



INFORMATION REPORT

TO: The Halifax Board of Police Commissioners

FROM: Chief Daniel Kinsella, Halifax Regional Police

DATE: September 27, 2022

SUBJECT: Halifax Regional Police Extra Duty and Off Duty Policies Release

Background:

At the September 8, 2022 meeting of the Halifax Board of Police Commissioners (BoPC), Halifax Regional Police (HRP) was asked to bring forward its policies related to Extra Duty and Off Duty employment for the review of the BoPC at its next meeting. Having reviewed the policies, HRP has confirmed that while these particular policies have not yet been updated as part of HRP's ongoing policy manual refresh, the content of the policies does not require redactions prior to being publicly released. Attached to this report are the applicable policies as adopted by the BoPC in January 2020, as they currently exist for the BoPC's review.

Applicable legislation & departmental orders:

- As per Section 56 of the *Nova Scotia Police Act*:
 - 56 (1) Every board shall establish a written policy respecting extra duty employment by members of its police department and the policy shall
 - (a) define extra-duty employment;
 - (b) provide that requests for a member of the police department to be employed on extra duty be made to the chief officer;
 - (c) require that a member of the police department engaged in extra-duty employment be in uniform except where the chief officer determines that plain clothes are required; and
 - (d) require that at all times while on extra duty the member of the police department is under the orders of the police department and no one else.
 - (2) Every board shall establish a written policy respecting off duty employment by members of its police department and the policy shall
 - (a) define off-duty employment;
 - (b) set policy guidelines regarding permitted and prohibited off-duty employment;
 - (c) prohibit a member of the police department from engaging in the business of serving civil process documents or in the private investigator or private guard business; and

- (d) prohibit a member of the police department from being in uniform while engaged in off-duty employment.
- **(3)** The chief officer shall determine whether employment is extra-duty employment or off-duty employment and whether a particular kind of off-duty employment is permitted or prohibited within the off-duty police policy.
- HRP's previous departmental orders related to its Extra Duty Policies issued in 1996, 1997 and 1999
- HRP's previous departmental orders related to its Off Duty Policies issued in 2002, 2007 and 2009
- In July 2020, the BoPC adopted existing policies of HRP for Extra Duty and Off Duty into the BoPC Policy Manual (**EXTRA DUTY AND OFF DUTY EMPLOYMENT**).

Appendix:

- HRP's Extra Duty and Off Duty Policies (PDF)



Appendix: HRP's Extra Duty and Off Duty Policies (PDF)

Cover Note:

Re: Attachment for Item 10.2.2 Halifax Regional Police Extra-Duty and Off-Duty Employment Policies

The attached policies and procedures related to Halifax Regional Police's Extra Duty and Off Duty Employment policies and procedures are being submitted to the Board of Police Commissioners' (BoPC) as part of the October 5, 2022 BoPC meeting materials.

As noted in the report, while these specific policies have not yet been updated as part of HRP's policy manual refresh, these were deemed to not require any redactions, and are being submitted in full.

Below is a list of the policies contained herein along with the departmental order number they were issued under. These policies are part of Chapter 10 of the current policy manual under sections 13 and 12:

Extra Duty:

- 13 Extra Duty Employment (Departmental Order #59-99)
- 13.1 Remuneration (Departmental Order #56-99)
- 13.2 Receiving an Order (Departmental Order #59-99)
- 13.3 Assignment of Extra Work Duties (Departmental Order #59-99)
- 13.4 Ineligibility for Extra Work (Departmental Order #59-99)
- 13.5 Inability to Fulfill Extra Duty Assignment (Departmental Order #59-99)
- 13.6 Reporting on Duty (Departmental Order #56-99)
- 13.7 Portable Radios (Departmental Order #56-99)
- 13.8 Involvement During Extra Duty Work (Departmental Order #59-99)
- 13.9 Responsibilities for Liquor Establishment Details (Departmental Order #56-99)

Off-Duty:

- 12 Off Duty Employment/Activities (Departmental Order#04-09)

Disclaimer: The above listed and attached policies and procedures belong exclusively to Halifax Regional Police. No person or entity is permitted to reproduce in whole or part these policies and procedures for business or commercial purposes, or the purposes of distribution, trade, sale, rent, or posting on the Internet or on electronic bulletin boards.

13 EXTRA DUTY EMPLOYMENT

Departmental Order #: 59-99 (Previously issued under order #s 56-99, 62-97 and 17-96)

A. POLICY STATEMENT

1. While on extra duty employment, a member shall be subject at all times to the rules and regulations of the *Nova Scotia Police Act* and the HRP and shall discharge his/her responsibilities in keeping with the professional and ethical standards set by the Chief of Police.

B. DEFINITION

1. Extra Duty Employment: shall mean all police-related duty sanctioned by the Chief of Police other than that normally provided for by the Halifax Regional Municipality. For further information on the regulations pursuant to the *Nova Scotia Police Act* and related to extra duty employment, refer to Appendix A, EXTRA DUTY EMPLOYMENT REGULATIONS.

2. Please review Administration Chapter Five, 2.0 Conflict of Interest

C. POLICY

1. For the purposes of the policy in Section 16, in the absence of the Extra Work Clerk, the duty Central Division NCO shall be designated to assign extra duty details in accordance with this policy.

2. All requests for extra duty police services shall be directed to the Chief of Police, Extra Work Clerk or other designated person setting out the nature of the duties to be performed. The request must be compatible and consistent with the duties of a police officer and the policies or regulations of the Board.

3. Requests must specify:

- a. Nature of the duties to be performed.
- b. Number of hours and location for which the service is required.
- c. Name of the business, agency or group requesting the service, including the contact person and phone number.
- d. Method of payment.

4. The interpretation of this policy, when in dispute, shall be referred to the NCO i/c Administration whose decision shall be final.

5. The Extra Duty List is compiled at the beginning of each calendar year. Once added to the list, members may voluntarily remove themselves from the list at any time during that calendar year. However, unless one of the extenuating circumstances listed below exists, any member who decides not to add his/her name on the Extra Duty List at the beginning of the calendar year or who withdraws his/her name from the list during the year will not be eligible to be added to the Extra Duty List until the beginning of the next calendar year:

- a. The member is a new hire who has successfully completed the required three (3) month probationary period and has been approved to work extra duty details.
- b. The Human Resources Officer has authorized the addition of the member to the Extra Duty List.

13.1 REMUNERATION

Departmental Order #: 56-99 (Previously issued under order #s 62-97 and 17-96)

A. POLICY

1. Remuneration for extra duty employment shall be the responsibility of the party for whom the services are provided.
2. The remuneration rate for extra duty details shall be subject to the extra duty rate.
3. All Extra Duty Jobs shall be paid through the payroll process.
4. During regular business hours, the Extra Work Clerk shall process all extra duty jobs. After hours, extenuating circumstances shall be addressed by the Extra Work Clerk's designate who shall be the duty Charlie NCO or an NCO assigned by the Watch Commander. If so required after hours, the designate shall collect the cash and forward it to the Extra Duty Work Clerk.
5. Payment for extra duty work for a special event or mandatory overtime shall be subject to the normal payment process (i.e., court appearances, etc.). Payments for extra duty shall be identified on pay cheques by the code EXD.

B. MEMBER

1. No member shall accept cash payment for any job except where the job falls within A4 above without the authorization of the Extra Work Clerk.

13.2 RECEIVING AN ORDER

Departmental Order #: 59-99 (Previously issued under order #s 56-99, 62-97 and 17-96)

A. POLICY

1. All extra work orders will be received at Headquarters and channeled through the Extra Work Clerk or designate.
2. After hours, orders will be received by the front door Commissionaires or the Call Takers. Orders will then be forwarded to the Extra Work Clerk by way of the completion of the appropriate documentation.
3. All extra work orders will be submitted on a Form HRP.077, Extra Work Order, and include all assignment specifics (i.e., plain clothes, equipment required, etc.).

4. Late orders requiring immediate attention shall be filled by the designated NCO in the absence of the Extra Work Clerk.

B. MEMBER

1. A member approached while on Patrol to order an officer for extra work shall refer that person to contact the Extra Work Clerk.

2. No officer will make private arrangements to work in his/her capacity as a police officer while off or on duty.

13.3 ASSIGNMENT OF EXTRA WORK DUTIES

Departmental Order #: 59-99 (Previously issued under order #s 56-99, 3-99, 62-97 and 17-96)

A. POLICY

1. Extra work duties shall be allotted to members in a fair and impartial manner.
2. Members approved and designated for extra duty employment shall, wherever possible, be on their second or third days off. When the Extra Work Clerk is unable to fill them from this designated watch, he/she may call on another watch to assign the work.
3. Where practical, members who lose an extra duty job due to cancellation may be entitled to the next extra duty order.
4. The ratio of members for extra work details shall be 1 NCO for every 9 constables. Details requiring more than two members shall be assigned the proportionate number of NCOs. Details requiring an NCO(s) will be allotted based on rank, and not necessarily by date of hire. Only those NCOs specifically assigned to an NCO assignment shall be paid at the NCO rate.
5. NCOs may be assigned to an extra work job at the Constable rate. In no instance will a senior-ranked NCO assigned to an extra duty detail be under the supervision of a lower-ranked NCO.
6. Jobs shall not be transferred between members. If a member is unable to attend an assigned extra duty detail, he/she must contact the Extra Duty Clerk or designate to advise of his/her inability to attend. The extra duty detail will then be re-assigned to the next available member. Failure to comply with this policy will be duly noted by the Extra

Duty Office and may result in disciplinary action or the members being removed from the Extra Work List for one (1) year.

B. WATCH COMMANDER

1. The Watch Commander may, at any time, reassign a member to other duties.

C. EXTRA WORK CLERK

1. The Extra Work Clerk or designate shall:

- a. Assign extra duty details from the Extra Work List and advise the member(s) to report with any additional equipment necessary to perform the assigned duties.
- b. Be responsible for the efficient administration of extra duty assignments, including the accounts receivable and the processing of payroll.
- c. Maintain:
 - i. and submit appropriate records of jobs assigned to the Finance Section;
 - ii. the Extra Work list for each Watch and adjust it to reflect transfers and seniority as soon as practical upon notification of changes.

2. When assigning extra duty details, the Extra Work Clerk or designate shall:

- a. For constable assignments, assign jobs from the extra duty list to members based on seniority and from either the constable or NCO rank.
- b. For an NCO detail, assign the job to the next available NCO, advising him/her specifically of the NCO assignment and ensuring the assigned NCO is the highest ranked NCO working the extra duty detail.
- c. Post all work assignments once assigned.
- d. Only be responsible for contacting a member once.
- e. Whenever possible, leave a message for the member who may return the call and request a pick if the order has not been filled.
- f. When unable to contact the member, note same on the Extra Work List.
- g. Where required to fill a late order, he/she shall contact the next available member on the Extra Work List.

3. The Extra Work Clerk or designate shall only reassign extra duty details under the following circumstances:

- a. Member assigned reports sick.
- b. Extenuating circumstances.

4. When extra work must be reassigned, the Extra Work Clerk or designate shall assign the detail to the next available member on the extra work list and notify the duty NCO of the change.

5. Where a second extra duty assignment is offered to a member and it conflicts with an existing assignment, the Extra Duty Clerk or designate shall not place the member at the bottom of the list and should consider him/her for the next available job.

D. DUTY CENTRAL DIVISION NCO

1. In the absence of the Extra Work Clerk, the duty Central Division NCO shall be designated to perform all duties of the Extra Duty Clerk as per policy in Section 16 of this chapter and upon receipt of calls for extra duty police officers that require immediate attention he/she shall also:

- a. Assign the next available member from the extra work list located within the Call Back Center and make the necessary changes to the posted extra duty list.
- b. Complete the HRP.077, including the date and time it was allotted and forward it to the Extra Work Clerk via the designated slot in the Call Back Center.
- c. Notify:
 - i. the Divisional NCO where the job is being performed for monitoring purposes;
 - ii. the Extra Duty Office of the changes immediately. This is to ensure the proper payment to the member who performs the extra duty assignment.

E. NCO

1. The NCO i/c of each mandatory overtime function or special event shall authorize each member's Additional Earnings form, HRP.075.0, for the work completed for HRM.

2. Where practical, a Divisional NCO shall visit members performing extra duty assignments and shall record the visit by entry in his/her notebook or unit history.

During the visit, the NCO shall ensure the detailed members are fully equipped and are performing the duties of their assignment.

F. MEMBER

1. It is the responsibility of each member during their vacation, CO, etc. to notify the Extra Work Clerk or designate of his/her availability for extra duty. The assigning process will not be delayed. If the next available member cannot be contacted, he/she will be recorded as "unable to contact".

2. Members:

- a. Unavailable for extra work while off duty shall notify the Extra Work Clerk or designate in the clerk's absence of the dates of his/her unavailability prior to completing his/her last shift.
- b. Who have long distance telephone numbers will be contacted collect. Refusal to accept a call will result in removal of the member from the Extra Work List.
- c. Assigned to perform extra duty shall:
 - i. wear all issued clothing and equipment. For related policy refer to Subsection 16.6 of this chapter, **REPORTING FOR DUTY**;
 - ii. sign out a portable from a Divisional NCO in accordance with Subsection 16.7 of this chapter, **PORTABLE RADIOS**.

3. When assigned to perform mandatory overtime (i.e., Downtown Detail) or duties related to a special event (i.e., Natal Day), members shall complete an HRP.075 and obtain the authorization of the NCO i/c. Prior to reporting off, he/she shall forward the authorized HRP.075.0 to the Finance Section.

4. Members who become unable to perform an extra duty assignment must inform the Extra Work Clerk or designate of the reason for his/her unavailability not later than three (3) hours before the assignment is to commence and in accordance with related policy in subsection 16.5 of this chapter on **INABILITY TO FULFILL EXTRA DUTY ASSIGNMENT**.

5. Members assigned to perform extra duty shall not leave the assignment unless required to respond to a complaint of a serious nature.

13.4 INELIGIBILITY FOR EXTRA WORK

Departmental Order #: 59-99 (Previously issued under order #s 56-99, 3-99, 62-97 and 17-96)

A. POLICY

1. Members shall not be qualified to work extra duty when he/she:
 - a. Is designated as on call.
 - b. The length and nature of the assignment inhibits him/her from adequately completing his/her regular duties. For this reason, there must be a minimum of six (6) clear hours between a member's work assignments.
 - c. Is under suspension at the time the order is received.
 - d. Is on injury leave, sick leave or modified duties at the time the order is received.
 - e. Is a probationary constable who has not completed three (3) full months of service, unless specific written recommendation is received from his/her NCO.
 - f. For the duration of injury leave, sick leave or modified duties. The member will remain ineligible for extra duty details until the member has been medically cleared to return to full operational duties. Therefore, where a member has been on such leave prior to scheduled days off, the member shall be deemed ineligible for extra duty details until his/her return to operational duties.

2. Members who:
 - a. consistently refuse or cancel extra duty assignments shall be subject to removal from the extra work list for one (1) year.
 - b. Discredit the HRP or who fail to comply with the requirements set out in this policy while employed on an extra duty assignment may have their names immediately removed from the list for one (1) year and be subject to disciplinary action.
 - c. Have accepted an extra duty assignment but report sick on their last scheduled duty shift prior to the assignment shall be deemed to be ineligible for that assignment and must immediately:
 - i. contact the Extra Duty Clerk or designate; and
 - ii. have themselves removed from the assignment. The extra duty detail will then be re-assigned as per standard policy.

13.5 INABILITY TO FULFILL EXTRA DUTY ASSIGNMENT

Departmental Order #: .b 59-99 (Previously issued under order #s 56-99, and 17-96)

A. MEMBER

1. Members:

- a. Who become unable to perform an extra duty assignment must inform the Extra Work Clerk or designate of the reason for his/her unavailability not later than three (3) hours before the assignment is to commence.
- b. Shall not pass on extra work assignments to other members as per established policy in subsection 16.3 of this chapter on **ASSIGNMENT OF EXTRA WORK DUTIES**.

B. EXTRA WORK CLERK

1. Refer to related duties in subsection 16.3, **ASSIGNMENT OF EXTRA WORK DUTIES**.

13.6 REPORTING ON DUTY

Departmental Order #: 56-99 (Previously issued under order #s 3-99, 62-97 and 17-96)

A. POLICY

1. Officers reporting for extra work assignments which require the uniform to be worn shall appear fully attired wearing all issued clothing and equipment, unless advised otherwise at the time of assignment, and fit for duty.
2. The Chief of Police may authorize a member to work extra duty in plain clothes where the specifics of the job may require same.

B. EXTRA WORK CLERK

1. When assigning extra work duties to members, the Extra Work Clerk shall advise the member(s) to report with any additional equipment necessary to perform the assigned duties.

13.7 PORTABLE RADIOS

Departmental Order #: 56-99 (Previously issued under order #s 3-99, 62-97 and 17-96)

A. POLICY

1. Portable radios will be assigned under the following guidelines:

- a. At the discretion and with the approval of a duty Divisional NCO.
- b. Where operational needs permit use for an extra duty assignment.
- c. When the nature of an assignment warrants (i.e., school dances requiring more than one officer, in particular where problems are anticipated), officers shall carry a portable radio.
- d. For extra duty work requiring more than two members, a portable radio may be made available.

B. MEMBER

1. When detailed to an assignment where a radio is authorized, the officer(s) shall:
 - a. Obtain the radio from a Divisional NCO prior to the beginning of the assignment.
 - b. At the completion of the assignment, return the portable radio to a Divisional NCO at the location from which it was originally signed out
 - c. Where no radio is available to the member, he/she is required to contact Dispatch upon arrival at the assignment and again prior to leaving the location at the completion of the assignment.

C. DIVISIONAL NCO

1. Divisional NCOs will assign portables radios to members assigned to extra duty details in accordance with standard policy. When assigning radios for extra duty details, the NCO will:
 - a. Record the officer name, radio number, date and building name in the log book.
 - b. Receive portable radios back from members at the conclusion of the extra work assignment and return them to their appropriate location.

13.8 INVOLVEMENT DURING EXTRA DUTY WORK

Departmental Order #: , 59-99 (Previously issued under order #s 56-99, 62-97 and 17-96)

A. MEMBER

1. Officers who become involved in an investigation or receive a complaint during their extra duty assignment shall:

- a. Record the incident in their notebooks.
 - b. Assess the complaint and where:
 - i. it can be concluded by the member on sight (i.e., issuance of an Appearance Notice), he/she shall fulfill these duties;
 - ii. it cannot be easily concluded by the member and requires the response of a unit, he/she shall request assistance from Communications.
 - c. Seek out an authority of the place of assignment at the first opportunity and request access to a phone that offers the member privacy and confidentiality.
 - d. Obtain an incident number and dictate the report.
2. Should an officer be required to leave the extra work job due to a serious investigation (i.e., robbery), when practical he/she will notify an authority of the place of assignment at the first opportunity before leaving.
3. When an investigation cannot be turned over to a responding officer from the subdivision and necessitates the member working beyond the specified duration of the assignment, he/she shall:
- a. Contact the Watch Commander and obtain permission to work the extra time at the overtime rate.
 - b. Complete an HRP.075.0 and obtain a supervisor's authorization.

13.9 RESPONSIBILITIES FOR LIQUOR ESTABLISHMENT DETAILS

Departmental Order #: 56-99 (Previously issued under order #s 62-97 and 17-96)

A. MEMBER

1. Members assigned to liquor establishment details shall not become doormen or bouncers. They shall:
 - a. Perform general policing in the area and only enter the establishment with specific cause or in the process of a complaint investigation.
 - b. Provide assistance to establishment staff with any police-related problems that occur in their presence.

B. DISPATCH

1. Dispatch personnel shall not utilize extra work members detailed to liquor establishments for calls in the area unless of an extremely serious nature.

12 OFF DUTY EMPLOYMENT/ACTIVITIES

Department Order #: 04-09 (Previously issued under #s 39-07 and 31-02)

A. POLICY STATEMENT

1. This policy is established in accordance with Section 56(2) of the Nova Scotia *Police Act*. The purpose of this policy is to set forth guidelines to govern off duty employment and activities by members of the Halifax Regional Police.

B. DEFINITIONS

1. Application: means a written request in the approved format from a member to the Chief of Police, for permission to engage in off duty employment or activity.
2. Conflict of Interest: means a conflict between an officer's personal and/or business interests and their responsibility and/or duty as an officer of the HRP and includes actual or perceived conflicts and those situations which have potential to be actual or perceived conflicts, those which will bring discredit on the reputation of the Halifax Regional Police or undermine the public confidence in same. A conflict of interest can exist whether or not a member is receiving a direct salary, financial compensation or a benefit.
3. Consent: means written consent of the Chief of Police.

4. Off Duty Employment/Activities: also known as secondary employment/activities is defined as any activity, business, undertaking or calling in which a member participates while not on duty whether or not it involves financial gain or other benefit or consideration. An extra duty assignment is not considered to be off duty employment.

C. POLICY

1. Engaging in any off duty employment/activities without prior authorization from the Chief of Police is prohibited.
2. Approval of a member's off duty employment/activities is contingent on the member being and continuing to be in good standing and may be withdrawn by the Chief of Police at any time for any off duty employment/activities which, in the Chief's opinion, gives or may give rise to a conflict of interest, or potential conflict of interest, or the appearance of a conflict of interest or potential conflict.
3. Members shall not engage in off duty employment/activities that:
 - a. Interfere with or adversely impact, or is likely to interfere with or adversely impact, the performance of duties and responsibilities as an HRP member.
 - b. Place, or is likely to place, the member in a position of conflict of interest. See also **POLITICAL ACTIVITY**.
 - c. the member has an advantage derived from employment as a member of HRP.
 - d. Places the member in violation of any section of the Code of Conduct and Discipline in Part 2 of the *Police Act Regulations*.
4. When the issue of conflict of interest arises as a result of a member's off duty employment/activities, the matter shall be referred to the Chief of Police for review and resolution.
5. Subject to the consent of the Chief of Police, a member may invest in a business or venture other than those prohibited, and may accept off duty employment in an occupation other than those prohibited, providing the member's:
 - a. Participation does not create a conflict of interest with his/her duties as a peace officer or is likely to do so.
 - b. Participation in the business, venture or employment is not obtained as a result of being employed as a member of the HRP.

- c. Effectiveness and performance as a peace officer is not adversely affected.
- d. Position as a peace officer is not demeaned.
- e. Participation does not constitute full-time employment.

6. HRP members will not, either inside or outside the Halifax Regional Municipality:

- a. Invest in any of the following businesses or ventures or accept employment in any of the following occupations:
 - i. bill collector;
 - ii. security guard or other security work;
 - iii. taxi or limousine driver, or the owner or operator of a taxi or limousine service;
 - iv. owner, operator or employee of an establishment in which alcohol is consumed and/or in which gambling occurs;
 - v. insurance adjustor or investigator;
 - vi. private investigator;
 - vii. escort, as an employee of an escort agency;
 - viii. process server;
 - ix. armoured car driver or guard;
 - x. body guard;
 - xi. any occupation which requires the member to be armed except when police officers who are members of the Canadian Forces Reserves actively engaged in military training or performing a peacekeeping role are covered by the HRP policy on **Military Leave**;
 - xii. offering a service, advice or consultative direction including crime prevention/intervention. home security and/or business/personal security.
- b. Carry out volunteer activities in a capacity prohibited by C6(a) above.

7. Members are prohibited from bidding on and/or accepting any HRM contracts for services as part of any off duty employment/activities.
8. C5 above does not prohibit a member from performing, in a private capacity, off duty employment/activities that have been approved by the Chief of Police.
9. In cases of an emergency, all members are subject to call-out and are expected to leave their off duty employment/activity and immediately report for duty as directed.
10. Members who are off duty due to sickness or injury:
 - a. Are prohibited from engaging in off duty employment/activities during the period of their illness/injury, except with special permission of the Chief of Police.
 - b. May only resume their off duty employment/activity after they have returned to full operational duties.
11. Any violation of this section shall be treated as a disciplinary default and dealt with accordingly.
12. All off duty employment/activities approved by the Office of the Chief of Police must be renewed annually on January 1 of each calendar year and in accordance with the **APPLICATION PROCESS** outlined within this section.

D. APPLICATION PROCESS

1. No member shall begin or continue to perform off duty employment/activities unless and until the member has submitted an application and received the consent of the Chief of Police. Applications for off duty employment/activities shall be submitted in writing by the requesting member to the Office of the Chief of Police via his/her Divisional Commander/Section NCO.
2. Applications to engage in off duty employment/activities shall include full particulars of the employment/activity including but not limited to:
 - a. Name, address, employer and business owner if the off duty employment/activity is as an employee.

- b. If the employee is involved in a partnership, business venture or company and/or as an officer or shareholder. If advising of the latter, all shareholders' names and dates of birth.
 - c. Nature and location of the employment/activity, including if the employment/activity is as an outside contractor.
 - d. Expected hours of work. If an independent contractor, the manner of obtaining work and the expectations of the work commitments on an annual basis.
 - e. Any additional information to assist the Chief of Police with this decision.
 - f. Where a partnership, business venture or company is involved, the list of all clients and current contracts. Any new client relationship/contract secured following approval of an application/renewal will promptly require subsequent disclosure be made to the Office of the Chief of Police.
3. The Chief of Police may approve, deny or approve with restrictions any application for off duty employment/activities.
4. Any changes between renewals to the ownership or nature of a member's off duty employment/activities shall be reported promptly to the Office of the Chief of Police in writing. The Chief may then continue or rescind the authorization.

E. MEMBER

1. Any member who:
 - a. Is engaged in off duty employment/activity or is involved in a business or other venture which has not received consent of the Chief of Police or which is prohibited by this policy shall immediately terminate employment or dispose of their investment unless and until a formal application has been submitted to the Chief of Police and received approval.
 - b. Has previously received approval to engage in off duty employment/activities, shall submit an application for renewal of such authorization in accordance with the normal application process as stated within this section. Where a member has any doubt whatsoever, it is

incumbent on him/her to seek clarification from the Chief of Police.

2. A member shall not:

- a. Receive, accept or make telephone calls or other communications, including pager messages, related to off duty employment/activities during hours of work for the HRP.
- b. Under any circumstances, use any HRP resources to assist them in carrying out any function related to an approved off duty employment/activity. This prohibition includes but is not limited to the use of HRP computer equipment, photocopiers, telephones, fax machines, pagers and vehicles.
- c. Advertise off duty employment/activities on any police uniform, on the member's person or in HRP buildings at any time.
- d. Wear any articles of the issued HRP uniform while engaged in off duty employment/activities.
- e. Identify themselves through words or images as a police officer while engaging in any business related to off duty employment/activities, or attempting to secure employment or business related to an activity, or while advertising relative to off duty employment, without the consent of the Chief of Police.
- f. Discuss their off duty employment with any member of the public or any other HRP member during their or the other member's hours of work for the HRP.
- g. While on duty or while identifiable as a member of the HRP and off duty, solicit, entice or encourage any member of the public or any other HRP member to join or become involved in their off duty employment/activities.

3. Members are responsible to ensure:

- a. That no conflict of interest exists at any time as a result of their participation in off duty employment/activities.

- b. They notify the Chief of Police immediately in writing of any changes to the information supplied in their application/renewal for off duty employment/activities or the development of any potential conflict of interest. Failure to make this notification may result on cancellation of the original approval and/or disciplinary action.

F. DIVISIONAL COMMANDER/SECTION NCO

1. Upon receipt of an application for approval/renewal of off duty employment/activities, the requesting member's Divisional Commander/Section NCO shall forward the original copy of the application/renewal to the Office of the Chief of Police and may, at that time, include his/her comments or recommendations with respect to the application/renewal.

G. CHIEF OF POLICE

1. The Chief of Police shall:
 - a. Consider an application from a member to engage in off duty employment/activities and shall either:
 - i. approve or deny the application; or
 - ii. approve the application with such restrictions as are deemed appropriate in order that such off duty employment/activity does not adversely affect the performance of the member in this discharge of his/her duties as a member of the HRP.
 - b. Not authorize off duty employment/activity:
 - i. likely to bring discredit upon the member and/or HRP;
 - ii. which by its very nature, could diminish the member's physical and/or mental ability to discharge his/her duty responsibly, safely and efficiently in keeping with officer safety and professional requirements;
 - iii. which falls within the list of prohibited activities in this section.

- c. Notify a member in writing of the decision and forward the original application to Human Resources for inclusion in the member's Personnel File.
2. The Chief of Police may at any time rescind approval for off duty employment/activities if it is determined by the Chief that:
 - a. The granted privilege has become a contravention of the *Nova Scotia Police Act or Regulations*.
 - b. A conflict of interest exists.
 - c. The performance of the duties of a member is adversely affected.
3. Where an order is made rescinding off duty employment/activity, the Chief shall allow the member sufficient time for efficient withdrawal from the off duty employment/activity.