

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

- A. Civil Service Commission Rules (Civil Service Rule)** – The governing regulations for all City and County employees regarding secondary 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.
- B. 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.
- C. Secondary Employment** – Any employment (outside of military-related service) or engagement where an employee provides services or performs duties related to or in furtherance of that employment or engagement, for which the employee receives compensation, including salary, wage, fee, commission, or emolument. Work under SF Admin Code 10B is not considered secondary employment.
 - 1. For the purpose of this rule, passive income sources such as rental income, investments, or dividends, where no active duties or services are performed by the employee, do not constitute secondary employment.

11.02.03 POLICY

Pursuant to Civil Service Rule 18.2, *Additional Employment*, all 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.

For the purposes of this DGO, “member” means a sworn member and “employee” means sworn and non-sworn members of the Department.

11.02.04 OBTAINING APPROVAL

- A. **Complete the SFPD Secondary Employment Form (SFPD 156)** – Route the form for signature to the employee’s Commanding Officer, Staff Services Personnel Officer (HR Manager), and Risk Management.
- B. **Complete DHR’s Additional Employment Request (AER) Form** – Fill out and print the electronic 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://prod.employee.sf.gov/esc) (<https://prod.employee.sf.gov/esc>).
- C. **Upload Signed Forms and Submit to DHR Electronically** – Employees shall follow directions on SF|MyPortal to upload the printed and signed AER and SFPD 156 forms.
- D. **Submission Approvals** – Upon submission, the completed application will be automatically routed to the Chief of Police, Staff Services, and DHR. The employee will receive an email confirmation upon approval by all parties. The approval is valid for 12 months.

11.02.05 DENIAL & APPEAL

- A. **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.
 - 1. Per Penal Code § 70(e)(3), members are entitled to written rationale for the denial.
- B. **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 Staff Services for assistance.

11.02.06 INCOMPATIBLE ACTIVITIES

- A. It is the employees’ responsibility to ensure their proposed secondary employment is not incompatible with their duties of the department, as listed under Section 3.218 of the San Francisco Campaign and Governmental Conduct Code.
 - 1. If the proposed secondary employment is listed as incompatible, the employee should contact Staff Services for assistance.

11.02.07 REVOCATION / SUSPENSION OF OUTSIDE EMPLOYMENT

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

11.02.08 LEAVE, PROBATION, & MODIFIED / LIMITED DUTY

- A. **Sick or Disability Leave** – Members shall not engage in any secondary employment on sick leave with pay or disability leave with pay.
- B. **Limited/Modified Duty** – Limited/Modified duty members may engage in secondary employment; however, the employment will be carefully reviewed to ensure that it does not interfere with a member's recovery to full duty.
- C. **Probationary Officers** – Officers (Q-2) must complete their probationary period before requesting permission to engage in secondary employment.

11.02.09 DISPLAY & USE OF DEPARTMENT-ISSUED EQUIPMENT

- A. **Use of City Resources** – Employees shall not engage in the use, other than the minimal or incidental use, of the time, facilities, equipment, or supplies of the City for private gain or advantage.
- B. **Use of Prestige of Office** – Employees shall not engage in the use of any marker (including without limitation a badge, star, uniform, or business card), prestige, or influence of the City officer or employee's position for private gain or advantage.
- C. **Mace/OC** – Employees may carry personally owned chemical agent cannister while engaged in secondary employment; however, members must comply with provisions of Penal Code Section 22810.
- 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 for the benefit of the secondary employer.

11.02.10 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.

11.02.11 TERMINATION OF SECONDARY EMPLOYMENT

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

11.02.12 PRIVILEGE

- A. Secondary employment is a privilege, not a right, and permission is contingent upon the 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.