

Secondary Employment

11.02.01 PURPOSE

This order establishes policies and procedures for employees requesting and maintaining employment outside of the San Francisco Police Department.

11.02.02 DEFINITIONS & TERMS

- A. Department of Human Resources (DHR)** – the final approving authority on secondary employment. The Director of DHR or their designee is the approving person for all City and County employees.
- B. Outside Employment** – any employment, position or service (including business owners, consultants and independent contractor), where an employee receives wages, compensation, or other considerations of value from another employer, organization, or individual for services, product(s), or benefits rendered.
- C. Civil Service Commission Rules (Civil Service Rule)** – the guiding regulations for all City and County employees regarding outside employment. The Commission rules are separated by Volume; Volume 100 is for miscellaneous classes and applicable to all employees not covered in Volume 200. Volume 200 is for uniformed rank employees (Q2, Q50, Q60, Q80, Command Staff). The volumes follow the same numbering and title convention. For example, a reference to Rule 18 *Conflict of Interest*, can be found as Rule 118 for miscellaneous classes and Rule 218 for uniform rank employees.

11.02.03 POLICY

Pursuant to Civil Service Rule 18.2, *Additional Employment*, employees are responsible for requesting and obtaining approval for secondary employment from the DHR Director prior to beginning said employment, and for following all rules and regulations regarding secondary employment as set forth by applicable state and local laws, Civil Service rules, and departmental or agency policies.

11.02.04 OBTAINING APPROVAL

- A.** Complete the SFPD Secondary Employment Form (SFPD 156) – Complete and route the form for signature by the employee's Commanding Officer, Department's Human Resource Manager, and Risk Management.

- B.** Complete DHR's Additional Employment Request (AER) Form – Complete and print the electronic Department of Human Resources AER form and provide it to the potential secondary employer for signature.
 - 1. AER is the online portal/form managed by DHR. All information must be submitted electronically. The form and more information may be found in your [SF|My Portal](https://ccsfdt.service-now.com/esc) (<https://ccsfdt.service-now.com/esc>).
- C.** Upload Signed Forms and Submit to DHR Electronically – Member shall follow directions on SF|MyPortal to upload the printed and signed AER and SFPD 156 forms. Upon submission, the request will be electronically sent to the Chief of Police and Director of DHR for approval.
- D.** Submission Approvals – after submission of the AER Form, the form will be sent to the Chief of Police, department human resource representative, and the Department of Human Resources. The employee will receive an email confirmation upon approval by all parties. The approval is valid for 12 months.
 - 1. A renewal must be submitted and approved annually for continued outside employment.

11.02.05 DENIAL AND APPEAL

- A.** Per Penal Code § 70(e)(3), members are entitled to written rationale for the denial.
- B.** Department Denial - If the request for secondary employment is denied by the Department prior to routing to DHR, the employee may file a written notice of appeal to the Chief within ten calendar days of the date of denial.
- C.** AER Denial – if an employee is denied by DHR pursuant to Civil Service Rule 18.2.3, the employee may follow the appeal process outlined in Civil Service Rule 5, *Meeting and Hearings of the Commission*. The employee may contact the Department's HR representative for assistance.

11.02.06 INCOMPATIBLE ACTIVITIES

- A.** It is the employee's responsibility to ensure their proposed secondary employment is not incompatible with their duties of the department, as listed in the Statement of Incompatible Activities (SIA) set forth by the Ethics Commission, which may be found on their website at sfethics.org.
 - 1. If the proposed secondary employment is listed as incompatible, the employee will complete an Advanced Written Determination (AWD) form (found on the SF Ethics Commission website) and sent through the chain of command to the Chief. This signed AWD must be uploaded with completed forms and follow the process outlined in 11.02.04.

11.02.07 REVOCATION / SUSPENSION OF OUTSIDE EMPLOYMENT

Outside employment approval may be revoked or suspended for several reasons, as outlined in Civil Service Rule 18.2.

11.02.08 DISPLAY AND USE OF DEPARTMENT-ISSUED EQUIPMENT

- A.** Department-Issued Equipment – Department-issued equipment shall not be used when an employee is engaged in secondary employment, per DGO 10.02 *Equipment*.
- B.** Stars, Badges and ID Cards - Employees may not display any identifying items while engaged in secondary employment, except if necessary to perform an arrest or other police duty which is not directly related to the secondary employment.
- C.** Mace/OC - Members may carry personally owned chemical agent cannister while engaged in secondary employment; however, members must comply with provisions of Penal Code Section 12403.7.
- D.** Access to Information/CWB – While engaged in secondary employment, employees may not call the Central Warrant Bureau (CWB) or use Department technology to obtain information concerning those who are or may be placed under arrest or investigation.

11.02.09 ARRESTS, REPORTS, & COMPENSATION

- A.** If a member makes a private person arrest in connection with their secondary employment, they shall follow the procedures outlined in DGO 5.04 *Arrests by Private Persons*.
- B.** Members are not entitled to overtime pay for incidents requiring them to perform police services if they are already receiving pay from their secondary employer for that same period, regardless of whether the incident is connected to their secondary employment.

11.02.10 TERMINATION OF SECONDARY EMPLOYMENT

Employees will promptly report the termination of their secondary employment to the Department via memorandum and to DHR via SF|MyPortal.

11.02.11 PRIVILEGE

Secondary employment is a privilege, not a right, and permission is contingent upon an employee carrying out their duties to the satisfaction of the Chief of Police. Employees engaging in secondary employment must recognize that their primary obligation is to the San Francisco Police Department. Employees are subject to call back at any time for emergencies, special assignments, or overtime duty; secondary employment will not infringe on these obligations.

References

[Civil Service Commission Rule 105, *Meeting and Hearings of the Commission*](#) (miscellaneous employees/non-uniformed)

[Civil Service Commission Rule 205, *Meeting and Hearings of the Commission*](#) (uniformed ranks)

[Civil Service Commission Rule 118.2, *Additional Employment*](#) (miscellaneous employees/non-sworn)

[Civil Service Commission Rule 218.2, *Additional Employment*](#) (uniformed ranks)

Civil Service Rule 5, *Meeting and Hearings of the Commission*

[Ethics Commission, *Advanced Written Determination*](#)

[Ethics Commission, *Statement of Incompatible Activities*](#)

California Code, Penal Code - PEN §70

California Government Code 1126(a)

DGO 10.02 *Equipment*

DGO 5.04 *Arrests by Private Persons*

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