



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
**HEADQUARTERS 4TH INFANTRY DIVISION (MECHANIZED)**  
**FORT HOOD, TX 76544-5000**

AFYB-CG

15 April 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy Memorandum (**number**) – Off Duty Employment of Enlisted Personnel

1. References.

- a. DOD 5500.7-R, Joint Ethics Regulation.
- b. Army Regulation 60-21, Exchange Service Personnel Policies.
- c. Army Regulation 215-3, Nonappropriated Funds and Related Activities Personnel Policies and Procedures.
- d. Army Regulation 40-1, Composition, Mission, and Functions of the Army Medical Department.
- e. MEDCOM Regulation 600-3, Off Duty Employment.

2. Purpose. To define the Division Commander's command policy on off duty employment of enlisted personnel in the 4<sup>th</sup> Infantry Division (M).

3. Application. This policy applies to all enlisted soldiers assigned to the 4<sup>th</sup> Infantry Division.

4. Policy. Soldiers must obtain approval from their unit commander prior to engaging in off duty employment. Commanders will approve such requests unless the desired off-duty employment violate the restrictions outlined paragraph 6 below.

5. Procedure.

a. Soldiers will submit a written request for off duty employment through the chain of command to the unit commander using the form at enclosure 1. It will include the name of the employer, the nature of the duties, and a statement reflecting that the employment will not interfere with military duties.

b. The unit commander will respond in writing to requests for off duty employment within 5 working days of receipt.

(1) If the commander approves a request, the commander will provide the soldier with written notice using the form at enclosure 1. The approval will then remain in effect unless revoked in writing by the commander who originally granted it; by a subsequent commander of that unit; by a commander of a gaining unit if the soldier is transferred; or by a higher commander.

(2) If the unit commander denies the request for off duty employment, he or she will afford the soldier the opportunity to appeal the disapproval to the next higher-level commander in the chain of command. This appeal will be done by means of a memorandum from the soldier. Decisions by the appeal authority are final.

c. Soldiers already holding off duty jobs as of 31 March 2002 will report their current employment using the same request format. The purpose is to inform the command of the current employment rather than to request approval. Commanders may terminate current off duty employment only if the employment violates any of the restrictions listed in paragraph 6 below.

#### 6. Restrictions.

a. Off duty employment may not interfere with official duties (i.e., have an adverse impact on unit or individual readiness, security, morale, discipline, safety, or health, or is otherwise prohibited by regulation) or bring discredit upon the Army. For example, if the off duty job causes the soldier to report for duty too tired to perform duties to standard, then it interferes with official duty.

b. Soldiers may not engage in personal commercial solicitation and sales to other soldiers who are junior in rank. This refers to situations where soldiers sell on commission or salary, conduct business, and contact prospective buyers concerning goods or services being offered for sale. This prohibition applies to activities on or off post, in or out of uniform, and on or off duty. Transactions are authorized if the junior ranking customer initiates the transaction and approaches the senior ranking seller.

c. Medical personnel must comply with the procedures and restrictions outlined in Army Regulation 40-1 and MEDCOM Regulation 600-3 regarding off duty employment.

“Steadfast and Loyal!”

Encl

RAYMOND T. ODIERNO  
MG, U.S. ARMY  
Commanding

DISTRIBUTION:

A

Date:

MEMORANDUM FOR Commander

SUBJECT: Off Duty Employment Request

1. I request approval to begin off duty employment. The following information is provided:

- a. Employer: \_\_\_\_\_
- b. Type of employment and nature of the work: \_\_\_\_\_  
\_\_\_\_\_
- c. Beginning date: \_\_\_\_\_
- d. Hours per day: \_\_\_\_\_
- e. Number of days per week: \_\_\_\_\_
- f. Total hours per week: \_\_\_\_\_
- g. Location of work: \_\_\_\_\_
- h. Telephone number at place of employment: \_\_\_\_\_
- i. Distance from duty station: \_\_\_\_\_
- j. Reason for outside work: \_\_\_\_\_  
\_\_\_\_\_

2. I have read and I understand the provisions of Command Policy Memorandum (**number**) – Off Duty Employment of Enlisted Personnel. My off duty employment will not interfere with my military duties, and I understand that the commander may deny (or subsequently rescind) approval if he/she determines that my off duty employment violates the restrictions outlined in paragraph 6 of the policy.

(Requester's Signature Block)

Recommend Approval/ Disapproval

\_\_\_\_\_  
(Immediate supervisor signature block/ date)

Recommend Approval/ Disapproval

\_\_\_\_\_  
(Platoon-level supervisor signature block/ date)

Approval/ Disapproval

\_\_\_\_\_  
(Commander signature block/ date)

IF APPLICABLE

Approval/ Disapproval

\_\_\_\_\_  
(Appeal Authority signature block/ date)