, unless a request is made in writing and approved by the Chief of Police and Human Resources.
- B. An employee, injured during his/her outside employment shall report the injury to the Department and supply the Department with all medical records.

VI. Employment Hours: Hours of employment shall not be approved for outside work to be performed at a time, which will conflict with the employee's normal tour of duty.

VII Supervisory Responsibility:

- A. The immediate supervisor of an employee shall be made aware of all conditions surrounding an approved request.
- B. Supervisors shall report all infractions of outside employment.
- C. Supervisors shall make recommendations to the Chief for revocation of an approved request when it can be reasonably substantiated that the outside employment conflicts with Departmental duties. All such recommendations shall be accompanied with a description of the employee's behavior or work habits affected by the outside employment.

VIII. Expiration

- A. All written approvals for outside employment shall expire one year after date of issuance.
- B. A request for renewal shall be submitted if the intent is to continue the outside/off duty employment.

REVIEWED BY:
S. Willey

APPROVED:



Raymund Aguirre
Chief of Police