CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 15-01

EFFECTIVE:	OCTOBER 30, 2013	CANCELS:	GENERAL ORDER 11-1a
TO:	ALL PERSONNEL	INDEX AS:	PAY GRADES SALARY COMPENSATORY TIME OVERTIME PAY NEPOTISM HOLIDAYS
SUBJECT:	COMPENSATION		

I. PURPOSE

The purpose of this General Order is to establish policy and procedure for pay, compensatory time and overtime pay.

II. POLICY

It shall be the policy of the Ballwin Police Department that all employees receive fair compensation for the hours that they work.

III. PAY GRADES

A. Newly appointed employees will start at a probationary pay grade. They will normally remain in this grade during their one year probationary/ qualification period. The current Ballwin Police Department pay grades will be used to determine compensation levels after probation is cleared.

B. All employees are eligible for a yearly merit pay increase. A merit increase may be awarded if a positive yearly evaluation is received and funds are available. Employees that have recently completed their qualifying period or have been promoted may be eligible for an additional increase, depending on the time between the end of the qualifying period and the next annual evaluation.

C. If an employee is moved to a new position that has a starting salary of more than 3% above the starting salary for his/her present job, the move shall be considered a promotion. The amount of the salary increase for the promotion will be the average of the city-wide salary adjustment percentages from the previous three years, or 3% whichever is less, but under no circumstances shall the new salary be less than the minimum for the position. All adjustments are subject to availability of funding and budget appropriations.

D. All salary adjustments will be approved by the Mayor and Board of Aldermen upon recommendations of the City Administrator, and will be contingent upon the availability of sufficient funds.

E. Variable Hour Employees (Part Time) will work 25 hours or less per week.

IV. OVERTIME PAY

A. All full-time non-exempt employees who work in excess of forty (40) hours in a seven (7) day work week may be eligible for overtime pay or compensatory (comp) time, in accordance with the provisions of the Fair Labor Standards Act (FLSA), provided there is prior approval of such overtime and comp time by their immediate supervisor. The FLSA provides that all non-exempt employees be paid at the rate of one and one-half times their normal hourly equivalent rate of pay for all worked hours in excess of 40 hours. The workweek, for purposes of this section, shall be defined as beginning at 12:01 a.m. Monday morning and proceeding for seven (7) full continuous days until Midnight the following Sunday night. The Ballwin Police Department reserves the right to change work schedules during the workweek or work period to reduce overtime liability.

B. Employees are not guaranteed overtime and all hours in excess of 40 must be approved by their supervisor. At times it may be necessary to have mandatory overtime. Employees will be paid in accordance to the guidelines established by FLSA. Those that refuse mandatory overtime may be subject to disciplinary action.

V. FLEX TIME AND COMPENSATORY TIME

A. Overtime hours accumulated and used within the same 40-hour work week shall be considered flex time. Flex time will be taken as straight time so that the 40-hour work week is maintained. Flex time must be approved by the employee's immediate supervisor and Bureau Commander.

B. Overtime hours that are accumulated and not used within the same 40-hour work week, and not paid as overtime, shall be considered compensatory time. Compensatory time shall be taken in accordance with the FLSA guidelines and is computed at the same rate as over time (1 and ½ times hours worked)

C. Compensatory time must be mutually agreed upon between supervisor and employee. In no event shall a Ballwin Police Department employee's compensatory time accumulation exceed 40 hours. These hours must be logged on all time sheets.

D. Per FLSA guidelines, compensatory time is computed at the same rate as overtime (1 and ½ times the normal hourly equivalent rate of pay for all worked hours in excess of 40 hours.)

VI. CALL-IN PAY

Employees who are eligible for overtime pay per the FLSA, who are called in to duty from home by a supervisor, outside of their normal work shift, shall be guaranteed a minimum of two hours of overtime pay for each call-in. Call-in pay shall be defined as pay for work performed at a time disconnected from an employee's regular schedule of work. Regardless of the actual hours worked, a two-hour minimum guarantee shall apply. Under no circumstances will call-in pay provisions be applicable for overtime worked consecutively before or after a regular workday.

VII. HOLIDAY PREMIUM RATE FOR EMPLOYEES ON ROTATING SHIFTS

A. All full-time employees who work rotating shifts and are scheduled to work one of the holidays listed below will receive in addition to their regular pay, additional compensation for such time at the rate of one times the employee's regular rate of pay. (i.e. double time, 8 hours worked + 8 hours holiday pay). The observed holidays are:

New Year's Day
Martin Luther King, Jr.'s Birthday
President's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day & Friday after Thanksgiving
Christmas Eve Day
Christmas Day

B. Employees must physically work the actual holiday (not the city-observed) in order to receive this premium holiday rate. Personal leave, vacation and comp time may be taken, but no additional premium holiday pay will be received. In lieu of this compensation, the employee will receive a "bonus holiday" and the requested leave will not be deducted from the employee's banked time.

C. Full-time employees' whose scheduled days off fall on a holiday will receive a "bonus holiday" to be used within the same year. "Bonus Holidays" earned during the months of November and December will be allowed to be carried over for the first 90 days of the next year.

D. Employees who call in sick on the holiday will be entitled to use accrued hours of sick leave, but no holiday pay will be received.

E. Part-time employees shall be eligible for holiday benefits on a pro-rata basis in accordance with the above described conditions after completion of 12 consecutive months of continuous service. The pro-rata basis shall be based on the number of hours worked during the preceding 12-month period. Part-time employees must work at least 1040 hours a year in order to qualify (anniversary to anniversary). The employee must physically work the time period in which a holiday falls in order to receive holiday pay.

F. Part-time employees who qualify for partial benefits must work the time period in which a holiday falls in order to receive holiday benefit pay.

G. Part-time employees who qualify for partial benefits are not required to be paid holiday benefits or holiday rate of pay according to federal regulations. The Ballwin Police Department awards holiday benefit pay to employees and pays regular pay for those hours worked on a holiday. The benefit hours should not, however, be calculated with worked hours to figure overtime.

H. Regular part-time employees who do not qualify for holiday benefits shall receive 1-½ times their regular rate of pay for actual hours worked.

I. Employees with unauthorized absence, or on unpaid FMLA leave occurring on the day preceding and/or following a holiday, shall not receive compensation for the holiday.

J. Any employee covered by FLSA, who is called in to work on a holiday, shall be paid for actual hours worked at a rate of 1 ½ times their regular rate of pay plus their normal pay for the holiday. FLSA-exempt employees are not eligible for this overtime provision.

VIII. PAY GRADE RANGE CHANGES

When the Board of Aldermen approves a change in the ranges of the pay grades, all employees below the new grade will have their salaries adjusted to the new minimum salary and it will be effective on the date that the Board approves the changes to take effect. Employees under disciplinary probation will not receive the increase.

IX. TIME SHEETS

Time sheets are to be maintained by all non-exempt employees. Exempt employees must turn in time sheets when leave was used during the pay period. Time sheets are to be turned in to the appropriate supervisor at the end of each pay period. Delays in receiving time sheets could cause a delay in receiving a paycheck.

X. SALARY ADMINISTRATION

A. All employees are paid on a bi-weekly basis. The time worked by non-exempt employees and all other employees who claim overtime, holiday or other special pay shall be clearly designated on time sheets provided to the Finance Officer.

B. All time sheets shall be completed by the employee, verified by the appropriate supervisor, and forwarded through the Chain of Command to the City's Payroll and Benefits Clerk.

C. For the purpose of overtime computation, approved vacation leave, sick leave, personal leave, and/or holiday leave shall be counted toward the standard work period.

D. There shall be a one-week lapse between a work period and receipt of compensation for that work period. Work periods currently begin on Monday and run through the following Sunday. Pay statements shall be distributed bi-weekly on Fridays.

E. Unless authorized by the City Administrator, employees shall not be eligible for salary increase until they have satisfactorily completed a twelve-month qualifying period or the pay grade reflects a change in a new minimum salary.

F. A merit evaluation system has been adopted by the City, which requires at a minimum, an annual review of each employee's performance. The evaluation process will guide decisions relative to salary adjustments.

G. All salary adjustments will be approved by the Mayor and the Board of Aldermen upon recommendations of the City Administrator, and will be contingent upon the availability of sufficient funds. Progression within the salary ranges established for all job classifications is dependent on satisfactory performance evaluation ratings.

H. All performance reviews are conducted annually as directed by the city administrator. Employees coming off of a qualifying period during the preceding year may therefore be eligible for a salary adjustment, depending on the time

between the end of the qualifying period and annual review and the amount of salary adjustment authorized by the Board of Aldermen. Thereafter, at each annual evaluation, the employee shall be eligible for a merit based salary adjustment, depending on the results of the evaluation and budget constraints.

XI, PAY STATEMENTS

A. Pay is distributed biweekly via direct deposit only. The funds are then allocated to each employee's account on the scheduled payday.

B. No advance payments or special arrangements will be made under any circumstances.

XII. FEDERAL AND STATE INCOME TAXES

Federal and State Income taxes are deducted from each employee's salary in accordance with Federal and State law. Each employee receives a statement (W-2) of earnings and taxes withheld shortly after the end of each calendar year. If any employee's service is terminated before the end of the calendar year, the withholding tax statement will be mailed to the employee's last known address.

XIII. SOCIAL SECURITY

All employees are covered by Federal Social Security (FICA). Medicaid deductions are also applied in accordance with the provisions of Federal law.

XIV. TRANSFER

A. If an employee is moved to a new position that has a minimum starting salary that is no more than 3% above or below the starting salary for the present job, the move shall be considered a transfer and his/her evaluation schedule will not be affected. The employee will, however, be evaluated within the first six months after the transfer to determine if satisfactory progress is being made in the new position. All transfers are subject to prior approval of the Chief of Police.

B. Upon acceptance, the employee will continue to accumulate sick leave, vacation time and other benefits. The transfer will not affect eligibility for these benefits.

C. Prior to the transfer, the employee's immediate supervisor will complete an evaluation covering the employee's performance from the previous annual evaluation, through the date of transfer. The evaluation should be submitted through the chain of command.

XIV. PROMOTIONS

A. It is the City of Ballwin's policy to fill openings by promotion of a qualified employee whenever possible. Job knowledge and meritorious performance are important in preparing for advancement. Employees are required to serve one year as a full-time employee in a subordinate title or longer, depending on the position, before being eligible for promotion.

B. If an employee is moved to a new position that has a starting salary of more than 3% above the starting salary for his/her present job, the move shall be considered a promotion.

C. The employee's anniversary date will remain the original date of hire. Sick leave and vacation benefits will not be affected by transfer or promotion.

XV. NEPOTISM

Under no circumstances shall one member of an immediate family be permitted to directly supervise another member of the immediate family. Immediate family is defined as spouse, parent, child, sibling, step-child, son/daughter-in-law, grandchildren, grandparents, or father/mother-in-law.

XVI. LIABILITY INSURANCE

The City of Ballwin maintains a liability protection plan which provides coverage for bodily injury and property damage. Indemnification and legal assistance are also provided to personnel who become the target of civil action while acting in the scope of their duties. Subsequent costs are assumed by the City.

BY ORDER OF: Chief Steven Schicker 10/30/13
Steven Schicker, Chief of Police — Date

ATTESTED BY: Robert Kuntz 11/5/13
Robert Kuntz, City Administrator — Date

cc: City Attorney

MPCCF REFERENCE
4.1, 15.1, 15.2

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 15-03

EFFECTIVE:	FEBRUARY 20, 2015	CANCELS:	GENERAL ORDERS 117-09, 121-09 and 11-3A
TO:	ALL PERSONNEL	INDEX AS:	SICK LEAVE FMLA
SUBJECT:	LEAVE AND BENEFITS		BENEFITS VACATION

I. PURPOSE

The purpose of this General Order is to establish policy on describing all fringe benefits and the accumulation and use of different types of leave by Ballwin Police Department personnel.

II. PROCEDURE

The Ballwin Police Department follows and complies with the City of Ballwin's policies governing all different types of leave. These policies are outlined in the City of Ballwin Personnel Manual.

All leave and benefits offered to Department personnel are also described fully in the City of Ballwin Personnel Manual.

The City of Ballwin Personnel Manual is available for review on Ballwin.net. A hardcopy of the manual is located in the supervisor's office. Any questions regarding leave or benefits should be directed to an employee's immediate supervisor or the Human Resources Coordinator of the City of Ballwin.

III. VACATION SELECTION

Selection of vacation dates shall be made taking into consideration such factors as seniority, manpower allocation, job title and Departmental needs.

Vacation earnings may be taken in increments as short as one-half day and as long as two (2) weeks (10 days or 12 days for members of the Bureau of Field Operations), with the prior approval of the Chief of Police.

Vacation selections shall be made by individual divisions or units, as selection is by seniority or time in grade for each group. Those persons within a group should make every effort to cooperate with each other in order to get as near as possible to the desired vacation time.

A master copy of a "vacation schedule" will be made available by the first of the year. Vacation selections shall be submitted as soon as possible to accommodate Department needs and conflicting vacation requests. After every employee has had an opportunity to make their first vacation selection, requests will be honored on a "first come, first served" basis for any vacation time remaining.

IV. VACATION REQUESTS AND APPROVAL

Employees desiring to take one week or more of their earned vacation must submit a "Leave Request Form" (BPD 64) through the chain of command at least ten (10) days before the desired time. Personal days or any single day requests (less than one week) may be submitted one day in advance and are subject to manpower needs of the unit in question. Situations where a "last minute" request is necessary due to unforeseen circumstances (i.e. child care, personal vehicle repair) will be evaluated/granted on a case-by-case basis. Any exception to this policy requires approval by the Chief of Police.

No personnel shall be granted vacation leave during the period of the Ballwin Days Festival, or any other special events which require additional manpower, without prior approval of the Chief of Police.

Generally, the two supervisors from any Field Operations squad may not be granted any leave simultaneously nor will more than two (2) supervisors from the Bureau of Field Operations be allowed leave during the same period. A relief supervisor will fill in for supervisors on vacation.

All previously approved vacations, compensatory time, bonus holidays or personal days are subject to cancellation at any time due to emergencies or personnel shortages due to illness, injury or other causes.

BY ORDER OF: Chief Steven Schicker 2/23/15
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 2/26/15
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

15.3,

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 15-04

EFFECTIVE:	JANUARY 26, 2015	CANCELS:	GENERAL ORDER 12-07
TO:	ALL PERSONNEL	INDEX AS:	BULLETPROOF VESTS BALLISTIC VESTS
SUBJECT:	BALLISTIC VESTS		

I. PURPOSE

The purpose of this General Order is to provide guidelines for use of ballistic resistant vests by Officers of the Ballwin Police Department.

II. POLICY

It is the policy of the Ballwin Police Department to encourage the use of ballistic resistant vests by all officers. In so doing each officer will be provided with a ballistic resistant vest upon employment or upon completion of a Police Academy.

Officers assigned to the Bureau of Field Operations are required to wear their ballistic resistant vests at all times when on duty. Officers assigned the Bureaus of Operational Support and Administration are expected to wear their ballistic resistant vest when it can reasonably be assumed their activities may bring them into contact with hostile subjects. These officers shall keep their ballistic resistant vest in a readily accessible location while on duty.

Wearing of protective vests will be mandatory for all officers participating in pre-planned high-risk situations (i.e., warrant executions and manhunts) and firearms training sessions.

An officer who fails to abide by the above policy will not be allowed to work until he/she is in compliance. Failure to abide by this policy will be reflected in the officer's annual evaluations and will subject the officer to progressive disciplinary action.

BY ORDER OF: Chief Steven Schicker 1/26/15
Steven Schicker, Chief of Police — Date

ATTESTED BY: Robert Kuntz 2/6/15
Robert Kuntz, City Administrator — Date

cc: City Attorney

MPCCF REFERENCE

15.4

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 15-08

EFFECTIVE:	FEBRUARY 02, 2016	CANCELS:	G.O. 15-08 (04/15/2015)
TO:	ALL PERSONNEL	INDEX AS:	LIGHT DUTY LIMITED DUTY
SUBJECT:	LIMITED DUTY		

I. PURPOSE

The purpose of this General Order is to establish a limited duty policy for those employees on temporary disability leave due to an on-duty injury/illness. Limited duty allows an employee to maintain basic skills and/or learn new skills and enables the Department to utilize an employee in a useful role during convalescence. Nothing in this General Order shall supersede the provisions of the Personnel Manual of the City of Ballwin.

II. POLICY

A. It shall be the policy of this Department to provide, when possible, a limited duty assignment for any full-time employee on temporary disability as authorized by the Worker's Comp physician.

B. A limited duty assignment shall be considered temporary and shall not extend past the time frame set forth in this General Order and the City of Ballwin Personnel Manual.

C. While on limited duty, employees shall maintain the pay grade assigned to their normal full-duty assignment.

D. Unless precluded by the nature of the illness or injury, commissioned employees placed on limited duty status, will continue to wear the Department uniform.

1. Unless physically unable to do so; i.e. injury to their weapon hand or arm, officers restricted to civilian attire shall be permitted to carry their authorized weapon(s) and Department – issued badge, concealed, both on and off duty.

2. No employee so authorized shall initiate any police action unless a life-threatening situation exists and no reasonable alternative course of action exists.

3. No employee will be allowed as a "ride-a-long" in a marked patrol vehicle.

E. An employee who is not able to perform their full-time duties will be considered unable to perform secondary employment. Therefore, employees may not work secondary employment while on limited duty, refer to G.O. 15-07 "Secondary Employment".

F. Requests for limited duty may be initiated by the employee on disability. If an employee does not request a limited duty assignment after being evaluated as being capable of such

duty by a Worker's Comp physician the employee may be assigned by the Chief of Police to a limited duty assignment as deemed necessary and appropriate.

III. REQUEST FOR LIMITED DUTY ASSIGNMENT

A. Employees who are capable of returning to work full time, but on a temporary limited duty assignment, shall have their authorized Worker's Comp physician complete a dated "Physical Limitations For Limited Duty Assignment Form", which medically approves a limited duty assignment. The physician's statement and a memorandum requesting a limited duty assignment shall then be forwarded through the chain of command to the Chief of Police, who shall authorize a limited duty assignment, and if the uniform shall be worn or if the employee shall be authorized to continue carrying a firearm.

B. Employees may initially be approved, by the Chief of Police, for up to thirty (30) days of limited duty, with extensions possible to a maximum of sixty (60) days, at thirty (30) day intervals. The extension must be approved by the City Administrator.

C. Employees must provide a written statement from the attending Worker's Comp physician describing the current prognosis and the estimated time for full recovery each time an extension is requested.

D. At the end of sixty (60) days or at such prior time as it is determined that there will not be a recovery to full – duty status, other options available will be presented to the employee by the Chief of Police.

IV. LIMITED DUTY ASSIGNMENTS

A. When making limited duty assignments, every effort will be made to place employees in assignments that are appropriate for their particular skills and level of experience.

B. Employees approved for limited duty assignment may not refuse an assignment within the limits of their capabilities, as defined by the attending Worker's Comp physician.

C. The immediate supervisor of the division/unit in which an employee on limited duty is assigned shall make periodic checks with the employee to ensure their compliance with the restrictions of the Worker's Comp physician and the limited duty assignment.

V. REQUEST FOR LIMITED DUTY ASSIGNMENT DUE TO PREGNANCY

Accommodations due to pregnancy shall be granted at the point where a female can no longer perform the functions of her regular position but is still able and willing to work. Non-standard attire will also be permitted during this assignment.

VI. RETURN TO FULL DUTY

An employee on limited duty may be returned to full duty status upon receiving the appropriate release from the attending Worker's Comp physician. The statement shall indicate that they have recovered from their illness/injury and are capable of performing all the duties of their permanent duty position. The statement shall be forwarded through

the chain of command to the Chief of Police who shall determine if the employee is eligible to return to full duty status. The employee shall continue to report to their limited duty assignment until notified otherwise by the Chief of Police.

BY ORDER OF: _____ 2/2/16
Kevin Scott, Acting Chief of Police — Date

cc: City Attorney

MPCCF REFERENCE

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 15-08

EFFECTIVE:	APRIL 15, 2015	CANCELS:	GENERAL ORDER 61-08
TO:	ALL PERSONNEL	INDEX AS:	LIGHT DUTY LIMITED DUTY
SUBJECT:	LIMITED DUTY		

I. PURPOSE

The purpose of this General Order is to establish a limited duty policy for those employees on temporary disability leave due to an on-duty injury/illness. Limited duty allows an employee to maintain basic skills and/or learn new skills and enables the Department to utilize an employee in a useful role during convalescence. Nothing in this General Order shall supersede the provisions of the Personnel Manual of the City of Ballwin.

II. POLICY

A. It shall be the policy of this Department to provide, when possible, a limited duty assignment for any full-time employee on temporary disability as authorized by the Worker's Comp physician.

B. A limited duty assignment shall be considered temporary and shall not extend past the time frame set forth in this General Order and the City of Ballwin Personnel Manual.

C. While on limited duty, employees shall maintain the pay grade assigned to their normal full-duty assignment.

D. Unless precluded by the nature of the illness or injury, commissioned employees placed on limited duty status, will continue to wear the Department uniform.

1. Unless physically unable to do so; i.e. injury to their weapon hand or arm, officers restricted to civilian attire shall be permitted to carry their authorized weapon(s) and Department – issued badge, concealed, both on and off duty.

2. No employee so authorized shall initiate any police action unless a life-threatening situation exists and no reasonable alternative course of action exists.

3. No employee will be allowed as a "ride-a-long" in a marked patrol vehicle.

E. An employee who is not able to perform their full-time duties will be considered unable to perform secondary employment. Therefore, employees may not work secondary employment while on limited duty, refer to G.O. 15-07 "Secondary Employment".

F. Requests for limited duty may be initiated by the employee on disability. If an employee does not request a limited duty assignment after being evaluated as being capable of such

duty by a Worker's Comp physician the employee may be assigned by the Chief of Police to a limited duty assignment as deemed necessary and appropriate.

III. REQUEST FOR LIMITED DUTY ASSIGNMENT

A. Employees who are capable of returning to work full time, but on a temporary limited duty assignment, shall have their authorized Worker's Comp physician complete a dated "Physical Limitations For Limited Duty Assignment Form", which medically approves a limited duty assignment. The physician's statement and a memorandum requesting a limited duty assignment shall then be forwarded through the chain of command to the Chief of Police, who shall authorize a limited duty assignment, and if the uniform shall be worn or if the employee shall be authorized to continue carrying a firearm.

B. Employees may initially be approved, by the City Administrator, for up to thirty (30) days of limited duty, with extensions possible to a maximum of sixty (60) days, at thirty (30) day intervals.

C. Employees must provide a written statement from the attending Worker's Comp physician describing the current prognosis and the estimated time for full recovery each time an extension is requested.

D. At the end of sixty (60) days or at such prior time as it is determined that there will not be a recovery to full – duty status, other options available will be presented to the employee by the Chief of Police.

IV. LIMITED DUTY ASSIGNMENTS

A. When making limited duty assignments, every effort will be made to place employees in assignments that are appropriate for their particular skills and level of experience.

B. Employees approved for limited duty assignment may not refuse an assignment within the limits of their capabilities, as defined by the attending Worker's Comp physician.

C. The immediate supervisor of the division/unit in which an employee on limited duty is assigned shall make periodic checks with the employee to ensure their compliance with the restrictions of the Worker's Comp physician and the limited duty assignment.

V. RETURN TO FULL DUTY

An employee on limited duty may be returned to full duty status upon receiving the appropriate release from the attending Worker's Comp physician. The statement shall indicate that they have recovered from their illness/injury and are capable of performing all the duties of their permanent duty position. The statement shall be forwarded through the chain of command to the Chief of Police who shall determine if the employee is eligible to return to full duty status. The employee shall continue to report to their limited duty assignment until notified otherwise by the Chief of Police.

BY ORDER OF: Chief Steven Schicker 4/27/15
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 5/11/15
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 15-07

EFFECTIVE:	DECEMBER 18, 2014	CANCELS:	GENERAL ORDER 13-08
TO:	ALL PERSONNEL	INDEX AS:	OFF DUTY EMPLOYMENT PART-TIME EMPLOYMENT SECONDARY EMPLOYMENT
SUBJECT:	SECONDARY EMPLOYMENT		

I. GENERAL:

The regulation of secondary employment is necessary to maintain an efficient organization that is mentally and physically alert. Public order and safety will thereby be better preserved. In addition, such regulation will prevent potential conflicts of interest and loss of public image because of the type of employment engaged in by Department personnel.

The purpose of this General Order is to establish regulations and procedures governing secondary employment privileges for Department personnel.

II. DEFINITIONS:

A. Secondary Employment shall be defined as any and all employment engaged in by any Department personnel during off-duty hours, holidays, vacation or recreation periods with any employer other than the Ballwin Police Department, including a self-employed business.

B. Conflict of Interest means a conflict between a Department employee's personal interest (or the interest of his secondary employer) and the duty of the employee to the Police Department and to the public.

C. Part Time Employee: An employee of the department that works less than 1,400 hours per year.

III. APPLICATION PROCEDURE:

A. Prior to engaging in any secondary employment or business, full time employees shall complete the Request for Secondary Employment form.

1. A Request for Secondary Employment form shall be completed in all cases.

2. The information on the application shall be complete, accurate, and shall reflect the significant aspects of the proposed secondary employment, the name of the employer, place of the employment, the wage to be earned and dates and time of employment. The application shall be submitted to the applicant's supervisor who shall review and endorse the application recommending approval or disapproval. When disapproval is noted, the supervisor shall indicate the reasons. The application will be forwarded to the Chief of Police for final approval.

3. The decision rendered by the Chief of Police to permit or deny the application for secondary employment is final; however, an employee will be permitted to seek a review by the Chief of Police should a permit be denied.

4. Upon approval of the Request for Secondary Employment, the employee will receive a copy of the form which will serve as the authorization to work.

5. The Request for Secondary Employment Form when approved by the Ballwin Police Department will be authorization to work for a period of not more than one (1) calendar year, or until termination of the specific employment which was authorized. All permits shall expire December 31 of each year. Any secondary employment performed after expiration of the permit will be deemed to be without permission. The permit also authorizes only such work as specifically designated on the permit. Copies of the St. Louis County Watchman License will be attached, when applicable, pursuant to St. Louis County Ordinance 701.115.

6. As permits to work secondary employment expire on December 31 of each year, renewal of the permit may only be accomplished by resubmitting a request each year.

7. The Chief of Police shall have authority to revoke any authorization for secondary employment, should circumstances change or arise that may constitute an actual or perceived conflict of interest or any employment that would reflect unfavorably on the Department. Approval of secondary employment may be revoked upon the request of the officer's commanding officer or supervisor, upon showing that the employment in any way is impairing or interfering with the officer's job performance. Approval may also be revoked if the officer brings the Department into disrepute by failing to work the prescribed hours at the location of secondary employment.

C. Part time employees shall provide the department with the information contained in the Request for Secondary Employment for any other employment they may have.

D. Any off-duty employment meeting the standard guidelines that is donated to a charitable organization and for which the employee receives no monetary compensation will not require written approval as Secondary Employment.

IV. DEPARTMENTAL RESPONSIBILITIES:

A. A police officer, while engaged in secondary employment within Ballwin jurisdictional authority, shall at all times take proper action on any offense or condition of which he has, or acquires knowledge and which normally would require police attention including arrest and the making of reports.

B. No employee shall work:

1. New employees with less than six (6) months of employment.

2. Officers on suspension due to disciplinary action.

3. At any employment or in any location which will tend to bring the Department into disrepute or to reduce his/her efficiency or usefulness as a Department employee.

4. In any employment requiring any affiliation, membership or allegiance tending to influence his/her conduct in a manner inconsistent with the proper discharge of duties as a police officer or with responsibility to the department or in the public interest.

5. In a police uniform at the performance of tasks other than of a police nature, and then only in or on such premises or places as are approved by the Chief of Police.

6. In any employment involving the towing of vehicles, or for any business or service which has a contract with the Ballwin Police Department.

7. In any employment requiring the service of civil process or the collection of debts, bills or checks either full or part time.

8. On investigations or other work within the Ballwin jurisdictional authority in which the employee may avail himself or access to police information, records, files or correspondence.

9. For any municipality or state office at a police task or within a municipality at a police task.

10. For a business or company that is on strike.

11. In excess of a total of 24 hours per calendar week at secondary employment. (NOTE: This does not pertain to part time employees)

C. Secondary employment is prohibited during those hours when a Department employee is being paid by the City of Ballwin, to include the following:

1. Sick leave – No employee will engage in secondary employment within a twenty-four (24) hour period starting at the time the person would have normally begun their work shift.

2. Scheduled duty hours.

3. Funeral Leave, Non-Duty Disability Leave, On-Duty Injury/Disability Leave (Workers Comp), or FMLA Leave - No employee will engage in secondary employment within a twenty-four (24) hour period starting at the time the person would have normally begun their work shift.

4. On limited duty.

D. All employees shall comply with the Federal and State guidelines for reporting of income from secondary employment for income tax purposes.

E. Employees shall not use Ballwin Police facilities, equipment, or vehicles in conjunction with off-duty employment, except with prior approval of the Chief of Police.

F. Employees cannot work as a private security watchman or security officer outside the Department's jurisdiction without a security officer's license from the Private Security Section of the St. Louis County Police Department to perform secondary employment in St. Louis County and St. Louis City.

G. The City of Ballwin shall not reimburse employees engaged in those activities related to arrests made during secondary employment outside the City of Ballwin, including court appearances, warrant application, and report writing, where secondary employment consists of performing a police task.

H. At the discretion of the Chief of Police, after careful review of the incident and the enforcement action is determined to be in the line of duty, the Ballwin Police Department and City of Ballwin shall award salary, worker's compensation, or disability pay for injuries or sickness sustained when an off-duty police officer takes enforcement action while on secondary employment within the Department's jurisdictional authority in the city limits of Ballwin and/or contractual enforcement area.

I. The Office of the Chief of Police shall have oversight authority to assure adherence to the policies and processes contained within this Order.

VI. CONFLICT OF INTEREST, REMOVAL FROM ASSIGNMENT:

If, after a Department employee has entered upon a secondary employment, a conflict or imminent conflict arises between the employee's police duties and the interest of his secondary employer, the employee shall be removed from any case, investigation or other matter involving the secondary employer, and another Department employee shall immediately be assigned in his/her place.

It shall be the duty of all department employees to report to their supervising officers the fact of such a conflict or imminent conflict of interest exists or may exist. All cases of such actual or imminent conflict of interest shall also be reported forthwith, through chain of command, to the Chief of Police.

BY ORDER OF: Chief Steven Schicker 1/16/15
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 2/2/15
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

15.7