

	<b>Houston Independent School District Police Department Directives</b>		<b>DIRECTIVE: 420-024</b>
			<b>EFFECTIVE DATE: September 5, 2013</b>
	<b>SUBJECT: Extra Employment/Extra Duty Requests</b>		<b>REVISED DATE: December 13, 2022</b>

## **PURPOSE**

This directive establishes the Houston Independent School District Police Department policies and procedures relating to extra employment. This directive applies to all Houston Independent School District Police Department personnel.

## **DEFINITIONS**

**Sixteen (16) Hour Rule:** This is defined as the officer's workday that starts at the beginning of Their shift, seven days a week, and ends at the beginning of their shift the following day. Within that twenty-four (24) hour cycle, the officer may only work sixteen (16) hours.

**Unscheduled Leave:** A leave event is considered unscheduled if the leave is requested less than twenty-four (24) hours before the start of the leave unless approved by a supervisor as a scheduled leave event. A supervisor may deny any request for unscheduled leave if that supervisor believes the reason given for the request does not justify unscheduled leave or if the unscheduled leave would jeopardize the delivery of necessary police services during that day and that shift.

## **EXTRA EMPLOYMENT REQUIREMENTS**

Employees of the HISD Police Department may engage in extra employment that is within the boundaries of Harris County and within the metropolitan Houston area ISDs in addition to their regular duties to pursue legitimate sources of secondary income; however, it should be noted that extra employment is a privilege, not a right, and permission can be denied if there is:

- a) Any interference with regularly assigned HISD Police Department duties. Employees must be physically fit and mentally alert when reporting to Duty.
- b) An employee is prohibited from working extra employment if unscheduled leave is taken for their regular tour of duty because of illness or has taken leave not approved by a supervisor as a scheduled leave event. This prohibition begins at the start of the officer's shift for which the leave is taken and remains in effect for 24 hours.
- c) Any appearance of impropriety.
- d) For cause or at any other time deemed necessary by the Chief of Police.

There must be a minimum of an eight (8) hour break before returning to normal work hours. There shall be a reasonable break, usually a minimum of 15 minutes, to allow

for travel time between the end of your duty assignment and reporting for an extra employment assignment.

NOTE: Requests for ALL extra employment outside Harris County's boundaries, including all other Police ISDs, must be approved by a Commander or above.

## **LIMITATIONS**

Employees can agree to work extra employment without having all the job-related facts, or situations may occur after an agreement to work has been made and approved. If any of the following restrictions occurs or becomes known to the employee, the employee will immediately resign from the extra employment.

Extra employment permits will not be approved or will be revoked if:

- a) The extra employment involves hiring officers, and the business's primary purpose is the sale and on-premise consumption of alcoholic beverages. This restriction may be waived if at least two uniformed officers work simultaneously at the establishment where 51% or more alcohol is served.
- b) The business allows wet T-shirt or bikini contests, lingerie shows, or topless, bottomless, or nude performers (male or female) to appear on the premises, including the parking lot.
- c) Requirements imposed on the business by licenses or permits or other regulations are not complied with by the business during the hours of extra employment, or the business is consistently or frequently in violation of state or federal law or city ordinance.
- d) HISD considers the location or nature of the extra employment to be controversial (e.g., labor dispute, abortion clinics, civil dispute).
- e) The work location is considered foreign territory (e.g., an embassy).
- f) The business expects the officer to enforce house rules.
- g) The business restricts the employee from areas the public has access to.
- h) The establishment owns or operates amusement machines or similar devices currently defined by the state of Texas as illegal gambling devices (e.g., eight-liners).
- i) The business is involved in playing bingo unless the employer is licensed in accordance with the Bingo Enabling Act. (When submitting an application for extra employment at these establishments, the employee will include the establishments' bingo license number on the request form); and
- j) All employees must consult their supervisor or an on-duty supervisor before submitting an extra-job request for the above-listed limitations.

## **NON-POLICE-RELATED EXTRA EMPLOYMENT**

Non-police-related extra employment is employment in which the use of law enforcement powers is not anticipated. An Extra Duty Form is required to work this off-duty job; however, permission may be denied for an off-duty job if there is a possible conflict of interest or if the extra job would tend to discredit the HISD Police Department. Restrictions to off-duty employment will align with HISD Board Policies and Procedures and HISD Human Resources Department directives. The sixteen (16) hour-a-day rule applies to non-police-related employment.

## **POLICE-RELATED EXTRA EMPLOYMENT**

Police-related extra employment is secondary employment in which the actual or potential use of law enforcement powers is anticipated. Restrictions to this type of extra employment will be in accordance with the following rules:

- a) Assistant Chief or designee will oversee adherence to the departmental policies, processes, and other matters deemed appropriate by the department.
- b) Officers must receive by procedure permission to engage in extra employment. Officers must submit the HISD PD Extra Employment Request to their immediate supervisor.
- c) Once the supervisor signs off on the permit, the request will be sent to the designee for the permit number. The Extra Job Coordinator will return the signed lower portion to the submitting officer.
- d) If an officer receives an extra job offer at the last minute, the officer shall contact the on-duty supervisor for approval. Once the extra job is approved, the officer shall submit Form #0041 on their next working day.
- e) All police-related extra employment shall be performed within the boundaries of Harris County. Exceptions may only be approved by a Commander or above.
- f) Extra employment using motorcycles in a police-related function is prohibited.
- g) Police-related extra employment shall be performed while wearing the standard departmentally issued uniform. Generic police uniforms will not be authorized.
- h) The permission to perform extra employment will be reviewed periodically by the Commander or designee and may be revoked or denied by the Chief of Police or his designee without prior notice. Violations of any policy provision may result in an immediate suspension of any employee's extra employment privileges and disciplinary action.

- i) Officers who are assigned positions of transitional, light duty, or unpaid health leave in accordance with references (b) and (c) shall not be approved for extra employment and shall not work extra employment jobs until a return to normal duty status.
- j) An employee will honor all subpoenas, even when they create a scheduling conflict with secondary employment.
- k) The Houston Independent School District shall not compensate an employee for time spent handling court cases resulting from extra employment not initiated at a district-related event. If an officer is required to attend a civil case or a case related to an action taken while working an extra job, the officer shall be required to use compensatory time, vacation, or unpaid leave.
- l) Documentation concerning all aspects of an officer's extra employment shall be submitted as required; this includes the extra-job permit readily available with the officer at the extra-job site.
- m) All employees performing extra employment police-related duties outside the scope of their normal duties are subject to the same rules and regulations as if they were on duty, i.e., arrest procedures, completion of the body is worn cameras, use of force reports, and or significant event forms and or supervisor notification procedures.
- n) Transports were utilized by the jurisdiction the arrest was made in. The on-duty supervisor may approve exceptions.
- o) The renewal date for all extra-job permits shall be the officer's birthday month.
- p) Officers suspended from duty (with or without pay) shall not work extra employment jobs until being returned to normal duty status.
- q) The applicant may NOT be entitled to Workers' Compensation coverage from HISD if the applicant should be injured while working for another employer or as an Independent contractor. The employee shall notify their immediate supervisor or injury immediately.

### **PROBATIONARY OFFICERS – EXTRA EMPLOYMENT AND OVERTIME**

During the first six months of employment, officers are prohibited from any police-related extra employment without prior law employment experience.

During the second six months of employment, officers may work extra with a veteran officer with prior law enforcement experience.

Officers with two years prior law enforcement experience may work extra employment upon completing the Field Training Program.

Probationary officers have limited authorization for working overtime assignments. The following conditions apply:

- a) During the Field Training Program, probationary officers will work under the supervision of their respective Field Training Officers. They shall only work overtime in situations where police reports are required to be completed before going off duty or in late transport situations. If the Field Training Program is extended for any reason, this restriction shall remain in force.
- b) Probationary officers may work district-related overtime while on probation and participating in the Field Training Program or with the approval of a Commander. The assignment must include partnering with an officer who is off probation.

### **EXTRA DUTY OVERTIME REQUESTS**

To centralize and more closely monitor the overtime and extra-duty work activity of all HISD employees, employees will submit an Extra Duty Overtime Request Form via Axon Standards before working the assignment. Officers with a recurring assignment must fill out the request form only once at the beginning of the school year or when notified of the permanent assignment, i.e., Campus, Athletics, Board Meetings, etc. Officers working on a fill-in or temporary basis will complete the form per event.

An employee's immediate supervisor must approve all overtime (paid or compensatory time) requests for the HISD Police Department or non-HISD Police departments before the employee begins the assignment. This includes any overtime hours funded through other departments, schools, etc. An on-duty supervisor may approve the request if the employee's supervisor is unavailable.

Officers will not be permitted to volunteer or work overtime that the location administrator or designee has not requested. In most cases where individuals request a specific officer, that officer will be allowed to perform the overtime assignment unless they have already scheduled too many hours during that time period or there is an administrative reason for not allowing that officer to work the overtime.

Employees shall not be allowed to work overtime or extra jobs on days on the day they have called in sick. Employees shall not work extra jobs for 24 hours after returning to duty. Employees shall not be allowed to work overtime while on vacation; however, they may work extra jobs. If it is shown that the extra job program is causing an employee to call in sick, the employee may be barred from the Extra Job program.

### **MAXIMUM HOURS WORKED IN A GIVEN DAY**

HISD Police Department employees shall not work more than sixteen (16) hours on any given day of the week unless directed by the Chief of Police or designee. This applies to both overtime and extra employment. When an employee has worked sixteen consecutive hours, there must be a minimum of an eight (8) hour break before returning to work. Officers working more than 16 hours a day must contact a supervisor and inform them of the reason for the occurrence.

The officer's workday starts at the beginning of their shift, seven days a week, and ends at the beginning of their shift the following day. Within that twenty-four (24) hour cycle, the officer may only work sixteen (16) hours. The 16-hour rule applies to weekends and holidays and covers eleven (11) and twelve (12) month employees. (Any police-related function).

## **MANAGEMENT RIGHTS**

The Chief of Police or designee reserves the right to approve, deny, prohibit, or restrict off-duty or extra-job employment for cause.

Approved By



Pedro Lopez Jr., Chief of Police