

HARRISON TOWNSHIP POLICE DEPARTMENT STANDARD OPERATING PROCEDURE		
SUBJECT: EXTRA DUTY EMPLOYMENT		
EFFECTIVE DATE: January 11, 2019	NUMBER OF PAGES: 9	
ACCREDITATION STANDARDS: 2.1.3	BY THE ORDER OF: Chief of Police Thomas Mills	

PURPOSE: To establish a procedure for the efficient and orderly delivery of contracted police related services for a person or entity other than Harrison Township; service, 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.

POLICY: The Township of Harrison 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, Section of Pensions, Department of Labor, etc.), the Chief of Police shall designate an officer of the department to act as the Extra Duty Employment Coordinator for extra duty employment assignments.

PROCEDURE:

I. Definitions

- A. **Regular Duty:** regularly scheduled shifts of police duty, overtime, special assignments, department sanctioned schooling in lieu of regular duty, and court appearances arising out of an officers employment with this department.
- B. **Extra duty Employment:** is defined as police related employment not performed during normal duty hours, and is conditioned on the actual or potential use of law enforcement powers by a police officer. Extra duty employment is also referred to as traffic details or side jobs that are paid through the department at a set rate by ordinance.
- C. **Secondary Employment:** any non-law enforcement related off-duty employment that should not require the use or potential use of law enforcement powers by the off-duty officer. Notification for this type of employment to the Chief of Police is required.

II. Extra Duty Employment

- A. The fee for extra duty employment services shall be paid by the person or entity requesting the services.
- B. Extra duty employment will be regulated by the department and may be considered for approval provided the employment does not represent a conflict of interest and the employment and/or tasks do not reflect unfavorably on the integrity or professionalism of the police officer employee or the police department. Officers are prohibited from engaging in extra duty employment that has not been approved by the Chief of Police, or designee.
- C. The following illustrates some, but not all, examples of employment representing a conflict of interest:
 - 1. Duties performed in a police uniform other than that of a police nature;
 - 2. Duties or tasks that assist (in any manner) the case preparation for the defense in any criminal or civil action or proceeding;
 - 3. Service of Civil Process.

III. Management of Extra Duty Employment Assignments

- A. The Chief of Police has designated the Lieutenant to coordinate all extra duty employment and serve as the Extra Duty Employment Coordinator. The Extra Duty Employment Coordinator or his/her designee will be the point of contact for all extra duty employment assignments.

- B. The Extra Duty Employment Coordinator or his/her designee shall be responsible for ensuring that all of the proper approvals have been obtained prior to scheduling any officer for extra duty employment.
- C. The Extra Duty Employment Coordinator or his/her designee shall forward all special instructions, traffic/security plans, etc. necessary to carry out the assignment to the officers so assigned.

IV. Approval Process

- A. All persons or entities requesting extra duty police services will be required to submit a request to the Chief of Police or Extra Duty Employment Coordinator.
- B. The Chief of Police and/or Extra Duty Employment Coordinator will evaluate all requests for extra duty police services to ensure that the request is lawful and consistent with a positive image of law enforcement officers.
 - 1. Extra duty employment that is found to be detrimental to the image of law enforcement or the department, inconsistent with a law enforcement purpose, a potential conflict of interest, or that creates a risk to an officer or the public will not be approved.
 - 2. Approval to work extra duty employment may be suspended where it is determined that such extra duty employment is not in the best interest of the department.
- C. Police officers shall be posted at all construction or maintenance sites, when determined by the Chief of Police or designee, that same is necessary to provide for the safe and expeditious movement of pedestrian or vehicle traffic; or as required by any applicable laws.

V. Supervision of Extra Duty Employment Assignments

- A. All officers working in an extra duty capacity shall be classified as “on-duty” and as such will be subject to the authority of a Harrison Township Police Department supervisor.
 - 1. When one or more department supervisors are assigned to an extra duty employment assignment, the senior supervisor in terms of rank shall be in charge of the assignment; unless the Chief of Police has determined otherwise.
 - 2. In the absence of a supervisor, the officer with the greatest amount of department seniority shall take charge of the employment assignment unless the Chief of Police has determined otherwise or unless inconsistent with existing laws governing such work sites.
- B. The supervisor may order the suspension of work or modification of any work site deemed to be a hazard to public safety or the assigned officer.

- C. On duty road supervisors are expected 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.

VI. Uniforms and Equipment

- A. Employees working extra duty police related employment assignments will wear the designated department uniform.
- B. Plain clothes extra duty police related assignments would be conducted only with the expressed authorization of the Chief of Police or designee.
- C. Officers working uniformed extra duty traffic control assignments may be provided with a marked police vehicle at the direction of the Extra Duty Employment Coordinator or the Chief of Police.
- D. All employees working extra duty assignments that involve traffic control shall wear the department issued ANSI-certified shirt, vest, or jacket as the outermost layer of the uniform.

VII. Performance of Duty - Professional Conduct

- A. 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. Officers are subject to suspension or revocation from extra duty privileges for violation of written directives.
- B. 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.
 - 1. All officers engaged in extra duty employment are considered on-duty 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.
 - 2. Any officer having questions concerning such a request shall contact the shift commander for consultation.
 - 3. 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 contact the shift commander for consultation.
 - a. If the shift commander cannot resolve the matter, he shall order the suspension of the extra duty employment assignment until the Chief of Police or designee can complete a review of the circumstances.

- b. The shift 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 an Inter–Office Correspondence Memo 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.
- C. 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.
- D. 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.
 - 1. Lateness and/or unannounced absence are sufficient justification for disciplinary action.
 - 2. Officers shall not distract themselves from their responsibilities of providing police protection. Engaging in extended social contacts or family obligations is prohibited.

VIII. Other Considerations

- A. As per the New Jersey Attorney General's legal opinion dated 12/1/77, only officers **employed and compensated** through the municipality will be considered "on-duty" for liability and indemnification purposes.
- B. As per a memorandum issued by the Chief of the Section of Pensions in the State of New Jersey, **"Only service as a policeman or fireman paid by an employer"** is considered creditable service under PFRS (N.J.S. 43:16A4) and other conditions or types of employment may affect the accidental disability and death benefits of the PFRS.
- C. Officers employed in an extra duty capacity are required to take appropriate police action when necessary and retain all police/arrest powers as if they were working a normal watch.
 - 1. Any officer employed in an extra duty capacity who utilizes police powers (arrest, force) in the course of such employment shall be required to conform to all of the reporting requirements of a department officer on duty as set forth in the applicable written directives.
 - 2. In addition, a report, prepared by the officer involved, and describing the incident in detail, shall be forwarded to the shift commander for review and forwarded through the chain of command.

- D. When it becomes necessary for an officer engaged in an extra duty employment assignment to take enforcement action necessitating the arrest and processing of a suspect, the shift commander shall be immediately contacted and advised of the circumstances surrounding the arrest.
 - 1. Whenever possible, the shift commander shall assign an officer from the on-duty platoon to handle the transportation and booking of the suspect.
 - 2. If the officer assigned to the extra duty employment assignment is required to leave the location of the extra duty employment assignment as a result of enforcement actions, the shift commander shall, when possible, assign an officer from the on-duty platoon to cover such assignment for the duration of the absence of such officer.
- E. An officer suffering any injury while engaged in extra duty employment shall be required to fully comply with the provisions of written directive governing employee injuries.
- F. Complaints received concerning the actions or inactions of officers engaged in extra duty employment will be handled in accordance with the guidelines established in the written directive governing Internal Affairs & Discipline.
- G. All court appearances arising out of actions taken by an officer while engaged in extra duty employment will be treated as any other court obligation. Accordingly, officers are entitled to all of the salary and benefits provided for in their applicable collective bargaining agreements for attendance at court sessions.