



SUBJECT: Outside Employment and Military Deployment

TO: Members of the Department

This Order establishes department policy and member responsibilities for the following:

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33.1 OUTSIDE EMPLOYMENT AND BUSINESS ACTIVITIES AND CONFLICT OF INTEREST AND DISCLOSURE

This section provides Civil Service Rules and department policies and guidelines regarding outside employment. In conformance with Civil Service Rules, it also establishes rules and procedures regarding conflict of interest and disclosure. This Order applies to all enlisted and civilian members unless superseded by a collective bargaining agreement.

33.1.1. OUTSIDE/SUPPLEMENTAL EMPLOYMENT AND BUSINESS ACTIVITIES

A. Civil Service Rule [Section 2-8.3\(b\)](#)

- (1) Civil Service Rule Section 2-8.3(b)(1) states that, “An employee must report all supplemental employment to the employee’s appointing authority and must receive approval from the appointing authority to engage in supplemental employment.”

- (2) Civil Service Rule Section 2-8.3(b)(2) permits outside/supplemental employment under the following conditions:
 - a. The employment does not interfere with the employee's attendance or efficiency or otherwise conflict with the satisfactory performance of the employee's state duties, or;
 - b. The employment does not represent an unacceptable conflict of interest with the employee's state duties.

B. Department Policy

- (1) Although the department acknowledges the right of members to engage in outside employment and permits them to do so, the department does not actively encourage it.
- (2) Members who wish to engage in outside employment or business activities shall continue to satisfactorily perform all duties and responsibilities. For purposes of this Order, the term business activity includes participation in or affiliation with any commercialized activity, except solely by investments, for the purpose of financial gain.
- (3) General Outside Employment Restrictions

Members shall not:

- a. Solicit outside employment business while performing department work.
- b. Use department facilities, equipment, telephones, supplies, motor vehicles, or materials in their outside work.
- c. Engage in outside employment for attorneys or law firms if the outside employment could, in any way, be related to criminal investigations or other department work.
- d. Engage in more than 20 hours of outside employment in a scheduled work week, excluding annual days, compensatory days, and pass days, if employed full time (80 hours biweekly).
- e. Perform law enforcement functions for agencies other than the department as outside employment.
- f. Engage in outside employment involving private investigations or security requiring licensure pursuant to the Private Detective License Act, MCL [338.821](#) et seq., or the Private Security Business and Security Alarm Act, MCL [338.1051](#) et seq.
- g. Engage in outside employment if the duties of the position involve any other State of Michigan agency, law enforcement agency, or criminal or civil investigations which could reasonably be related to criminal cases in the state of Michigan.
- h. Engage in outside employment that may in any way be related to department investigations or other department work.

- i. Engage in outside employment that either requires or is benefited by the carrying of a firearm within the state of Michigan (e.g. dignitary protection or personal security).
- j. Engage in outside employment resulting in dual compensation from more than one position when the member's position or outside employment is funded in whole or in part by a federal grant for activities conducted during the member's regular 40-hour work week.
- k. Engage in outside employment that violates state or federal law, state or federal administrative rule, or local ordinance; or engage in outside employment for any entity whose business function violates state or federal law, state or federal administrative rule, or local ordinance.
- l. Utilize information obtained during department training initiatives such as class rosters, presentation materials or student contact information to further outside employment.

Members may engage in outside employment involving criminal or civil investigations outside the state of Michigan.

C. Leave Time

- (1) Members may use annual leave or compensatory time to engage in outside employment if the leave has been previously approved by their supervisor.
- (2) Supervisors shall use the same standards when deciding whether to approve a member's annual or compensatory leave request for purposes of engaging in outside employment that they would for other annual or compensatory leave requests for any other purpose.
- (3) Members shall not request or use sick leave to engage in outside employment.

D. Approval Process

- (1) A member shall secure written approval from the Director or his or her designee before engaging in outside employment or business activity and shall keep the Director fully informed of contemplated changes in outside employment or business activity.
- (2) The Human Resources Division director has been designated by the Director to approve or disapprove outside employment requests and to notify the member of his or her decision.
- (3) The Human Resources Division director shall not approve a request for outside employment if such approval would result in the department being in violation of a federal grant program.
- (4) This Order shall be reviewed in its entirety by the member before requesting approval for outside employment.
- (5) Outside/Supplementary Employment Application/Authorization Form, PD-014
 - a. Requests for authorization to engage in outside employment or business activities shall be submitted through channels using the

Outside/Supplementary Employment Application/Authorization Form,
PD-014.

- i. Members must complete and submit separate Outside/Supplementary Employment Application/Authorization forms for each organization or individual for which they wish to work.
 - ii. Unless extenuating circumstances exist, requests shall be submitted through channels to the Human Resources Division at least 30 days before the member engages in outside employment. Failure to make such notification at least 30 days before the member engages in outside employment may be grounds for denying a request for outside employment authorization and possible disciplinary action.
 - iii. Within 14 business days after receipt of the PD-014 or prior to the anticipated date upon which the member's outside employment is scheduled to begin, whichever comes first, the department shall notify the member of the approval or disapproval of the request.
- b. Supervisors shall review each request, keeping in mind the effect its approval might have on the member's performance of their duties and availability for emergencies. If necessary, supervisors shall attach a separate statement detailing their concerns prior to the PD-014 being forwarded through channels to the Human Resources Division.
- (6) Approval of a request shall only apply to the place of employment, hours, and other conditions specified in the PD-014. A new PD-014 shall be submitted if the member wishes to change his or her outside employment or business activity.

E. Annual Renewal

- (1) Approved requests to engage in outside employment or business activities shall be renewed annually by submitting an Outside/Supplementary Employment Application/Authorization Form, PD-014, requesting renewal through channels to the Human Resources Division no later than October 1 of each year.
- (2) Requests to renew approval to engage in outside employment or business activities shall be submitted for each organization or individual for which members wish to continue to work.

F. Revocation of Approval

A member's approval for outside employment shall be revoked if:

- (1) The outside employment or business activity is adversely affecting the member's job performance.
- (2) The member violates any of the restrictions listed in this Order.
- (3) Outside employment for members who work in positions that require irregular or overtime hours interferes with their availability to work those irregular or overtime hours.

33.1.2. CONFLICT OF INTEREST

- A. The department has statutorily imposed regulatory responsibilities. Outside employment with persons or organizations regulated by the department is viewed as a potential conflict of interest and shall not be approved for enlisted members. Requests by members of the department to engage in outside employment with any person or organization regulated by the department shall be reviewed on a case-by-case basis to determine if a conflict of interest exists.
- B. In situations where it is unclear whether a member's outside employment would present a conflict of interest, the member may ask his or her supervisor to contact the Human Resources Division for clarification before their Outside/Supplementary Employment Application/ Authorization Form, PD-014, is submitted. The supervisor shall document their contact with the Human Resources Division on the PD-014.
- C. Unless collective bargaining agreements specify otherwise, classified members of the department shall not:
 - (1) Divulge or release for financial gain for the member or a person in the member's immediate family any confidential information that is not by law, rule, regulation, or court order available to public. However, this provision shall not prohibit a member from disclosing to a public body a violation or suspected violations as authorized in [Rule 2-10, Whistleblower Protection](#), unless where otherwise prohibited by statute, court order, or professional ethics.
 - (2) Engage in or agree to engage in for financial gain for the member or a person in the member's immediate family any business transaction or private arrangement that accrues from or is based on the member's official position or on confidential information gained because of the member's position.
 - (3) Solicit, accept, or agree to accept anything of value:
 - a. From any designated representative (as defined in [Rule 9-1](#)); or
 - b. Under any circumstances that could reasonably be expected to influence the way the member performs work or makes decisions.
 - (4) Make available any consideration, treatment, advantage, or favor beyond that which is generally granted or made available to others under similar circumstances.
 - (5) Represent or act as an agent for any private interests, whether for compensation or otherwise, in any transaction in which the state has a direct and substantial interest and which could reasonably be expected to result in a conflict between the private interests of the member and the member's official state responsibilities.
 - (6) Exercise any decision-making authority of the state regarding any state regulation, enforcement, auditing, licensing, or purchasing with respect to any business or entity in which the member or a person in the member's immediate family has any financial interest.
 - (7) Engage in outside employment that conflicts with the satisfactory or impartial performance of the member's state duties.

- (8) Engage in outside employment without the express written consent of the member's appointing authority.
- (9) Engage in any outside employment during actual duty time.
- (10) Request or use sick leave to engage in outside employment.
- (11) Use any state funds, property, or equipment in or for the benefit of any outside employment.
- (12) Fail to timely, fully, and accurately report to the member's appointing authority any of the following:
 - a. Any interest of the member or a person in the member's immediate family in any business or entity with which the member has direct contact while performing official duties as a classified member.
 - b. Any outside employment or change in approved outside employment required by this rule, applicable regulation, or departmental work rules.

33.1.3. DISCLOSURE OF INTEREST

- A. All classified members of the department are required to disclose to the Director annually all personal or financial interests and the interests of persons in their immediate families, in any business or entity with which they have direct contact while performing official duties as a state classified employee.

The Disclosure of Interest form, CS-1783, and information contained therein shall remain strictly confidential and will be disclosed only to persons authorized by the Director.

- B. On notification, the following members shall be required to complete an Annual Procurement Disclosure Statement, CS-1783, issued by the Department of Technology, Management and Budget:
 - (1) Members who have authority to purchase or award contracts.
 - (2) Members who, as part of their official duties, develop or approve specifications for contracts or recommend the purchase or award of contracts.
 - (3) Supervisors of the above members.
 - (4) Members with responsibility for payment approval for contractual services.
- C. Definitions
 - (1) "Immediate family" in this Order means a member's parent, grandparent, parent-in-law, step-parent, sibling, spouse, child, or stepchild.
 - (2) "Substantial" in this Order shall mean something worthwhile as distinguished from something without value or merely nominal. The department, not the member, shall make the determination of what is nominal.

33.1.4. COMPLIANCE PROCEDURE

A. Conflict of Interest

Members involved in a conflict of interest shall be subject to discipline proceedings. The Human Resources Division shall review all information of actual or perceived violations of conflict of interest and shall recommend appropriate action.

B. Disclosure of Interest

The Human Resources Division shall review any information of actual or perceived violations of the disclosure of interest rule. After a hearing and regardless of whether discipline is invoked, the Human Resources Division has authority to recommend to the Director that a cease and desist order be directed to the member found to be in violation of the disclosure of interest rules. Such member shall be given an adequate opportunity to comply with the order. If the member does not comply, the matter will be reviewed by the Human Resources Division which shall make further recommendations to the Director to enforce compliance.

C. Appeals

Appeals of decisions under these procedures are subject to the grievance procedure.

33.2 MILITARY DEPLOYMENT AND REINTEGRATION PROGRAM

This section establishes guidelines for a Deployment and Reintegration Program for military veterans who deploy and return from overseas active duty.

33.2.1. ACTIVATION

When an enforcement or civilian member is called to active service, the member shall notify their work site commander. The work site commander shall then contact the Human Resources Division.

A. The Human Resources Division shall appoint a designated liaison to contact the deploying member.

(1) The liaison shall serve as the Human Resources Division contact person for the deployed member and his or her family.

- a. The liaison shall review pay, insurance coverage, annual and sick leave time, and any other paperwork issues with the member.
- b. The liaison shall provide answers to questions or issues for the family prior to and during the member's deployment.

(2) The Human Resources Division liaison shall inform the Office of Behavioral Science of the member's impending deployment.

- a. The Office of Behavioral Science shall contact the member and advise them of the department's Deployment and Reintegration Program and the services available to their family in their absence.
- b. The Office of Behavioral Science shall also collect information related to assignment and length of deployment and request permission to contact their family in their absence.

- c. With permission from the member, the Office of Behavioral Science may periodically contact the family while the member is deployed and assess the need for psychological services. Those services will be offered, as needed.
- B. An enlisted command officer, preferably the member's work site commander, shall be present at the deploying member's military unit's departure ceremony.

The deployed member's post or section commander, or designated command officer, shall periodically contact the family during the deployment and provide assistance as needed.

33.2.2. RETURN TO DUTY WITH THE DEPARTMENT

- A. A member returning to duty with the department after deployment shall notify the Human Resources Division liaison as soon as practical.
- B. The Human Resources Division shall notify the Office of Behavioral Science of the deployed member's pending return. The Human Resources Division and the Office of Behavioral Science shall contact the returning member's post or section commander with suggestions on welcoming the returning member back to the department.
 - (1) An enlisted command officer, preferably the member's work site commander, shall be present at the deploying member's military unit's return ceremony.
 - (2) An enforcement member returning to duty with the department shall report to the Office of Behavioral Science for debriefing interviews and assessment of post traumatic stress disorder (PTSD) symptoms prior to beginning the reintegration training program described in Section 33.2.3. Psychological services are voluntary and will be offered on an as-needed basis.
 - (3) Civilian members shall report to the Office of Behavioral Science as soon as practical upon return to employment with the department for a debriefing interview and assessment of PTSD symptoms and educational material regarding reintegrating back into civilian society.
 - (4) When an enforcement member returns to road patrol or similar law enforcement duties, it is recommended that they be temporarily placed in a two-officer patrol unit.
 - a. This will be for re-familiarization with policies, procedures, and current laws.
 - b. If possible, the second enforcement member should also be a military veteran.

33.2.3. TRAINING

- A. Enforcement personnel shall be scheduled for reintegration training, administered by the Trooper Development Section to transition back to civilian policing.

This training program shall include, but will not be limited to, the following:

- (1) Re-qualification with department firearms
- (2) Re-training of civilian policing rules of engagement, including department use of force policy (Official Order Nos. 54 and 71)

- (3) Defensive and emergency driving (Official Order No. 10)
 - (4) Use of force decision making scenarios.
 - (5) Re-certifications in first aid, defensive tactics, and legal updates
- B. A two-hour education program will be developed by the Office of Behavioral Science for command officers and supervisors covering an overview of the Deployment and Reintegration Program.
- (1) This program shall include:
 - a. Issues related to deployed personnel returning to uniformed patrol
 - b. Monitoring behavior of returning employees
 - c. Driving for combat veterans
 - d. Common PTSD reactions
 - e. How to handle problems that may arise from returning veterans
 - f. Consultation services from the Office of Behavioral Science
 - g. Written handouts
 - (2) A group of five department personnel, who themselves are veterans of military deployment, shall be recruited to volunteer their services and offer informal support to the returning members.
 - (3) Approximately one month after the member's return from deployment, he or she shall be contacted by one of these volunteers and informal support will be offered.

33.3. REVISION RESPONSIBILITY

Responsibility for continuous review and revision of this Order lies with the State Services Bureau (Training Division) in cooperation with Office of the Director (Office of Behavioral Science and Internal Control Coordinator).

DIRECTOR