



# Helen Police Department

## Standard Operating Policies and Procedures

Chapter A-115 Secondary Employment	Effective Date:	August 1, 2022	# Of Pages:	7
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	Special Instructions:			

### I. PURPOSE

The Helen Police Department, as a matter of policy, takes no position on the relative merits of off-duty or extra-duty employment of employees. It is, however, required by statute to regulate the activities and conduct of its employees at any time they are functioning in a law enforcement capacity.

### II. SCOPE

This policy is intended to set forth the duties and responsibilities for employees who are employed by any private or public person, firm, or corporation to perform in a law enforcement capacity during their off-duty hours.

### III. DEFINITIONS

#### A. Special Duty Assignments

Those duties which are performed by a police officer directly for a unit of municipal, county or state government. Compensation for special duty assignments will be paid to the officer by the City of Helen. Special duty assignments include:

1. Selective enforcement patrol programs, such as those endorsed by the State of Georgia Department of Highway Safety to combat drunken driving; seat belt; or drug interdiction programs. (If currently participating in these programs)
2. Long term mutual aid assistance to other units of government into which a written agreement is entered by the City of Helen and the affected municipality.
3. Special duty assignment to cover security / crowd control at the city events.

**B. Extra-Duty Employment**

Extra duties which are performed by a police officer for a public or private enterprise which may be appropriate for on-duty officers, but which cannot be provided by the agency due to possible impropriety in diverting personnel from protective duties of the general public to provide extra protection to a specific employer. These extra duty employment assignments may include traffic control, crowd control; and additional security for protection of life and property.

**C. Off-Duty Employment (not related to primary job)**

All other public or private off-duty employment or business ownership for which a person receives compensation, but which is not related to the employee's primary job duties, and which does not involve or require any exercise of police powers or authority. Compensation for such services is paid directly from the employer to the employee at a rate of pay mutually agreed upon between the two parties.

A part time work request is required for all employment in these categories, except for special duty assignments.

**IV. PRIOR APPROVAL REQUIRED / WORK REQUESTS**

Any officer desiring to work an Extra-Duty Employment job must have been approved by the captain or designee. The captain, or designee, will post all available job listings, via departmental email, listing the date, time, and location of the Extra-Duty Employment.

Any officer desiring to work an Off-Duty Employment (not related to primary job) must complete a "Request for Off-Duty Employment" form and submit it through the chain-of-command to the captain. Individual work requests will not be required for temporary Off-Duty employment approved and assigned by the Captain or Chief of Police.

**V. PROHIBITED ACTIVITIES**

In general, extra-duty and off-duty employment requests that do not directly interfere with the primary job of the employee shall be granted. However, all employees are prohibited from working at any of the following:

- A. Employment of any type wherein any officer receives compensation for acting as coordinator, personal manager, or supervisor of other officers. All Extra-Duty/Off-Duty employment situations where more than one officer is employed will conform to established departmental policy regarding supervision and chain-of-command. At all times, the ranking officer present will be responsible for general discipline and actions of the other officers.
- B. Employment of any type wherein any officer is required to accept supervision or direction from any person who is not duly authorized to exercise police authority in the City of Helen. Officers will, within the limits of Departmental policy, attempt

to comply with instructions of the employing individual; however, officers will be held strictly and solely accountable for their actions.

- C. Any employment in a law enforcement or related capacity outside the city limits of Helen, regardless of whether or not the officer has been deputized to enforce the laws of that jurisdiction, unless specifically authorized by the Chief of Police.
- D. Employment of any type which, in the opinion of the approving authority, may:
  - 1. Render the officer unavailable during an emergency;
  - 2. Physically or mentally exhaust the officer to the point that on-duty performance may be affected;
  - 3. Require that any special consideration to be given to scheduling of the officer's regular duty hours or off days, unless there is absolutely no conflict or manpower shortage and it is approved by the Chief of Police;
  - 4. Bring the Department into disrepute or impair the operation or efficiency of the Department; or
  - 5. Present an unnecessary safety hazard to the officer.
- E. Extra-duty or off-duty employment of any type while the officer is being carried by the Department as suspended, sick, injured, on restricted duty or any type of workman's compensation status. During the period of time the officer is away from the Department for any of these reasons, all permission to work part time jobs will be suspended.

Officers currently in Field Training Program will not participate in Extra-Duty/Off-Duty employment.

## **VI. REVOCATION**

The Chief of Police for any of the following reasons may immediately revoke an Extra-Duty/Off-Duty job request:

- A. Any change in a condition of the original application;
- B. A strike, labor dispute, or other change at the employer's place of business that has the potential to place the police officer or employee in a vulnerable or controversial situation;
- C. Revocation as a personnel action taken by the Chief of Police; or
- D. Emergency mobilization of off-duty personnel.

## **VII. LIMITS OF AUTHORITY AND BEHAVIOR FOR EMPLOYEES ENGAGED IN EXTRA-DUTY OR OFF-DUTY EMPLOYMENT**

Employees working in any approved Extra-Duty/Off-Duty employment are subject to all rules, regulations, policies, and procedures currently in effect by the Helen Police Department and are subject to disciplinary action for infractions of these rules, regulations, procedures, or policies. Employees will conform to the same standard of conduct that applies to their on-duty activities. This specifically includes the requirement that the law be obeyed, that criminal violations be enforced, and that employees are not bound by private rules or restrictions which an employer may wish to enforce for his / her own purposes.

Unless otherwise designated by the Chief of Police, the on-duty supervisor is responsible for the supervision of extra-duty job officers working as Extra-Duty/Off-Duty employment within the Helen city limits.

### **VIII. CITIZEN REQUESTS FOR PART-TIME EMPLOYMENT OF OFFICERS**

The Department recognizes that City citizens and businesses have legitimate needs for extra police services which cannot be rightly justified as a city expense. Where possible, the Department will assist these citizens in locating officers who desire to work the jobs by notifying officers who have expressed a desire for extra-duty employment.

Employees who approach, or are approached, directly by a prospective employer for part-time employment, will direct the prospective employer to the captain, who will negotiate directly with that employer.

All other requests for Extra-Duty/Off-Duty police employment that are received by phone, mail or in person will be directed to the captain.

The captain will circulate a sign-up roster and will fill the available slots with personnel who desire to work them.

### **IX. LIMIT ON AMOUNT OF TIME WORKED**

No officer will be allowed to work, through any combination of regular duty and part-time employment, more than 18 hours during any 24-hour period. No employee will work another job for more than six (6) of the twelve (12) hours preceding his or her tour of duty. Total time worked in a one-week period (7 days) will not exceed 80 hours.

Extra-duty employment will be negotiated at a minimum of 4 hours for each assignment.

### **X. CALLBACK TO DUTY**

Any member of the Helen Police Department is subject to being recalled to duty if needed.

Any member that is recalled to duty and is currently working at a part time employment job, will promptly leave the job and respond to the Helen Police Department or the location needed as may be directed.

## **XI. RATE OF PAY**

Extra-duty employment will be negotiated at the rate of \$35.00 per hour. The rate of pay will be reviewed on an annual basis by the Chief of Police for determining if any adjustments are necessary. The annual review will be conducted during the month of July of each year.

## **XII. USE OF CITY VEHICLES, UNIFORMS, AND EQUIPMENT**

Officers working extra-duty employment will be permitted to use a department radio while on the detail in order to summon assistance or communicate with supervisors whenever necessary.

Officers shall notify the Communications Center of the location of the detail and will wear the same official police uniform as that worn on-duty, except when authorized otherwise or if the detail requires plain clothes and is so noted on the request form.

Officers shall utilize weapons that the officer has successfully demonstrated proficiency with a firearms instructor.

Use of assigned departmental vehicles must be authorized by the captain and noted on the request form.

## **XIII. DOCUMENTATION OF SIGNIFICANT EVENTS**

Police officers must immediately document in detail any of the following incidents which occur while working extra jobs:

- A. Any occasion where an arrest is made, force of any kind is used, or any police power is exercised;
- B. Any violation of criminal law or serious traffic violation;
- C. Any injury to an officer or other person;
- D. Any property damage occurring as a proximate result of an officer's actions (i.e., auto accident occurring while an officer is directing traffic);
- E. Any complaints concerning the actions or behavior of a police officer;
- F. Any occasion where an employer asks for an officer to compromise ethics, incur legal obligations, or for any impropriety on the part of the extra-duty job employer.

## **XIV. LIABILITY**

The entity/company utilizing extra-duty officers and services shall hold the City and its officials, agents, and employees harmless and shall indemnify the City for any financial losses and injuries arising out of the negligence of the entity/company (secondary employer).

Nothing herein, shall waive or relinquish the City and its officials/agents/employees' right to governmental, qualified, or sovereign immunity.

**HELEN POLICE DEPARTMENT  
EXTRA-DUTY/OFF-DUTY EMPLOYMENT REQUEST**

EMPLOYEE: \_\_\_\_\_ DATE: \_\_\_\_\_

EMPLOYER: \_\_\_\_\_

EMPLOYER ADDRESS: \_\_\_\_\_

TYPE OF BUSINESS: \_\_\_\_\_

HOURS TO BE WORKED: BEGIN: \_\_\_\_\_ END: \_\_\_\_\_

DAYS TO BE WORKED: \_\_\_\_\_

DUTIES TO BE PERFORMED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**PART TIME EMPLOYMENT CATEGORY:**

**EXTRA-DUTY EMPLOYMENT** - Secondary employment wherein the actual or potential use of law enforcement powers is anticipated and the employee is functioning in the capacity of a law enforcement officer.

**OFF-DUTY EMPLOYMENT** - Secondary employment entirely independent of the authority arising out of a position as a law enforcement officer or independent of being an employee of the Helen Police Department.

This request is hereby submitted for permission to work in a part time employment capacity. I fully understand that I am subject to departmental policies, rules, procedures and standard of conduct during part time employment. I further understand that all departmental policies and procedures governing part time employment will be followed.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employee's Supervisor

\_\_\_\_\_  
Captain

Approved (\_\_\_) Disapproved (\_\_\_)

\_\_\_\_\_  
Chief of Police

**COMMENTS – RESTRICTIONS - SPECIAL CONDITIONS:** \_\_\_\_\_