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References	

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GENERAL 06.00 DUAL EMPLOYMENT

I. PURPOSE

The purpose of this policy is to establish a means to evaluate and administer the type and extent of Secondary Employment, as well as Extra-Duty assignments, in which employees of the Camden County Sheriff's Office participate.

II. POLICY

It is the policy of the Camden County Sheriff's Office to establish fair and equitable procedures for the assignment of sworn personnel to provide extra-duty police services to individuals, companies, or organizations, and to specify regulations governing the conduct of the personnel performing these services. It is also the policy of the Camden County Sheriff's Office to establish procedures for non-law enforcement secondary employment. Of paramount significance to all employees is the understanding that employment as a sworn law enforcement officer within this agency is the member's primary occupation. All personnel must receive permission from the Sheriff, or his designee, to engage in any and all types of secondary employment/extra-duty. The Sheriff has the sole discretion to authorize or deny all secondary employment and extra-duty details.

III. DEFINITIONS:

- **Non-Law Enforcement Secondary Employment:** Any form of employment, including self-employment, during the hours when the employee is off duty, where the employment capacity is not predicated upon the employee's authority as a sheriff's officer, and where there is no law enforcement affiliation and/or function. This type of work includes, but not limited to, retail sales, any trades (roofer, plumber, mechanic, electrician, etc.) consulting, other professions (accounting, teacher, etc.) or in any self-employed capacity.

An officer, who accepts employment from a private entity and is placed on the entities' "payroll" and is remunerated via a W-2, is not subjected to the Private Detective Act of 1939, N.J.S.A. 45:19-8 et seq. Therefore, he/she now becomes an employee of that entity and is not acting in an official police capacity. They are also no longer "covered" by their Camden County Employment benefits.

It is vital to note that a sheriff's officer is prohibited by the Act from applying for or obtaining a "Private Detective License" while actively employed as a sheriff's officer.

- **Officer Extra-Duty Detail:** The employment of a sheriff's officer employee, at their own option, to perform additional duty for a separate or independent employer, during the hours when the employee is not on regular duty. In a capacity that requires the employee to wear the Camden County Sheriff's Office uniform, and/or in a capacity where the uniform is not worn but where the purpose of the extra-duty assignment is either predicated upon the employee's authority as a sheriff's officer or where employment is controlled by the guidelines promulgated by the Private Detective Act of 1939.
- **Extra Duty Coordinator:** The Sheriff's designee(s) shall administer Extra-Duty assignments by conducting certain functions to assure the efficiency and fairness of all Extra-Duty assignments. **Any and all sheriff's officers of the Camden County Sheriff's Office are prohibited from performing any Extra-Duty Details not directly assigned by the Sheriff of Camden County. Any officer violating this order will be subject to immediate disciplinary charges up to and including termination.**
- **The Extra-Duty Coordinator will perform the following duties:**
 1. To receive, review, and forward all requests for extra-duty details to the Sheriff/designee for final approval.
 2. Create and maintain an "Availability List" of all officers and superiors wishing to participate in extra-duty details.
 3. To review all extra-duty details and assign such details to personnel in a fair and equitable manner.
 4. Serve as a liaison between extra-duty employers and members of the sheriff's office participating in the extra-duty assignments and exercise administrative control.
 5. Review all requests for extra-duty to assure that officers shall not be assigned to any type of work that is prohibited.
 6. Monitor the extra-duty assignments, to ensure that established policy and procedures are followed, along with completing all relevant reports pertaining to extra-duty assignments.

7. Report to the Sheriff on all matters concerning extra-duty assignments.

IV. VOLUNTARY SIGN-IN

Officers wishing to be eligible to work extra-duty assignments for the upcoming year, must submit a request in writing (email) to the secondary employment coordinator between December 15th and December 31st of the preceding year. Officers who do not request to work extra-duty assignments will be ineligible for the entire year. Officers submitting a request to work the forthcoming year acknowledge that their decision to work extra-duty assignments is binding for the entire year. Any officer who volunteers to work extra-duty assignments further acknowledges that they may be ordered to work an extra-duty assignment, if no officers apply for an open assignment(s). The secondary employment coordinator /designee will maintain an "Ordered Officers List," comprised only of officers who requested to be eligible to work extra-duty assignment. The ordered officers list will follow the seniority list, with the least senior officers appearing at the top of the list and descending according to seniority. Once an officer is ordered, their name will be rotated from the top of the list to the bottom of the list and they will not be ordered to work another extra-duty assignment until the entire list has been exhausted. Whenever possible, extra-duty assignments will be posted two weeks ahead of time and the ordering of officers to work extra-duty assignments will be made as soon as practicable. Additionally, all officers volunteering to work extra-duty acknowledge that they are required to answer their phones within 30 minutes whenever an emergent call is placed.

V. ASSIGNMENTS

All available extra-duty assignments will be posted to all eligible officers for their consideration to apply for the assignment(s). Eligible officers will voluntarily apply for the available positions through the scheduling software system. Assignments will be strictly awarded through the "fairness rotation" of the scheduling software system. Each officer will be responsible for removing themselves from the eligibility list if they decide that they are no longer interested in working an extra-duty detail; this only applies to the eligibility list and not assignment list. (see section X. 5 for withdraw from assignments)

- The aforementioned schedule list will operate as follows:
 1. All members will have their name depicted on said list with the office, including supervisors wishing to work extra-duty that do not distinguish between superiors and officers.
 2. Officer will complete an availability list depicting each day and the hours the officer is available for extra- duty assignments.
 3. Extra-Duty assignments will be assigned from the availability list in an equitable manner.
 4. Whenever possible, extra-duty assignments will be scheduled the week prior to the assignment.
 5. The assignment list will be posted and updated weekly.
 6. Superiors wishing to work extra-duty assignments that require supervision of sheriff's officers during the extra-duty assignment will have their own list separate from officers. Said list will operate exactly as the aforementioned list.
 7. Whenever a "short notice" extra-duty assignment arises, the scheduling officer(s) will make every attempt to utilize the next officer from the "Availability list."

The information to be entered shall include the date of assignment, officer's name, location of assignment, and actual hours worked. Officers shall be responsible for ensuring that the information

contained on all forms/documents is accurate.

Any officer assigned an extra-duty detail shall complete all required paperwork and submit it to the Extra-Duty Coordinator on the next business day. The documents may be utilized by the County to generate payroll information and to accept, review, authorize and submit all pay vouchers to the finance division for payment for extra-duty details.

VI. PROCEDURES AND APPROVAL FOR SECONDARY EMPLOYMENT

Any officer desiring to engage in secondary employment (non-law enforcement) shall submit a "Request for Secondary Employment" form through the regular Chain of Command. The "Request for Secondary Employment" shall include the employer/company's name, nature/type of work, and hours of operation. No officer will engage in secondary employment prior to receiving approval from the Sheriff/designee.

- The Sheriff/designee will then distribute the completed final "Request for Secondary Employment" forms as follows:
 1. Originals – to the applicant's personnel file
 2. First copy – to the applicant
 3. Second copy – to the applicant's Commanding Officer

VII. RESTRICTIONS

Secondary employment/extra-duty is a privilege, not a right. As a condition to the granting or continuance of permission to engage in secondary employment/extra-duty, the officer must be performing his/her primary functions as a sheriff's officer in a satisfactory manner. Furthermore, the nature of the secondary employment/extra-duty, and the manner in which it is performed, must be such that it will not be, in any manner, detrimental to the effective operation of the Camden County Sheriff's Office or the performance of any of its functions.

Secondary employment/extra-duty request will be denied, or, if granted, will be terminated for any of the following reasons not limited to:

1. Where the member's physical/mental condition is such that it appears that he/she may be unable to perform satisfactorily his/her sheriff's office obligations together with or as a result of such secondary employment/extra-duty. Such indication may appear from the member's sick leave record or similar evidence of his/her physical/mental abilities or condition.
2. Where the secondary employment/extra-duty or the place where it is to be performed is such that it may impair the member's efficiency or capabilities as a member of the Camden County Sheriff's Office.
3. Where the secondary employment/extra-duty would require the member to avail himself/herself of sheriff's records, documents or files, or involve the service of civil process.
4. Where the secondary employment would involve the operation of a tavern or the transportation, distribution or sale of intoxicating liquor, or where the outside employment would require the member to act as a "bouncer."
5. Where the secondary employment would involve operation of any taxicab or other public passenger vehicle.

6. Where the secondary employment/extra-duty would require that the officer work continuously, including his/her primary Sheriff's Officer duties, for a period of 18 hours or more.
7. While on sick, FMLA, injured, suspended or light duty status.
8. Where the secondary employment/extra-duty would require the officer to work during any period while on duty with the department.
9. Private Investigative activities, escort, personnel (body guard) security, or any other police type services not authorized by the Sheriff.
10. Sheriff's Officers are not permitted to be employed by any attorney as an investigator, undercover agent or in any similar capacity as a private detective.
11. As a process server, re-possessor, bill collector, or any employment in which police powers can be used for private purposes of a civil nature.
12. In any gambling establishment.
13. In any occupation(s) that is regulated by, or that must be licensed through, the Sheriff's Office.
14. Any extra-duty assignment or police oriented secondary employment outside the borders of Camden County where the uniform of the Camden County Sheriff's Office is worn is **prohibited, unless authorized by the Sheriff.**
15. Officers working extra-duty assignments shall not be accompanied by friends, family or other persons. Persons outside of the department may deliver meals to post, but the person delivering the meals shall not remain with the officer.
16. Any secondary employment that the Sheriff determines to be a possible conflict of interest or could bring disrepute upon the Office of the Sheriff.
17. Officers may be prohibited from working secondary employment/extra-duty assignments if they are under investigation or have pending disciplinary charges.
18. Private employers retain the right to prohibit officers from working their extra-duty assignments.

AT NO TIME WILL ANY OFFICER OR SUPERIOR RECEIVE CASH OR ANY FORM A COMPENSATION FOR ANY EXTRA-DUTY ASSIGNMENT. FAILURE TO ADHERE TO THIS STIPULATION WILL RESULT IN DISCIPLINARY MEASURES, INCLUDING POSSIBLE TERMINATION FROM THE OFFICE.

VIII. CONDITIONS OF PERMIT

1. A request for Secondary employment that has been approved shall be valid from the date of approval to the end of the year. Members must seek re-approval during the month of December of each year.
2. Members will be granted work approval for secondary employment assignments which have been approved by the Sheriff or his designee only.
3. The Commander of each Division will periodically review each officers work record and the current secondary employment list to ensure members under his/her command are not in violations of the conditions or limitations of this order.
4. The Sheriff/designee may cancel a "Secondary Employment/Extra-duty Request" at any time.
5. All members are subject to call for emergencies, special assignments or overtime at any time. No secondary employment/extra-duty may infringe on this obligation.

IX. GENERAL RESPONSIBILITIES OF OFFICERS PARTICIPATING IN EXTRA- DUTY ASSIGNMENTS

Employees who desire to participate in the extra-duty assignments shall comply with the following guidelines:

1. Any officer participating in an extra-duty assignment is considered an on-duty member of the Camden County Sheriff's Office and is subject to discipline and control. Any officer performing an extra-duty assignment and violates office rules and regulations, or standard operating procedures, shall be disciplined. Each subsequent act shall result in progressive restrictions and or discipline.
2. All incidents arising from an extra-duty assignment will be reported on the appropriate Sheriff's Report and must be submitted in accordance to agency regulations.
3. Performance complaints made by a secondary employer may result in an officer being prohibited from returning to a particular work assignment.
4. Prior to commencing an extra-duty work assignment, the officer is required to sign-on with Central Communications, unless the assignment is staffed with a Camden County Sheriff's Supervisor. Then it shall be the supervisor's responsibility to provide Central Communications with an assignment line-up.
5. Employees of the Camden County Sheriff's Office are strictly prohibited from soliciting police oriented extra-duty assignments. No officer is to accept an extra-duty assignment directly from a prospective employer.
6. Sheriff's Office employees are prohibited from engaging in any form of extra-duty detail or secondary employment while on duty, on sick, FMLA, injured, or light duty status.
7. If at any time an officer becomes aware of any condition, request, or hazard which would place their safety in jeopardy, or is asked to act in a manner which is in direct conflict with agency policy, rule or regulation, said officer will immediately cease the action and notify a Sheriff's Supervisor at the first available opportunity. The Sheriff will then review the report and may revoke the extra-duty assignment.
8. Unless specified otherwise, all officers reporting for extra-duty assignments shall report in proper uniform, along with any other equipment which may be necessary to properly carry out the assignment.
9. Officers are to report to the person in charge of the detail to advise them of their presence and for the purpose of receiving any additional instructions or information.
10. All officers assigned to traffic control details are required to use the appropriate traffic control apparel and equipment.
11. While working extra-duty details, all officers are required to maintain radio contact with Central Communications. If for some reason this is not practical, the officer will notify an on-duty supervisor and advise what means can be used to contact him/her should the need arise.
12. Officers are not permitted to work beyond 18 hours in any 24 hour period. The 18 hour period includes regular duty assignments. Officers must receive a minimum of 6 hours of consecutive rest in any 24 hour period. The 18 hour time period will commence at the conclusion of each 6 hours rest period.

X. ILLNESS, FAMILY EMERGENCY, FMLA, ASSIGNMENT WITHDRAWAL

1. Officers are ineligible to work any extra-duty assignments on any day in which he/she has reported off sick, FMLA or within the next 24 hours.
 - a. Unit Commanders are required to monitor their personnel to ensure compliance.
2. Officers are prohibited from working an extra-duty assignment and then calling out sick for their normal tour of duty.
3. In the event an officer becomes sick during an extra-duty assignment, he/she will immediately notify the current shift supervisor of the illness. The officer must supply a sick note from a physician prior to returning to work and/or an extra-duty assignment.
4. In the event an officer is sick and cannot work an extra-duty assignment, the sick officer must notify the Sheriff's Bureau of Criminal Identification one hour prior to the commencement of the extra-duty assignment.
5. Officers are prohibited from withdrawing from an extra-duty detail within 24 hours of the assignment. Except that officers may be required to withdraw from assignments to fulfill official Office of the Sheriff staffing shortages and/or emergency operations.

XI. EXTRA-DUTY SHERIFF'S OFFICE REPORTS AND ARRESTS

1. Although an officer is working an extra-duty assignment during his/her off duty hours, the officer will take all necessary law enforcement action. Any action which results in the use of law enforcement powers, injury to the officer or other, shall be documented with the appropriate Sheriff's Office report(s).
2. Officers working extra-duty assignments are required to take Sheriff's Office reports for minor offenses, police information; self-initiated action and arrests (i.e., harassment, lewdness, simple assault, burglary into motor vehicle etc.). All enforcement actions which require a Sheriff's Office report shall immediately be reported to an on-duty supervisor. The supervisor will then notify the secondary employment Commander via e-mail.
3. At all times every effort should be made to avoid removing an officer from an extra-duty assignment/location. The exception to this is when an officer has a direct involvement in the incident/arrest or the officer has initiated the incident/arrest. If this situation occurs, and the absence of that officer creates a critical safety nature, then the shift commander/supervisor will make every attempt to have that position covered.