

## GENERAL CONDITIONS OF SECONDARY EMPLOYMENT

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Secondary employment, in this context, is where an individual is occupied or involved in any activity either directly or indirectly for payment or otherwise in any trade, profession or service outside the individual's duties within the Fire Service, including self-employment and the employment of others.

Breach of these General Conditions may result in disciplinary action being taken including, where appropriate, dismissal.

- i. Secondary employment will not be carried out during duty periods or on the Brigade premises or using Brigade facilities, this includes the use of mobile communications, whether private or otherwise, for such purposes.
- ii. Any articles of Fire Service uniform or equipment shall not be used in connection with secondary employment.
- iii. Any individual employed by the Brigade shall not employ, hire or engage the services of any other Brigade employee for the purpose of secondary employment. Nor shall any Brigade employee permit himself or herself to be so engaged for the purpose of secondary employment be another Brigade employee.
- iv. Secondary employment is not to be undertaken on behalf of any persons, firm or company that has secured a contract with the Fire Authority in whatever capacity. Should the secondary employer or contractor become such a person, firm or company the Brigade employee must terminate the secondary employment, for that person, firm or company immediately. Nor shall any Brigade employee hire, contract or otherwise engage the services of such an applicant to the Fire Authority for the purpose of secondary employment.
- v. Secondary employment is not to be undertaken on behalf of any person, firm or company, which the Fire Service deals with during the course of its official duties. This requirement includes the provision of giving fire safety or risk reduction advice and assistance to any person, firm or company that operates within the county boundary of South Yorkshire without the express permission of the Group Manager Community Safety Central Support. Should secondary employer or contractor become such a person, firm or company the brigade employee must terminate that secondary employment.
- vi. Secondary employment is not to be undertaken where it involves a direct or indirect use of the applicant's Fire Service expertise without the express permission of the Chief Fire Officer.
- vii. Secondary employment involving creative ability, e.g. writing books or appearing on television (other than in an official capacity) where the contribution involves the use of the individual's Fire Service expertise will not be undertaken without the express permission of the Chief Fire Officer.

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- viii. Secondary employment is not to be undertaken during the nine-hour period immediately prior to reporting for duty.
- ix. The Brigade is responsible for checking that any period of secondary employment does not breach any legislative requirements governing working time and rest periods. Individuals will be required at the application stage to confirm the number of hours per week they will undertake on secondary employment.
- x. The likelihood of working beyond the maximum limit of 48 hours per week is increased where an employee undertakes secondary employment. For this reason the Service seeks to offer employees who choose to undertake secondary employment the option to opt out. Employees who opt out will waive their right to work a 48 hours maximum working week, and the Service will not be required to monitor these individuals working hours.
- The alternative to opting out will involve the Service monitoring working hours for the substantive and the secondary employment. The latter process would require the employee submitting, on a regular basis, a record of hours worked in the secondary employment. Where the total hours worked exceed the 48 hours average, over a rolling 17 week period, the Service is obliged to take steps to reduce working hours. In order to do this, discussions will be held with the employee to agree upon a method to reduce the total working hours, either through a reduction in hours worked in the substantive post or in the secondary employment.
- xi. Permission to undertake secondary employment as an LGV driver in no way implies authorisation to drive outside the parameters of any regulations applicable to such activity. Upon coming into force any new or amended transport regulations shall be deemed to apply to this procedure forthwith. Compliance with such, e.g. rest periods, fitness etc. remains the responsibility of the individual.
- xii. Vehicles having identification used in connection with secondary employment, including self-employment, are not to be parked on Fire Service property.
- xiii. Secondary employment is not to be carried out whilst the Brigade employee is absent from duty, or on non-operational duties due to sickness or injury.
- xiv. Any employee who has had formal action taken against them under stages two or three within the Absence Management Policy will have any permission to engage in secondary employment withdrawn, and will not have any further application considered until sickness absence has been monitored for 12 months and reaches an acceptable level. Any employee that has had their secondary employment withdrawn must re-apply.
- xiv. Secondary employment, including self-employment, is not to interfere with any requirement to work overtime.

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- xv. Approval for secondary employment, including self-employment, is specific to the rank at the time of application. Re-application must be made on promotion.
- xvi. Should an individual sustain injury or exposure to hazardous substances whilst carrying out secondary employment, including self-employment, the facts should be reported to the individual's Fire Service Line manager immediately and an accident report form completed. Copies of any records, forms or submissions required under the Health and Safety at Work etc. Act 1974 or Regulations made there under must be submitted to Command HQ by the line manager.
- xvii. Personnel must ensure that they are covered by insurance appropriate to the work they undertake. The insurance must cover the cost of being absent from Fire Service work as a result of injury.
- xviii. If as a result of an incident whilst undertaking secondary employment, an individual is absent from the Fire Service employment through sickness or injury, the individual must ensure that a claim is made in line with paragraph xvi above and that recompense is made to the Fire Service for any cost arising as a result of that absence.
- xix. Implicit in the grant of permission by the Chief Fire Officer for personnel to undertake secondary employment is the individual's acceptance that he or she may be the subject of surveillance where breach of these conditions is suspected.