

MARLBORO TOWNSHIP POLICE

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DEPARTMENTAL POLICIES AND PROCEDURES

Location CHAPTER 10	Reference PROCEDURE	Special Instructions REVISED POLICY		ACCDT #
Subject EXTRA-DUTY EMPLOYMENT & ROAD JOBS		Number PAD045	Distribution POLICE OFFICERS	
Effective 10-30-96	Revised 11-1-98	Revised 10-04-11	Revised 06-01-14	No. Pages 1 of 9

I. PURPOSE

It is the purpose of this policy to establish protocol which will be followed by the department when assigning personnel to work outside employment. This policy will provide a procedure for the efficient and orderly delivery of contracted police related services for a person or entity other than the Township at large. This service is one in which the police department is not obligated or expected to provide or does not normally provide as part of its regular plan of police services. This policy will also cover any secondary employment opportunities sought by the department's sworn personnel.

II. POLICY

The Township of Marlboro has specific guidelines that are set forth in the administrative code that have to be followed relating to outside employment. The Township's police department shall allow officers to engage in extra-duty employment on a voluntary basis. In order to insure that extra-duty employment assignments are administrated and conducted in accordance with all applicable laws, ordinances, written directives and prevailing opinions (Attorney General, Division of Pensions, Department of Labor, etc.) the Chief of Police shall designate an officer of the department to act as a coordinator of all extra-duty assignments. Additionally, the department needs to develop policies regulating this extra-duty in an equitable manner that also provides for the officers safety and his or her ability to perform their regular tours of duty with an adequate relief period as defined by this policy.

Forms: (FAD019)

III. DEFINITIONS

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| 1. RJ | Road Job |
| 2. A.W.O.L. | Absence without Official Leave |
| 3. WC/AS | Watch Commander/Acting Supervisor |
| 4. MVA | Motor Vehicle Accident |
| 5. Day Shift Hours | The time period from Monday through Friday between the hours of 8am to 4pm. Est. |
| 6. Off-Hours | The time period other than Monday through Friday between the hours of 8am to 4pm. Est. |
| 7. Extra-duty Assignment | Any contracted employment by an outside vendor for police services. |
| 8. Secondary Employment | Any employment opportunity that is outside the Marlboro Police Department by scope or practice. It may include any off-duty employment that will not require the use or potential use of law enforcement powers by the off-duty officer. |
| 9. Job Coordinator | Person assigned by the Chief of Police to assign personnel to work road jobs/extra-duty assignments. |

IV. PROCEDURES

A. Duties and Responsibilities

1. The job coordinator will be responsible for the administration of the extra-duty assignments during his/her regular tour of duty. He/she will be responsible to handle the following:
 - a. contract processing
 - b. billing
 - c. collections
 - d. general adherence to the ordinance and policy.
2. Officers are prohibited from engaging in extra-duty employment or secondary employment that has not been approved by the Chief of Police or his/her designee.
3. The scheduling of extra-duty assignments will be handled primarily by the job coordinator. The job coordinator or his/her designee will have the primary responsibility of utilizing personnel to fill any vacancies due to extra-duty assignments that occur during all times of the day and all days of the year unless specified otherwise in advance. In the event that a response is not obtained from the job coordinator or his/her designee in a reasonable amount of time, the Watch Commander/Acting Supervisor shall follow the standing rules governing the filing of an empty extra-duty assignment.
 - a. The watch Commander / Acting Supervisor shall then forward all paperwork to the job coordinator and advise him/her via department e-mail of the situation and how it was handled.

4. In the event of an emergency involving a utility pole down at an “M.V.A.”, gas leak, water or sewer main leak causing a road cave in, the job coordinator shall be primarily contacted by the watch commander or acting supervisor, notified of the incident and then it shall be the job coordinator’s responsibility to take the necessary steps to fill the assignment.
5. It shall be the officers assigned to each extra-duty assignment to be responsible for submitting a completed form [FAD019] in a timely fashion to the job coordinator for billing, payment purposes, and vehicle/equipment accountability.
6. The assignment of personnel for the extra-duty jobs will be done from a master list developed by the job coordinator for the department. This list will be developed from a survey of all sworn police officers desiring to be considered for these assignments. This list will be updated on an as needed basis by the job coordinator.

B. CONTRACTS

1. All persons or companies needing the service of department personnel for extra-duty assignment will be made aware of the terms of the contracts and the ordinance as it relates to:
 - a. advanced notification
 - b. minimum hours required for payment
 - c. cancellation procedures
 - d. premium time requirements
 - e. emergency situations
 - f. contact phone numbers
2. In cases where there exists a minimum notice time of 16 hours or more, officers will be scheduled by the job coordinator or his/her designee.
3. Every attempt will be made to rotate the assignments through the list so each officer has an opportunity to work the assignments.

C. Performance of Duty - Professional Conduct

1. Officers engaged in extra-duty employment are required to conduct themselves in accordance with the rules of conduct of this department and all applicable written directives.
2. It is essential that all officers employed in an extra-duty capacity consider the professional image of the police department and the dignity and status of the profession prior to honoring any requests for unusual or suspect tasks.
3. All officers engaged in extra-duty employment are on-duty officers and shall not perform any task not associated with police work that might demean the image of the department or diminish the respect for the profession.

4. Any officer having questions concerning such a request shall summon the job coordinator or WC/AS for consultation. In the event that a conflict results from the refusal of an officer to perform a task in accordance with the provisions of this section, the officer shall summon the watch commander or acting supervisor for consultation.
 - a. If the job coordinator or watch commander/acting supervisor cannot resolve the matter, he/she shall order the suspension of the extra-duty employment assignment until the Chief of Police or his/her designee can complete a review of the circumstances.
 - b. The watch commander must immediately notify any additional officers scheduled for the assignment of this suspension to prevent unnecessary response of such officers.
 - c. The affected officer must complete a special report and forward it through the chain of command to the Chief of Police. Upon consideration by the Chief of Police the approval for the extra-duty employment may be restored or permanently revoked.
 - d. Officers employed in an extra-duty capacity shall immediately terminate their employment if it is deemed to be unsafe to the working personnel or unlawful. The notification and review procedures as outlined above shall apply to these situations as well.
5. All officers assigned to extra-duty employment are required to foster a professional image of the department by promptly arriving at the designated location on the date and time scheduled.
 - a. Lateness and/or unannounced absence are sufficient justification for disciplinary action.
 - b. Under no condition, except those identified in section K. (Emergency Recall), shall an officer leave an extra-duty employment assignment prior to the scheduled termination of the assignment without the expressed permission of the employer and the watch commander.
 - c. Officers shall not distract themselves from their responsibilities of providing police protection. Engaging in extended social contacts or family obligations is prohibited.

D. ASSIGNMENTS

1. The following criteria will be used when selecting personnel for extra-duty jobs. The jobs will be assigned in the following manner:
 - a. Day off personnel.
 - b. Persons coming off of a midnight shift and/or persons working the evening shift.
 - c. In the event the job starts prior to the end of the officer's tour of duty, comp time may be taken as long as it is approved by the watch commander/ acting supervisor and it does not put the shift below minimums.
 - d. The job coordinator or his/her designee must be notified immediately of any scheduled road job that will last more than 8 consecutive hours so proper relief arrangements can be made if necessary. (Under no circumstance is any one officer to work more than 16 hours in a 24 hour period. (Both regular shift and extra-duty assignment combined). If any time over 16 hours is to be worked, the watch commander/acting supervisor must be notified immediately.
2. Officers are not allowed to arrange for switches to work road jobs unless approved by a watch commander or acting supervisor in advance, and as long as it conforms with the respective bureau S.O.P.'s.

E. SELECTION PROCESS

In the selection process there will be specific restrictions that will be adhered to at all times.

1. No officer will work more than (24) hours of extra-duty hours in a seven day cycle, unless prior permission is obtained by the job coordinator.
2. No officer is to work more than 16 hours in a 24 hour period. (Both regular shift and extra-duty assignment combined). If any time over 16 hours is to be worked, the watch commander/acting supervisor must be notified immediately.
3. Overtime: an officer will not be considered for an overtime assignment in his/her respective bureau if it will cause a violation of the (16) sixteen hour rule.
4. Court appearances: Officers are required to disclose their court schedules to the officer coordinating the job assignment. Court appearances, jury duty and being "on call" for court cases will cause an officer to be excluded from the selection process.

5. Officer responsibility: Officers assigned to extra-duty assignments are subject to compliance of all departmental rules and regulations at all times.
6. Officer availability: Officers assigned extra duties are required to perform their specific assignments. Failure to report for duty on an extra-duty assignment will be treated as being A.W.O.L. with the potential for disciplinary action.
7. Officers will not be allowed to switch extra-duty jobs amongst themselves unless permission is granted by the job coordinator.
8. Sick leave and Disciplinary leave: Officers on sick leave and any officer on a disciplinary leave are not eligible to work extra-duty assignments.
9. If for any reason, an officer is out sick for their regularly scheduled shift assignment, they must work a full shift of their regularly scheduled shift before they are eligible to work any extra-duty assignments. The job coordinator may have discretion when making the decision to utilize “sick” personnel.

F. ADMINISTRATIVE CODE

1. Under the Administrative code (Ord. 62-93), Article XIV Chapter 4-98 Section C. Paragraph (2) states:
“The Chief or his designee may deny the assignment or use of police officers or vehicles and/or impose any condition or requirement as in his sole discretion and determination he finds to be in the best interests of the Township and/or the police officers or public safety. The Chief or his designee shall be guided by the nature of the assignment and should avoid those with conflicts of interest and/or high risk or injury.”
2. In cases where there exists less than 16 hours notice or an emergency, job assignments may be issued on a first come basis utilizing as many of the selection rules as possible. The primary concern at this point will be that the job gets covered pursuant to the terms of the contract.
3. In a short notice situation, the person coordinating the assignment coverage has the authority to fill the positions as quickly as possible. In the event the answering machines are encountered while making calls, a message will be left advising of the attempt, but the selection process will continue until the assignment is filled.

G. ACCOUNTABILITY

1. Officers working these extra assignments are “for tax and pension purposes” to be considered on duty. Therefore accountability is paramount.
2. All police officers working any extra-duty assignments are to utilize the “Roll Call” sheet for attendance at any extra-duty jobs.

3. In addition, the hours of the assignments, the assignment location, which vehicle is being utilized and what type of portable radio is being used will be posted on the same attendance sheet.
 - a. Short notice is considered as being less than 16 hours prior to the beginning of the shift.
4. During these assignments the officer will be compliant with the current uniform regulations as set by the department and/or the job coordinator.
5. Only Police Division issued weapons will be utilized for extra duty employment and road jobs. This includes “outside employment” assigned by the Police Division.

H. SUPERVISION OF EXTRA-DUTY EMPLOYMENT ASSIGNMENTS

1. All officers working in an extra-duty capacity shall be classified as “on-duty” and as such will be subject to the authority of the watch commander or acting supervisor.
2. When one or more department supervisory officers are assigned to an extra-duty employment assignment, the senior supervisor in terms of rank and assignment in the department shall be in charge of the assignment.
In the absence of a supervisor, the officer with the greatest amount of department seniority shall take charge of the employment assignment.
3. The supervising officer may order the suspension of work or modification of any work site deemed to be a hazard to public safety or the assigned officer.
4. Department supervisors are encouraged to make periodic visits to extra-duty employment sites to ensure that the activities occurring are safe and within the parameters of acceptable police duties.

I. FIELD EQUIPMENT

1. Officer's required to carry portable radios, flashlights, or any other specialized equipment while on extra-duty assignments shall utilize their personally issued items first, then obtain more of these items from their respective bureau's when practical. Items such as road flares and other perishables can be obtained within the police department or by notifying the watch commander/acting supervisor.
2. Every effort has to be made to curb the use of portable radios by any officer for the extra-duty assignments as their frequent and unnecessary use causes a drain on resources needed for the regular patrol function. Switching to an alternate frequency is a possibility so long as transmissions do not interfere with another agencies radio reception.

3. Extra portable radios should only be signed out for extra-duty assignments when the assignment involves crowd control, traffic control or any situation deemed to be larger than the normal patrol function.

J. ROAD JOB VEHICLE

1. All personnel shall comply with [PPT001] when using department vehicles on road jobs. The form [FAD019] will be filled out in its entirety for all uses the vehicle incurs during extra-duty assignments.
2. The Police Department will maintain a specific fleet of vehicles that will be utilized for the extra-duty assignments. Road Job vehicles shall be utilized first for all extra-duty assignments. If a "Line Vehicle" or "Specialty Vehicle" is to be utilized for any type of extra-duty assignment, permission must be obtained from the appropriate supervisor and be posted on the board in the patrol room.
3. It shall be the responsibility of the assigned officers to ensure that they arrive at police headquarters with enough lead time to secure a vehicle and thereafter arrive at the location of the extra-duty employment assignment by the listed start time.
4. Every effort will be made to keep vehicle usage to a minimum for each extra-duty assignment that requires more than one officer.
5. In cases where the vehicle only serves as transportation, officers will be required to car pool.
6. In the event that the demand for extra-duty vehicles exceeds the available number of extra-duty vehicles, the on duty watch commander shall be responsible for making vehicle assignments for the officers still needing a vehicle. The watch commander shall review the schedule to determine the vehicles that will be used by the oncoming shift and shall not assign any vehicle that will be used on the ensuing shift unless there is no other alternative.

K. EMERGENCY RECALL

In certain limited cases, the watch commander may need to recall to full duty one or more officers assigned to extra-duty employment assignments for reasons of a public safety emergency. While the provisions of this subsection make this a permissible action, it should be noted that this shall be considered an extraordinary action that must only be exercised in the face of a bona fide police emergency.

1. In making such a determination, the watch commander or acting supervisor must consider the following:
 - a. The nature and degree of the exigency.

- b. Possible hazard created by removing officers from their assignment. (risk vs. need).
 - c. Less drastic alternatives. (e.g., mutual aid, recall of off-duty personnel, etc.)
- 2. If one or more officers are recalled from an extra-duty assignment to assist in an emergency, the watch commander shall, at the earliest opportunity, return those officers to their extra-duty assignments or arrange to have the assignment covered by another officer.
 - a. A watch commander ordering the recall of any officer to full duty for any length of time from an extra-duty assignment shall submit a special report to the Administrative Captain detailing the reasons and justifications for such action.
 - b. The Administrative Captain shall evaluate the report and make recommendations to the job coordinator concerning a reduction in the number of hours billed to the contracting entity.

L. ADMINISTRATIVE REVIEW

- 1. In order to make sure all procedures and processes are being adhered to, it shall be the responsibility of the Police Department's Captain of Administration or his/her designee to keep a continual accounting of all extra-duty assignments and make recommendations for corrections if needed.

By order of _____
Bruce E. Hall
Chief of Police