



KANSAS CITY, MO. POLICE DEPARTMENT
PERSONNEL POLICY

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NO.
 630-8

SUBJECT

Policy Series 600: Awards and Assistance
630 – Secondary Employment

AMENDS

REFERENCE

Title 17, Code of State Regulations RSMo 313.004(10)
 PPBM: Duty-Related Injuries; Missouri Workers' Compensation Law;
 Reserve Sworn Members Volunteer Program; Uniform and Personal
 Appearance
 *PI: Computerized Police Information Systems
 BR: Resolution Dealing With Off-Duty Activities Of Sworn Members Of
 The Kansas City, Missouri Police Department
 LB: Officers working Off-Duty for Convicted Felons
 Section 88-805-804-I of Municode Zoning and Development Code
 Code of Federal Regulations Office of Personnel Management

RESCINDS

PPBM 630-7

I. INTRODUCTION

The Kansas City Missouri Police Department (Department) allows members to participate in secondary employment. This written directive addresses the policies and procedures relating to secondary employment.

All Department written directives will be adhered to while working secondary employment.

II. TERMINOLOGY

- *A. **Coordinator** – A full time sworn member responsible for the recruitment, scheduling and management of other Department members as part of their duties for a secondary employer. A sworn member who retires as a coordinator may continue to coordinate their current jobs but cannot acquire new jobs as a coordinator. Reserve members will not acquire new jobs to coordinate.
- B. **Immediate Relative** – An individual with any of the following relationships to the member:
 1. Spouse, and parents thereof;
 2. Sons and daughters, and spouses thereof;
 3. Parents, and spouses thereof;
 4. Brothers and sisters, and spouses thereof;
 5. Grandparents and grandchildren, and spouses thereof;
 6. Domestic partner and parents thereof, including domestic partners of any individual in 1 through 5 of this definition.

7. Any individual related by blood or affinity or whose close association with the member is the equivalent of a family relationship (e.g., long term friendship, legal guardian or conservator, or has the power of attorney for the other).
- C. **Restaurant** – Is an establishment primarily engaged in serving prepared food to the public and in which sales of such prepared foods and meals constitutes more than 50% of the establishment’s gross income, pursuant to Chapter 10 of the municipal code (Section 88-805-04-I of the Zoning and Development Code of Municode).
- *D. **Secondary Employment** –
1. Employment of a sworn member by a private or public employer for a wage, salary, fee, or any other compensation (including free or reduced rent) which actual or potential use of law enforcement powers is anticipated.
 2. Employment of a non-sworn member by a private or public employer. The employment is directly attributable to the member’s Department position and authority granted to them by the Department. The member may be compensated by a wage, salary, fee, or any other compensation (including free or reduced rent).
- E. **Secondary Employment Management System (SEMS)** – The Department approved database system to manage all secondary employment activities.
- F. **Tavern or Nightclub** – Is an establishment that is primarily engaged in serving alcoholic liquor for consumption on the premises and in which the serving of prepared food, live entertainment and dancing are permitted (Section 88-805-04-I of the Zoning and Development Code of Municode). For designation as a tavern or nightclub the establishment must derive more than 50% of its annual gross sales from alcoholic beverages. For Department purposes a rental event space will not be automatically considered a tavern or nightclub, that determination will be made by the Secondary Employment Section on a case by case basis.
- *G. **Work Day** – For members assigned to elements using an eight (8) hour plan, a work day is considered to be a twenty-four (24) hour period of time that starts eight (8) hours before the scheduled tour of duty. For members assigned to elements using a ten (10) hour plan, a work day is considered to be a twenty-four (24) hour period of time that starts seven (7) hours before the scheduled tour of duty.

- *H. **Work Week** – For all members, a work week will begin on a Sunday at 0000 hours and end on the following Saturday at 2359 hours.

III. POLICY

- *A. The Human Resources Commander, or designee, will be responsible for issuing information relating to the operational aspects of SEMS from time-to-time as may be necessary for its efficient operation.
- *B. All members must update their SEMS profiles when they are transferred and bi-annually to ensure their contact information is up to date.
- C. Secondary employment approval status for members and employers is valid from year-to-year and must be resubmitted for approval only in the event of suspension or revocation of approval.
- *D. Members will be alert throughout their secondary employment.
- E. Secondary employment rates will be established by the Chief of Police.
- F. Secondary Employment Section pool assignments will be entered by the Secondary Employment Coordinator or his/her designee.
- *G. All secondary employment, to include pool assignments, self-initiated assignments (paid or unpaid), and any self-employment as described in Section II, D, must be entered into SEMS by a coordinator for proper authorization.
- *H. Members will close out assignments in SEMS within seven (7) calendar days of working the assignment.
- I. Members will not be allowed to apply for a secondary employment pool assignment until previous assignments are closed.
- *J. Failure to report for an assignment without proper notification will be treated as an unauthorized leave of absence and may result in discipline.
- K. Recommendations to revoke or suspend a member's secondary employment privileges for cause, as outlined in Section III, S, will be forwarded via email through the member's chain of command, to the Secondary Employment Section.
- L. Commanders and other official Department representatives may, at their discretion, contact secondary employers to verify a member's secondary employment application or work record.

- *M. A member who wishes to utilize a division resource (e.g., vehicle) must obtain permission (e.g. Department email/Interdepartment Memorandum) from the division commander who has direct control and accountability for that resource. This does not apply to specific resources agreed upon in any labor agreement. Members will note in the comments box in SEMS when the assignment is closed who gave them permission to utilize the resource.
- *N. All members are forbidden to work for:
1. Another employer while working on-duty for the Department.
 2. A business if they are to be employed as a result of a labor dispute. Members already working for a business which becomes involved in a labor dispute are forbidden to work in any capacity that might place the member in a confrontation between labor and management.
 3. An immediate relative who owns, operates, or manages a private security company.
 4. Directly or indirectly for:
 - a. Any person who has been convicted of a felony offense pursuant to Title 18, Section 922 of the United States Code. Refer to Legal Bulletin entitled, "Officers Working Off-Duty for Convicted Felons."
 - b. Any employer who engages in unlawful activities or operates a place in which unlawful activities are conducted.
 - c. Any gambling establishment including work on any part of the property of any such establishment.
 - d. Any establishment promoting or allowing nudity or semi-nudity including work on any part of the property of any such establishment.
 - e. Any employment activity, the result of which could be considered detrimental to the best interest of the Kansas City Missouri Police Department or in conflict with its goals, objectives, mission statement, and procedures.
- O. All members are forbidden to own, operate, provide consulting services to, or manage a private security company.

- *P. All members are forbidden to:
1. Work at or for any marijuana related business.
 2. Own, operate, consult, or provide services (including security or consulting) to any business/industry related to the cultivating, dispensing, manufacturing, storing, transporting, or testing of marijuana.
 3. Procure or hold a license/permit for the purpose of profit to cultivate, dispense, manufacture, transport, or test of marijuana.
- *Q. All members cannot apply for or obtain a city or state liquor control card for the purpose of:
1. Owning a tavern or nightclub as defined in Section II, F or
 2. Dispensing or selling alcoholic beverages in a tavern or nightclub as defined in Section II, F.
- *R. Employer Background Check
1. The individual employer or principal business owner will be required to contact the Missouri State Highway Patrol (MSHP) to obtain their criminal history background check and submit it to the Secondary Employment Coordinator's Office before approval will be granted.
 2. Prior to submitting an employer for approval in SEMS for management of secondary employment, the member submitting the employer must:
 - a. Conduct a hot file computer transaction in MULES of the individual employer or principal business owner via a Department computer,
 - b. Conduct a case.net search for the employer, and
 - c. Contact the Secondary Employment Coordinator's Office if assistance is needed.
 3. The employer or the member submitting the employer will contact the Secondary Employment Coordinator's Office for direction if time does not permit the completion of the criminal history background check. The Employment Unit Commander or his/her designee can waive the required criminal history background check on a case by case basis.

4. A criminal history check of an employer via Interstate Identification Index (Triple I) or a QH transaction is prohibited for the sole purpose of secondary employment.
- *S. Secondary Employment privileges may be denied, revoked, or modified when documented in a Personnel Incident Report if the member's:
1. Conduct does not comply with Department policies.
 2. Performance during on-duty hours is determined to be unsatisfactory by the member's division commander.
 3. On-duty performance is adversely affected by the secondary employment.
 4. Unit manual or unit procedure is contradictory to the secondary employment.
- *T. A member is prohibited from engaging in secondary employment while on:
1. FMLA-designated leave for self,
 2. Funeral leave,
 3. Injury leave,
 4. Sick leave,
 5. Military leave,
 6. Leave without pay,
 7. Limited duty,
 8. Assigned to any leave pool with the exception of those referred to in Section III, V, or
 9. Suspension.
- *U. A member assigned to any of the aforementioned categories in Section III, T, 1-9, may request to work for another employer in a capacity that is not related to their Department assignment by submitting an email or an Interdepartment Communication, Form 191 P.D., directly to the Employee Benefits Section Commander for approval.

- *V. A member on FMLA leave for a family member is only allowed to work secondary employment while on their designated R-Days.

IV. PROCEDURES

A. Sworn Members

1. Sworn members are forbidden to work secondary employment in a law enforcement capacity for another law enforcement agency unless approved by the Chief of Police on a mutual aid agreement.
2. Prior to scheduling or working any secondary employment, a member must obtain approval from the Secondary Employment Section through SEMS. Tavern or nightclub assignments must be approved by the Employment Unit Commander, or designee, prior to the assignment.
3. When time constraints prevent a member from receiving prior approval through SEMS to work a secondary employment assignment, a member will:
 - a. Seek approval from a supervisor.
 - *b. Submit the secondary employment information through SEMS as soon as practical.
 - *c. Email the Secondary Employment Coordinator the name of the job, location, date and hours of assignment, and the approving supervisor's name and serial number.
- *4. Police officers, sergeants, and commanders will be considered eligible to work assignments posted in SEMS, unless the sworn member's privileges to do so have been reduced, denied, revoked, or forbidden for reasons outlined in this policy. Sworn members may apply for available assignments by logging into SEMS and applying for available assignments.
5. Probationary police officers are forbidden to engage in any law enforcement-related secondary employment or any secondary employment which involves wearing a police uniform. This does not apply to Department overtime assignments such as DUI Checkpoints.
- *6. Sworn members who have lateraled from another law enforcement agency may work secondary employment when they have completed their break-in period.

- *7. Commanders and supervisors are allowed to be scheduled for secondary employment in a law enforcement capacity by a coordinator who is of lesser rank/title. Coordinators may assign commanders/supervisors to job positions at their discretion and according to event needs. In the event of a critical incident, the chain of command will apply.
- *8. Members, regardless of rank, will prepare necessary police reports while working secondary employment in a law enforcement capacity. Police reports generated during the course of secondary employment will be processed in accordance with policies and procedures established for the Automated Report System (ARS).
9. The legal authority vested in a sworn member working secondary employment in a law enforcement capacity is limited to the enforcement of federal law, state statutes, and municipal ordinances. Members will not use police authority to enforce a private employer's policies and regulations.
10. Sworn members are only allowed to work law enforcement related secondary employment inside the city limits of Kansas City, Missouri. The sworn member will not:
 - *a. Be accompanied by personal pets, or
 - *b. Allow any person to accompany them during their shift who is not involved in the official duties.
- *11. Sworn members may schedule a maximum of sixteen (16) hours per 24-hour work day, which includes a combination of on-duty and secondary employment. Sworn members may schedule a maximum of seventy (70) hours per week of a combination of on-duty and secondary employment. Use of exception time (V, Q, and Y time) will not count towards the maximum number of hours. Any exceptions will be made by the Chief of Police or their designee.

- *12. Sworn Members will submit their schedule for the previous month and the current month of secondary employment assignments in SEMS to their supervisor. The schedule will be forwarded through the chain of command to the division commander who will review the schedules by the 10th of every month. Any violations will be addressed on a case by case basis.
13. The Employment Unit Commander, or designee, will have the discretion to decide and/or alter the staffing requirements for all law enforcement related secondary employment based on the specific event and any mitigating factors which would otherwise affect the safety of the members and patrons attending a location or event. The recommended minimum staffing levels are:
- *a. Reserved seating (family oriented) with no alcohol sales: (1) per 2,000-3,000 attendees
 - *b. Sporting events with alcohol sales: (1) per 1,000-1,500 attendees
 - *c. Reserved seating (family oriented) with alcohol sales: (1) per 1,000-1,500 attendees
 - *d. Reserved seating (adult venues) with alcohol sales: (1) per 500-1,250 attendees
 - *e. Open air venues with alcohol sales: (1) per 500-750 attendees
 - *f. Night Clubs and other adult entertainment venues: (1) per 150-500
- *NOTE:** These recommendations are minimum staffing levels in addition to an initial core staffing of 1-3 officers contingent upon the type of venue.
14. When both on-duty and sworn members who are working secondary employment are involved in a single incident, the on-duty officers will have the final authority to determine how the situation is to be handled and what arrests, if any, are to be made.
- *15. Any member may be employed by an individual or business that does not require the use or potential use of law enforcement powers by a sworn member. This type of employment will not be

entered into SEMS. A member may engage in this type of employment that meets the following criteria:

- a. Employment of a non-police nature in which vested police powers are not a condition of employment, the work provides no real or implied law enforcement service to the employer, and is not performed while on-duty, nor while wearing the uniform.
 - b. Employment that presents no potential conflict of interest between their duties as a sworn member of the Department and their duties for their employer.
 - c. Employment that does not constitute a threat to the status or dignity of policing as a professional occupation.
- *16. Members approved to work in a non-law enforcement related capacity will not:
- a. Display or wear Department issued equipment, including, but not limited to a uniform, badge, and police identification.
 - b. Utilize their assigned Department-issued take home vehicle while on limited duty.
- *17. A member approved for extended leave or suspension without pay may request to work employment in a non-law enforcement capacity by submitting an Interdepartment Communication, Form 191 P.D., through the member's chain of command to the Chief of Police for notification, with a copy to the Secondary Employment Section.
18. Tavern or Nightclub Employment
- *a. All members are required to wear a Class A or a Class B uniform at all times when working for a tavern or nightclub.
 - b. Secondary employment member's responsibility will be to patrol the exterior of the establishment which includes entry/exit points, parking lots, on-street parking, or other exterior areas designated by the establishment.
 - *c. A minimum of three (3) law enforcement members are required to work at all establishments which are considered to be a tavern or nightclub as defined in Section II, F. If the minimum is not met, members **will not** work the

establishment. In addition to the minimum staffing requirement of three (3), members will follow the guidelines in Section IV, A, 13, f.

- d. Secondary employment members are forbidden to work on the interior of a tavern or nightclub unless responding inside for legitimate law enforcement reasons.
- e. Secondary employment members are forbidden to be employed in any capacity contrary to that of a law enforcement officer such as a bouncer, doorman, or other similar agent of the establishment.
- f. Secondary employment members who are working for a business that has a liquor license or should have a liquor license will follow the current written directive entitled, "Tavern or Nightclub Response Report."

*19. Private Security Companies

- a. Sworn members may be employed within the city limits of Kansas City, Missouri by private security companies properly commissioned to provide guard or security service to clients, provided the nature and circumstances of employment are not otherwise contrary to provisions of this policy.
- b. Sworn members are forbidden to seek or be granted private officer commissions, or to act as private security personnel as this term is defined, or may be defined in Title 17, Code of State Regulations.

*20. Uniform and Dress Requirements

- a. The uniform for secondary employment for a law enforcement assignment will be the Class A or Class B uniform.
- b. If an employer requests the member to deviate from the Class A or Class B uniform, the member will forward the request to the Secondary Employment Section for vetting.
 - (1) The Secondary Employment Section will contact the employer and verify the need and appropriateness of the request.

- (2) The Employment Unit Commander will approve/deny the request.
 - c. Members in uniform, regardless of rank, will wear the following:
 - (1) The Department issued radio.
 - (2) A Department approved bullet resistant vest.
 - (3) A Department approved baton.
 - (4) The Department approved oleoresin capsicum.
 - (5) All other uniform components as outlined in the written directive entitled, "Uniform and Personal Appearance Regulations."
 - d. Members who have been approved to wear plain clothes, business, or business casual will:
 - (1) Be prepared to present their Department identification and badge when taking enforcement action.
 - (2) Have ready access to a Department approved firearm, spare magazine, and handcuffs.
 - (3) Carry their Department issued radio as long as it does not compromise the integrity of the plain clothes assignment.
- 21. Sworn members, at the beginning of their shift, will contact the dispatcher of the division they are working the secondary employment assignment in and give their 10-41/10-42 times and the location of the secondary employment assignment.
 - a. The Communication Unit will assign a secondary employment radio number.
 - b. The sworn member will monitor radio traffic.
 - c. If the member has been approved not to carry a Department issued radio, they will provide a phone number where they can be reached while working.

22. If a sworn member is injured in the course of approved secondary employment, the member's entitlements to Workers' Compensation, injury leave, and other benefits afforded a member injured on duty will be decided on a case-by-case basis in accordance with the following guidelines:
 - *a. A member performing services or police services for the benefit of the secondary employment employer and in the scope and course of the secondary employment must look to the secondary employment employer for benefits. The decision will be based on whether or not the member was operating within the scope and course of the secondary employment.
 - b. If the activities of the sworn member are exclusively for the benefit of the Board of Police Commissioners and the Department and are police activities outside the scope of the secondary employment, the member will be entitled to those benefits normally afforded a member injured on duty.
- *23. When a sworn member is assaulted while working a secondary employment job in a law enforcement capacity:
 - a. The on-duty Investigative Sergeant will be notified.
 - b. If a second member is assigned to the job, they will complete all necessary reports.
 - c. If there is not a second member assigned to the job, an on-duty member will respond to complete all necessary reports.
 - d. The Duty Officer will be notified if the member is injured.

B. Reserve Sworn Members

1. The provisions of this policy apply to reserve sworn members with the exception of their primary profession or employment, however, reserve sworn member's primary employment must comply with Section III, N, O, and P.
- *2. Reserve sworn members will meet their required hours quarterly, and if not achieved, their secondary employment will be automatically revoked.

- a. If the required number of hours is not completed by December 31st, they will have forfeited their ability to work Secondary Employment until April 1st of the following year.
- b. Any exceptions must be approved by the Chief of Police or their designee.
- c. For further details, refer to written directive entitled, "Reserve Sworn Members Volunteer Program."

C. Non-Sworn Members

1. All procedures outlined in this written directive regarding sworn members utilization of SEMS will also apply to non-sworn members who choose to work secondary employment as described in Section II, D, 2.
2. When a non-sworn member is working secondary employment, they will follow the guidelines set forth in the written directive entitled, "Uniform and Personal Appearance Regulations."
3. Only non-sworn members may obtain a city or state liquor control card to dispense or sell alcoholic beverages in a business that is not a tavern or nightclub as defined in Section II, F.
4. Non-sworn members are forbidden to work secondary employment in a law enforcement capacity unless the member is a reserve officer or holds a private officer license.
5. Any non-sworn member may be employed by an individual or business that does not require the use of the member's Department position and authority. This type of employment will not be entered into SEMS.
- *6. Entrant Officers are not allowed to work secondary employment.

*D. Self Cancellations

1. Members who need to cancel a pre-scheduled job must first contact the job coordinator. If the member is unable to contact the job coordinator, the member can self-cancel.
2. A self-cancellation occurs when a member clicks the "Cancel" button on their work assignment listed in SEMS. Clicking the "Cancel" button does not automatically relieve a member from an

assignment, and is dependent on the “set cancellation days” parameter established by the job coordinator.

3. The results of initiating a self-cancellation are dependent on multiple factors:
 - a. If a self-cancellation is outside the “set cancellation days” a pop-up window will be displayed confirming the action.
 - (1) Clicking “OK” will automatically cancel the assignment and it will be removed from the member’s work schedule.
 - (2) An email confirmation is generated to both the member and the job coordinator.
 - b. If a member attempts to self-cancel an assignment inside the “set cancellation days,” a pop-up window will display a warning. The member will select the appropriate cancellation reason from the drop down menu and will be prompted to provide a reason for the cancellation.
 - c. All self-cancellations require a comment to be entered in the comments box (The details of a personal illness will not be noted). Failure to enter a comment in the box will prevent the user from submitting the self-cancellation.
 - (1) A detailed explanation in the comments box is required.
 - (2) An email confirmation is generated to both the member and the job coordinator.
 - d. The self-cancellation of “OTHER” is considered an unapproved reason for requesting a self-cancellation and subjects the member to possible discipline. Members are encouraged to contact the job coordinator prior to selecting “OTHER.”
 - e. If a member has more than two “OTHER” cancellations within 30 days, or more than six within a calendar year, the member’s privilege of working secondary employment will be suspended for the next month.
 - f. When selecting a cancellation reason, a “Cancel Pending” request will be initiated. This is a self-cancellation request

and does not remove the assignment from a member's schedule.

- g. The original owner of the job assignment retains the assignment until the "Cancel Pending" request is resolved. Self-cancellations remain in the member's work schedule unless the assignment is:
 - (1) Transferred or removed by the job coordinator; or
 - (2) Transferred from the member to another member using the "Transfer" option to remove the job from the member's work schedule.
- h. The job coordinator will resolve the "Cancel Pending" requests as soon as possible to release the job from the member's work schedule.
- i. Members who close assignments at zero (0) hours worked in an attempt to by-pass the self-cancellation process or notifying the coordinator may be subject to discipline.
- j. All unapproved cancellations will require the member to submit an Interdepartment Communication, Form 191 P.D., through their chain of command to their division commander.

E. Coordinators will:

- 1. Identify themselves as such during the application process for secondary employment.
- 2. Enter all secondary employment assignments into SEMS.
- 3. Not receive a fee or commission other than an hourly fee schedule rate for coordinator duties.

4. Advise employers of the current secondary employment pool rates.
- *5. Enter the hours that they are compensated for doing administrative work for the employer.



Richard C. Smith
Chief of Police

Adopted by the Board of Police Commissioners on this 10th day of November 2020.



W. Don Wagner
Board President

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