

Outside Employment and Outside Overtime

819.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment or outside overtime.

819.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by members of this department for another employer, organization, or individual not affiliated directly with this department when wages, compensation, or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products, or benefits rendered.

Outside overtime - Duties or services performed by members of this department for a private organization, entity, or individual, that are requested and scheduled directly through the Department. Member compensation, benefits, and costs for such outside services are reimbursed to the Department.

819.2 POLICY

Members of the Humboldt County Probation Department (HCPD) shall notify the Chief Probation Officer seven days before the commencement of any outside employment or outside overtime.

The HCPD may prohibit outside employment if it:

1. Involves the use for private gain or advantage of Humboldt County time, facilities, equipment and supplies or the badge, uniform, prestige, or influence of the HCPD
2. Involves receipt or acceptance by the member of any money or other consideration from anyone other than the HCPD for the performance of the act which the member, if not performing the act, would be required or expected to render in the regular course of their duties as an HCPD member.
3. Involves the performance of an act in other than their capacity as a member of the HCPD which may later be subject directly or indirectly to the control, inspection, review audit, or enforcement of any other member of the. HCPD
4. Involves such time demands as would render performance of their duties as a HCPD member less efficient.

819.3 OUTSIDE EMPLOYMENT

819.3.1 REQUEST AND APPROVAL

Members must notify the HCPD in writing of their intention to engage in outside employment through the chain of command to the Chief Probation Officer for consideration.

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The Chief Probation Officer will acknowledge the notification of outside employment in writing and indicate whether the proposed employment is prohibited. Unless otherwise indicated in writing on the request form, approval for outside employment will be valid through the end of the calendar year in which the request is approved. Members seeking to continue outside employment must submit a new request form at the start of each calendar year.

819.3.2 DENIAL

Any member whose request for outside employment has been denied shall be provided with a written notification of the reason at the time of the denial (Penal Code § 70(e)(3)).

819.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended shall be provided with a written notification of the reason for revocation or suspension (Penal Code § 70(e)(3)). Grounds for revocation or suspension of outside employment are the same as the criteria for prohibiting outside employment listed in Section 819.2.

819.3.4 APPEAL

If a member's request for outside employment is denied or if previous approval is revoked or suspended, the member may file a written notice of appeal with the Chief Probation Officer within 10 days of receiving notice of the denial, revocation, or suspension.

A revocation or suspension will only be implemented after the member has completed the appeal process.

If the member's appeal is denied, the member may file a grievance as provided in the Grievances Policy.

819.4 REQUIREMENTS

819.4.1 SECURITY AND PROBATION OFFICER OUTSIDE EMPLOYMENT

No member of this department may engage in any outside employment as a probation officer, private security guard, private investigator, or other similar private security position (Penal Code § 70).

819.4.2 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against any member using their position with this department to gain access to official records or databases of this department or other agencies.

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819.4.3 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates outside employment, the member shall promptly submit written notification of such termination to the Chief Probation Officer through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief Probation Officer any material changes in outside employment, including any change in the number of hours, type of duties, or the demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material are advised to report the change.