



# Fitchburg State University

## Police Department

<b>Subject:</b> Off Duty Employment		<b>General Order</b> <b>3.2.3</b>
Reference: IACLEA: 3.2.3 MPAC: N/A		
<b>Effective Date:</b> April 29, 2020	<b>Review Date:</b> February 8, 2022	
<b>By Order of:</b> Michael J. Cloutier, Chief of Police		

### PURPOSE:

The purpose of this general order is to provide guidance to members of the department who seek to engage in off-duty employment. Off-duty employment is defined as secondary employment outside the agency's service, irrespective of whether the secondary employment involves the use of law enforcement authority.

### POLICY:

It is the policy of the Fitchburg State University Police Department to allow its employees to have outside employment opportunities, as long as those opportunities do not affect the safety, and reputation of the department and the university.

### PROCEDURE

- A. Department members **shall not engage** in any off-duty employment without the knowledge and approval of the Chief of Police. The approval of the Chief of Police shall be based upon such factors as:
- avoiding potential conflicts of interest,
  - avoiding impairment of on-duty performance (such as fatigue).

IACLEA 3.2.3 a

- B. All personnel engaging in outside employment should clearly understand that their primary obligation is to the Fitchburg State University Police Department and the university they serve. No member shall accept other employment which could interfere with the officer's employment with the department or could impair his or her judgment, physical or cognitive abilities, or the ability to exercise their official duties.
- C. members must not perform work that will make them unavailable in emergencies, exhaust them, require special scheduling or excessive shift swapping, or impair the department's operation or efficiency.

*IACLEA 3.2.3 b*

- D. All department members are bound by the rules and regulations of behavior outlined in **General Order 4.1.1 Professional Conduct**; and may be subject to department investigation or discipline for unbecoming conduct that occurs at or during any secondary employment.

*IACLEA 3.2.3 c*

- E. The Fitchburg State University Police Department does not limit the number of hours a department member can work at an off duty employment, however, any off duty or secondary employment cannot conflict with days where all department members are required to report for duty (e.g. Move In, Commencement, Last day of classes, In-services, etc.). Additional hourly restrictions would be based on limitations outlined in the collective bargaining agreement of each respective union. Members who are subject to being mandated to fill a shift, or when an incident requires a callback, cannot use secondary employment as a reason to refuse a shift or callback.

*IACLEA 3.2.3 d*

- F. Outside employment will not be unreasonably withheld unless there is evidence that such employment will, or does, affect the performance of the employee. However, if such employment interferes with university operations, becomes a conflict of interest, or negatively affects the university or department, the employee will be given an opportunity to rectify the issue. If after being provided notice, the employee will be asked to cease the off-duty employment, or face internal discipline as outlined in the Collective Bargaining Agreement of the employee.

*IACLEA 3.2.3 f*

- G. No department member, as part of his or her secondary off-duty employment, will not use any uniform, equipment, or property of the Fitchburg State University Police Department. The exception would be the use of department uniform, equipment, and property while working a detail through the City of Fitchburg Police Department, in which officers are covered under a Memorandum of Understanding.

*IACLEA 3.2.3e*

H. Off-duty employment will be overseen by the Chief of Police or designee, (which may include consultation with Human Resources).

IACLEA 3.2.3 g

Approval:

M. A. Clew  
Chief of Police

2/8/22  
Date