


<b>POLICY 104.1</b>	<b>DETAILS AND OFF-DUTY EMPLOYMENT</b>	
	REVISED: 4/98, 09/01, 01/04, 06/07, 10/10, 02/11, 09/11, 04/15,04/18, <b>05/18</b>	RELATED POLICIES: <b>104.2</b>
	CFA STANDARDS:	REVIEWED: AS NEEDED

**A. POLICY**

It is the policy of the Fort Lauderdale Police Department to regulate all police details and off duty employment and to ensure that this employment is conducted in accordance with Department Policy and Procedure.

**B. APPROVAL PROCESS**

1. In order to maintain a high standard of duty performance, an "Off Duty Police Employment Request" form must be submitted.
  - a. Forms are to be submitted for both off-duty Police Department details and any off-duty employment.
  - b. All police details worked throughout the year will require a specific detail form from each individual Officer/PSA working the event.
  - c. ALL detail request forms must be approved through the chain of command prior to working the detail. This process usually takes five days to complete.
  - d. Any off-duty employment outside of Fort Lauderdale's jurisdiction will require the approval of the Chief of Police or their designee.
  - e. After chain of command approval, all detail forms will be routed via the District Captain where the detail is located. If the detail is in another jurisdiction, the form is routed via normal channels.
  - f. Details that become available as the result of an emergency situation, e.g. an unsecured business; or through Supply and Communication with less than three days advance notification; or when employees are asked to relieve other employees on an approved detail, require the immediate verbal approval of a supervisor. The employee must then submit the detail request form on the next duty day.
  - g. The form will be completed in triplicate: The Operations Bureau Major shall retain the original. The Pink copy will be returned to the Operations Bureau secretary for filing; and the yellow copy will be returned to the employee.
  - h. Any employee working a non-police type of employment must submit an "Off-Duty Police Employment Request" form via the chain of command to the Office of the Chief. The form will be routed as stated above.

- i. Employees working as a volunteer in a police related capacity, without compensation, shall submit a detail request form following the same procedure as other off-duty employment.
- j. An employee must seek permission, via the chain of command, to work off-duty from the Operations Major.
- k. Majors and Assistant Chiefs will not be permitted to work off-duty police details. However, when deemed necessary and appropriate, exceptions to this section shall be granted by the Chief or Acting Chief of Police.
- l. If an employee, obligated to work an approved detail, cannot be there and gives the detail to another employee, it is the responsibility of the employee who will actually work the detail to notify a supervisor as well as submit their own detail form.
- m. Approval for working details may be withdrawn by the immediate supervisor or higher ranking officer of any employee whose work falls below satisfactory in any one performance rating category, or for disciplinary reasons. All approved requests will automatically expire on December 31<sup>st</sup> of each year and need to be renewed for each successive year.
- n. Any off-duty detail employment having a duration of more than ten (10) consecutive hours will require the approval of the Chief or Acting Chief of Police.
- o. Any appropriately trained city employee who is not assigned to the Police Department can only work off-duty details with the permission of the Police Chief or Acting Police Chief. While representing the Police Department, all non-police city employees must adhere to the Department's policies and procedures.
- p. Personnel are prohibited from working off-duty law enforcement details while on light-duty or bereavement leave.
- q. If an employee calls in sick or family sick, they are prohibited from working off-duty law enforcement details during the hours of their normally scheduled shift.

**C. BUSINESSES SELLING OR SERVING ALCOHOLIC BEVERAGES**

- 1. All off-duty details at businesses that **SELL** alcoholic beverages require the prior approval of the Chief of Police or Acting Chief of Police. This includes all businesses that possess a license to sell alcoholic beverages with the exception of nationally recognized stores (i.e. Publix, Winn-Dixie, Walgreen's, etc.).
- 2. Businesses licensed by the State of Florida to **SERVE** alcoholic beverages shall require prior approval from the Office of the Chief of Police or Acting Chief of Police and a completed background investigation by SID (Special Investigation Division). The patrol shift Lieutenant or unit Captain shall be responsible for ordering the background investigation. In addition, employees are referred to §

561.25 Fla. Stat., “Officers and employees prohibited from being employed by or engaging in beverage business.”

3. The employee must be in uniform.
4. The employee should not be in the lounge area, but should locate themselves in a conspicuous place. The employee could stand near the door or in the parking area or where cash is kept.
5. The employee may remain inside if summoned by the manager or after closing to protect employees clearing cash registers.
6. No beverage of any type should be consumed in view of the public as this may negatively reflect on or discredit the employee.

#### **D. CITY EQUIPMENT**

1. Requests for the use of any City equipment require the written authorization of the Operations Bureau Assistant Chief and a completed, notarized detail liability form. These forms are also available from Police Supply. This includes cars, boats, horses and dogs. (See Policy 104.2).
2. Authorized Department PAVE vehicles may be driven to and from details. However, these vehicles cannot be used for detail purposes, unless the requirements of this policy are met.

#### **E. LIMITATIONS**

1. The employment must be dignified and not reflect any discredit upon the police profession and there can be no CONFLICT of INTEREST. All personnel engaged in off-duty detail employment are governed by all departmental general orders, policies and procedures. All supervisors and managers have the responsibility for overseeing adherence to these established policies and guidelines.
2. Employees shall be limited to work a total of 20 hours per day, not to exceed 80 hours per week. Employees are also prohibited from working consecutive 20 hour days. The total number of work hours includes all hours worked for the City and voluntary employment (such as off-duty details). The Police Chief or Acting Chief of Police may authorize any exceptions to this policy.
3. Employees are not authorized to adjust their schedule or utilize flex-time to accommodate details and/or off-duty employment. Employees shall only work details and/or off-duty employment during regularly scheduled time off and/or while utilizing some type of approved leave excluding sick leave.
4. The following will not be approved or permitted for sworn or non-sworn employees:
  - a. Employment with any firm that has any connection with the towing of vehicles.
  - b. Employment as a taxi cab company.
  - c. Employment as a process server.
  - d. Employment as a private bodyguard.

- e. Employment as a private investigator.
  - f. Employment as a bill collector.
  - g. Any off-duty detail or special event requiring five (5) or more officers must include a supervisor/manager as one of the officers for command and coordination purposes. The highest-ranking officer working will be designated as the detail or special event supervisor and will be in command.
5. There will be no off-duty detail employment having a duration of twenty-four (24) or more consecutive hours at a private residence, without prior approval by the Chief of Police.
  6. No off-duty detail employment will have more than one (1) detail coordinator. A Detail Coordinator shall be defined as an employee who is responsible to perform any and all administrative duties relating to a particular off-duty detail (i.e. scheduling other employees, billing for services, etc.).
  7. Fort Lauderdale Police Department employees shall not be ordered to work details and or off-duty employment.

**F. REVIEW AND REVOCATION**

The approval, review, and revocation process of each off duty employer shall be done at the discretion of the Chief or Acting Chief of Police. On a quarterly basis, at the direction of the Chief of Police, the District Captain will audit up to 10% of the off duty details in their respective districts for compliance with this policy.

**G. COMPENSATION**

1. Individual salary agreements for detail work shall be in accordance with the following guidelines:
  - a. Except for details with no compensation, for employment in the capacity of a police officer, the agreed hourly rate of pay shall be comparable to the top pay step of a patrol officer's pay scale.
  - b. If an individual salary agreement provides for a rate of pay not comparable to the hourly rate of a patrol officer's, approval by the Chief of Police or Acting Chief of Police is required in advance. If the hourly rate is below that of the current step "E" of the patrol officer's pay scale, a memo from the detail coordinator explaining the discrepancy shall be attached to the detail form during the initial/annual approval process. The maximum hourly compensation rate shall be no more than two and one half times the normal top pay step of the employee's pay scale.
  - c. Inquiries to the Police Department regarding the hourly rate of pay for hiring detail officers will be quoted at an amount equaling the top step for the a patrol officer's pay range advanced to the next highest dollar amount.

- d. Except for details with no compensation, for employment in the capacity of a civilian Police Department employee, the agreed hourly rate of pay shall be comparable to the top pay step of a Police Service Aide, advanced to the next highest dollar amount.
2. Hourly rates for extra duty at the auditorium, stadium, etc., will be set by the City.
3. The Internal Revenue Code requires that all income received be reported on personal income tax returns whether the purchaser/payer of the special duty services files an IRS form 1099 or not. Failure to comply with this law will be considered a serious violation of policy 118, specifically Rules of Conduct.

#### **H. DUTIES WHILE WORKING OFF-DUTY POLICE DETAILS**

1. When going into service, employees working off-duty details, in uniform or any police capacity, must advise the dispatcher by radio in the district where the employment is performed. When going out of service, the employee must notify the dispatcher by radio.
2. Special duty police services (details) are granted with the strict understanding that employees will always be subject to immediate recall to police duty, in case of an emergency.
3. All sworn personnel will have in their immediate possession their firearms, badge and identification card, when working any off-duty police detail.
4. When Department personnel, while off-duty or performing off-duty employment, observe a violation of the law and take police action, they will automatically be transferred to on-duty status and be eligible to collect overtime in accordance with established policy. In all such cases, the on-duty district supervisor will be advised (i.e. an arrest is made and time consuming follow-up is anticipated). All personnel, while engaged in the performance of off-duty police details, shall document through police reports, all significant happenings or occurrences during their assignments.
5. A detail employee given "found property" will complete all necessary reports and documentation and prepare an evidence receipt and bag. An on-duty Officer or PSA should then be called to transport the property to the station and place the property in an evidence locker. A notation of this should be included in the final report filed by the detail employee.
6. In some instances, a detail employee may "stand by" until on-duty Officer or PSA arrives to actually handle the call (i.e. shoplifter in custody, traffic accidents, etc.).
7. A detail officer making an arrest will complete all reports and documentation and request an on duty officer to transport the prisoner for booking, if necessary. A probable cause affidavit should be prepared by the arresting officer and transported with the prisoner.

#### **I. RESERVE OFFICERS WORKING OFF-DUTY POLICE DETAILS**

1. It is the policy of the Fort Lauderdale Police Department to allow those Reserve Officers serving in that capacity as of June 1, 2001, any Reserve Officer who is a

retired Fort Lauderdale Police Officer, or any Reserve Officer who has completed 3 years of continuous Reserve service with the Fort Lauderdale Police Department to perform off-duty police details.

2. Police Reserve Officers shall not coordinate any detail. Current policy regarding War Memorial Auditorium remains unchanged.
3. Police Reserve Officers must comply with all Department policies regarding Off-Duty Law Enforcement Employment.
4. Police Reserve Officers shall not work in excess of thirty (30) hours per week in off-duty police details.
5. Full time employees who have no objection to a Police Reserve working their off-duty detail, shall make every effort to put the detail in the Detail Log Book at Police Supply as soon as possible to give other full time officers the first opportunity to sign up for the detail. If this is not possible, it will be the responsibility of the Police Reserve Officer working the off-duty detail to note this in the Detail Log Book as soon as practical.
6. Police Reserve Officers may not sign up for an off-duty police detail more than twenty-four (24) hours prior to the designated start time.
7. Police Reserve Officers may call Police Supply to ascertain if a detail is available.
  - a. The Police Reserve Officer may have the Police Supply clerk sign them up for any detail within 24 hours of the detail start time.
  - b. The Supply clerk shall note in the detail log the date and time the detail was accepted.

#### **J. EXCEPTIONS**

Any exceptions to this policy where not already noted, must be approved by the Chief of Police or Acting Chief of Police.

#### **K. SPECIAL EVENTS**

1. City Approved Special Event: Non-emergency planned events, either City, privately or jointly sponsored, authorized by the City and prepared for in advance. Such events require response or assistance outside of the normal or routine daily scope of duties and services of the Department.
2. Special Events Police Detail Coordinator: An individual with the rank of sergeant or above, selected by the Operations Bureau Assistant Chief or his/her designee, to oversee events held within the City. These duties include review of the event sponsor's plans to identify law enforcement concerns; coordinating the related event staffing, scheduling, operational and logistical needs; and organization and coordination of Police Department resources.
3. Off-duty police resources generally provide security, traffic, and crowd control for the event vendor/promoter during these events. Other resources of the Fort

Lauderdale Police Department are available for these special events. Police managers will determine which of these resources are needed and utilized.

4. All Special Events details will require only one detail form completed by the detail coordinator. However, the detail coordinator will submit an Off Duty Police Employment Request form, with an attached roster listing all personnel scheduled to work the event, which may be in the form of a Telestaff roster. The roster must include employees' names, CCNs, assigned locations, start and ending times and assignment descriptions.
5. Compensation:
  - a. All payment for services will be handled directly between the contracting vendor/promoter and the employees.
  - b. Details shall be calculated at a flat rate of pay per hour as follows:
    - (1). Non-sworn traffic certified civilian employees \$30 per hour.
    - (2). Public Safety Aides \$35 per hour
    - (3). Sworn Police Officers \$45 per hour
    - (4). Police Sergeants (when utilized in their capacity of a Police Sergeant) \$50 per hour
    - (5). Police Lieutenants (when utilized in their capacity of a Police Lieutenant) \$55 per hour
    - (6). Police Captains (when utilized in their capacity of a Police Captain) \$55 per hour
  - c. These rates of pay may be adjusted by the Chief of Police which will be memorialized in writing on the Off Duty Police Employment Request form.
6. Special Events-Work Injury/Disability Benefits:
  - a. City Employees working off-duty details for large special events who are injured while working during the course of and at the location of such large special events are considered City employees for workers' compensation purposes.
  - b. City employees working off-duty details for large special events whose negligent or wrongful act or omission causes an injury or loss of property, personal injury, or death while working during the course of and at the location of such large special events are considered as acting within the scope of their employment.