



TALLAHASSEE POLICE DEPARTMENT GENERAL ORDERS MANUAL

 Proudly Policing Since 1841	SUBJECT <p style="text-align: center;">Outside and Secondary Employment</p>		 Nationally Accredited 1986
	CHIEF OF POLICE <p style="text-align: center;"><i>Signature on File</i></p>		
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AUTHORITY/RELATED REFERENCES

City of Tallahassee Administrative Policy and Procedures 706.06
 Current Bargaining Agreement Article 20
 General Order 46, Rules of Conduct

ACCREDITATION REFERENCES

CALEA Chapter 22

KEY WORD INDEX

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POLICY

The Tallahassee Police Department supports the privilege of Department members who volunteer to engage in outside and secondary employment but maintains the right to regulate and, where appropriate, prohibit certain types of employment.

DEFINITIONS

Alcohol Locations: Any location (bar, club, restaurant) that is licensed for the consumption of alcoholic beverages (beer, wine, liquor) on the premises, including events at licensed premises where alcoholic beverages will not be present during the event.

Extension of Licensed Premises: A temporary license requested by the owner of an alcohol location to extend their permissible premises for the consumption of alcoholic beverages. The permit usually extends the premises into a parking area for an outdoor party on a special night.

Outside Employment: Any employment with an entity other than the City of Tallahassee, including self-employment.

Secondary Employment: Outside employment where a condition of the employment is the actual or potential use of law enforcement powers by the department member.

PROCEDURES

I. GENERAL GUIDELINES FOR OUTSIDE AND SECONDARY EMPLOYMENT

A member who is in good standing with the Department may engage in outside employment. No request for outside employment authorization that complies with this policy, Florida law, and the current bargaining agreement, shall be unreasonably denied.

A. Outside Employment

A department member who engages in outside employment shall ensure that the following criteria are met:

1. The employment is of a non-police nature in which the use of vested law enforcement powers is not a condition of employment.
2. The employment provides no real or implied law enforcement services to the outside employer and is not performed during assigned work hours.
3. The employment presents no conflicts of interest as defined by city policy and state law between the member's department duties and their duties for the outside employer. Examples of employment that represent a conflict of interest include, but are not limited to:

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- a. Process server, reposessor, bill collector, vehicle towing owner/operator, or any other employment in which law enforcement authority may be used to collect money or merchandise for private purposes.
 - b. Private investigations or any other employment that might require access to or use of police information, files, records, or services as a condition of employment.
 - c. Any employment that requires the wearing of the police uniform while performing tasks.
 - d. Employment of any nature that assists in case preparation for the defense in any criminal or civil action or related proceeding.
 - e. Employment in any occupation that is regulated by, or licensed through, the Tallahassee Police Department.
 - f. Employment as an owner or in the operation of any business establishment that is licensed under State laws to sell alcoholic beverages.
 - g. Employment as an entertainer, or in any law enforcement related capacity, in any business establishment licensed under State laws to sell alcoholic beverages, unless written approval is obtained from the Chief of Police, or designee, as provided in Section III herein.
4. The employment does not compromise the status or reputation of the Department or dignity of the police as a professional organization. Examples of employment which are prohibited by this section include, but are not limited to the following:
- a. Employment in establishments that sell pornographic books, magazines, sexual devices, or videos, or otherwise provides entertainment or services of a sexual nature.
 - b. Employment by any outside employer involving the manufacture or transport of alcoholic beverages.
 - c. Employment in any gambling establishment not exempted by law.
 - d. Employment by any outside employer involving the production or operation of any computer-based business involving

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pornographic web sites or other mediums of pornographic distribution.

B. Secondary Employment – Sworn Members (Officers)

In addition to the general guidelines for outside employment, sworn members volunteering for secondary employment must adhere to the general guidelines for secondary employment. Sworn members may engage in the following secondary employment functions provided that approval is first obtained from the Chief of Police or designee in compliance with Section III of this policy.

1. Employment involving traffic control and pedestrian safety except where duties include directing the flow of traffic onto public streets, unless said employment is related to school, church, or other departmentally approved activities.
2. Employment involving crowd control.
3. Employment involving law enforcement services.
4. Requests for sworn members to work secondary employment locations shall be made directly to the ODM website by an outside employer. Members wishing to work these secondary employment opportunities shall utilize ODM/OfficerTrak App.

C. Secondary Employment – Non-sworn Members (Community Service Technicians [CST])

In addition to the general guidelines for outside employment, non-sworn members volunteering for secondary employment must adhere to the general guidelines for secondary employment. Non-sworn members may engage in the following secondary employment functions provided that approval is first obtained from the Chief of Police or designee in compliance with Section III of this policy.

1. Employment involving traffic control and pedestrian safety except where duties include directing the flow of traffic onto public streets, unless said employment is related to school, church, or other departmentally approved activities.
2. Requests for Community Service Technicians to work secondary employment locations shall be made directly to the ODM website by an outside employer. Members wishing to work these secondary employment opportunities shall utilize ODM/OfficerTrak App.

II. LIMITATIONS REGARDING SECONDARY EMPLOYMENT

- A. Probationary members will be permitted to engage in secondary employment at non-alcohol locations upon graduation from the FTEP (Field Training and Evaluation Program).
- B. Sworn members seeking secondary employment at alcohol locations shall have a minimum of two years of sworn law enforcement experience, unless it is a special event with a dedicated supervisor. For sworn members without previous law enforcement experience, two years experience shall be calculated from the employee's entrance into the FTO program.
- C. All authorization to work secondary employment in any capacity is immediately and automatically suspended whenever the member is:
 - 1. Placed on light duty status.
 - 2. Relieved of duty.
 - 3. Suspended from duty.
 - 4. On military leave.
 - 5. Scheduled for official activities such as court, training, or special events, which supersede secondary employment assignments.
 - 6. Unable to report for, or complete regular duty or official activities due to illness until the employee has subsequently completed a full tour of regular duty or a time period of 8 hours has elapsed since the end of the sworn member's scheduled shift.
 - 7. Involved in a conflict or apparent conflict of interest between the on-duty and secondary employment responsibilities.
 - 8. Placed on probationary or conditional status, to include being placed on a Performance Improvement Plan.
- D. Sworn members shall abide by the identified number of secondary employment hours per week, as provided in the current bargaining agreement. The Chief of Police or designee may grant exceptions, during periods of unusual seasonal demand.
- E. Work hours for all secondary employment shall be scheduled by the member in a manner that does not conflict or interfere with the

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member's performance on duty or the effective utilization of the Department's resources.

- F. Any member who engages in secondary employment is subject to call-out in case of emergency and shall be expected to leave their secondary employment assignment in such situations.
- G. Permission for a member to engage in secondary employment may be suspended or revoked by the Chief of Police or designee when it is determined, pursuant to departmental policy, that such employment is not in the best interests of the Department.
- H. Sworn members engaging in secondary employment shall **not** engage in the following activities:
 - 1. Solicit for secondary employment opportunities.
 - 2. Accept gratuities or any forms of compensation in addition to or in lieu of the work hours paid by the secondary employer. For clarification, members may receive food or beverages when it is commensurate with their employment at the location.
 - 3. Collect any form of coordinating fees or compensation from other department members.
 - 4. Take action to enforce "house rules", conduct "pat downs", or utilize any department resources to conduct age verifications for any function other than a law enforcement purpose.
 - 5. Stand or loiter in any area of an alcohol location that is designated for bar personnel, unless it is essential for the completion of a law enforcement purpose.
 - 6. Patronize an alcohol location immediately following the completion of their secondary employment assignment at this same location when the member is operating a city owned vehicle. Members in personal clothes and not operating a city owned vehicles are considered off-duty and not subject to this requirement.

III. PROCEDURES GOVERNING REQUESTS FOR SECONDARY EMPLOYMENT

A. Department Procedures for Secondary Employment

- 1. The Department shall maintain authority over all members working secondary employment locations.

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2. The Department retains the authority to cancel the employment of secondary employment members at any location with or without cause.
3. Request for secondary employment services at alcohol locations.
 - a. The Department recognizes that Secondary Employment assignments at alcohol locations require an increased level of oversight in order to ensure appropriate member staffing levels, safer working conditions, and adequate police supervision.
 - b. The Chief or designee may grant exceptions to these requirements for individual events under appropriate circumstances. For example, a small wedding at a restaurant licensed for on premises alcohol consumption.

IV. GENERAL RESPONSIBILITIES REGARDING SECONDARY EMPLOYMENT

A. Sworn Members Responsibilities

1. Sworn Members shall report all serious or unusual circumstances to the patrol supervisor assigned to the quadrant of the secondary employment or the Watch Commander, as soon as possible.
2. Sworn Members shall monitor the appropriate patrol quadrant radio talk group and respond, when needed.
3. Sworn Members shall ensure that business management maintains fire exits free of obstructions and that fire extinguisher gauges reflect their operational readiness.
4. Sworn Members shall take appropriate action to ensure that business management has complied with the maximum occupancy capacity of the business as established by the Fire Inspector.
5. Sworn Members are responsible for responding to all observed and reported incidents in the interior of the location and the immediate surrounding exterior areas, and taking appropriate action, as needed.
6. Sworn Members are responsible for investigating all incidents at the secondary employment location and completing the appropriate documentation prior to the end of their assignment. On-duty

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officers may be utilized to complete prisoner transports at the discretion of the appropriate district patrol supervisor.

7. Sworn Members performing secondary employment assignments are responsible for adhering to all General Orders and procedures, which apply to on-duty assignments. Any violations of these policies and procedures will be resolved in accordance with existing department guidelines for corrective action.
8. Sworn Members shall wear the standard department patrol uniform while working any secondary employment. Officers seeking to wear plainclothes or other specialty uniforms must be granted permission from their respective bureau commander.
9. Prior to the start of any secondary employment at an alcohol location, the secondary employment Sworn Members shall report to the Watch Commander any staffing shortages or other unusual circumstances. The Watch Commander shall retain authority for canceling or altering the secondary employment assignment, as needed.

B. Non-sworn Members (CST) Responsibility

1. Non-sworn members shall report all serious or unusual circumstances to the patrol supervisor assigned to the quadrant of the secondary employment or the Watch Commander, as soon as possible.
2. Non-sworn members shall monitor the appropriate patrol quadrant radio talk group and respond, when needed.
3. Non-sworn members are responsible for responding to all observed and reported traffic crashes in the interior of the location and the immediate surrounding exterior areas, and taking appropriate action, as needed. When the incident is criminal or exceeds basic traffic direction or a traffic crash, the non-sworn member shall inform dispatch or an on duty sworn member.
4. Non-sworn members performing secondary employment assignments are responsible for adhering to all General Orders and procedures, which apply to on-duty assignments. Any violations of these policies and procedures will be resolved in accordance with existing department guidelines for corrective action.
5. Non-sworn members shall wear the standard department issued uniform while working any secondary employment.

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6. Prior to the start of any secondary employment, the secondary employment non-sworn member shall report to the Watch Commander any staffing shortages or other unusual circumstances. The Watch Commander shall retain authority for canceling or altering the secondary employment assignment, as needed.

C. Supervisor Responsibilities

1. As patrol activity permits, patrol supervisors should periodically inspect the locations within their district that have secondary employment officers assigned.
2. When inspecting an alcohol location, the patrol supervisor shall ensure that the business has complied with the appropriate staffing levels and conditions, and that the officers are fulfilling their responsibilities as outlined within this policy.

D. Department Responsibilities

1. The Department shall review relevant conditions such as alcohol presence, pedestrian and traffic safety, past history, and officer safety needs in determining the staffing and supervisory levels for events.
2. The Department shall adhere to guidelines that address hourly pay ranges for secondary employment locations as established by the bargaining unit agreement or the needs of the vendor.
3. The Department shall establish protocols for the utilization of the Police Services Operations Plan, extension of licensed premises permits, and procedures for applying for street closures for events at alcohol locations.

VI. REQUIREMENTS FOR FINANCIAL DISCLOSURE

All members who engage in outside and secondary employment are required to disclose this financial income to appropriate state and federal agencies in compliance with applicable laws.

VII. WORKER'S COMPENSATION REQUIREMENT

All members who work outside and secondary employment are required by law to be covered by worker's compensation insurance. Members who engage in secondary employment are encouraged to take appropriate

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steps to ensure that such coverage is provided by the outside employer.

Members who are authorized to work secondary employment will be covered by the City of Tallahassee for injuries received while carrying out a law enforcement function, while acting within the scope and course of employment, including the authorized operation of a police vehicle to and from the site of the secondary employment location. Where questions arise regarding which employer is responsible for providing worker's compensation coverage, such questions shall be decided by the appropriate City officials on a case-by-case basis.

VIII. ADMINISTRATIVE PENALTIES

- A. Violations of any policy while working a secondary employment detail may result in formal discipline and shall result in the following administrative penalties:
1. 1st Offense: Two-week suspension from off-duty detail privileges.
 2. 2nd Offense within one (1) year: Six (6) month suspension of off-duty detail privileges.
 3. 3rd Offense within two (2) years: Nine (9) month suspension of off-duty detail privileges.
 4. 4th Offense within two (2) years: All off-duty detail privileges will be revoked. A member whose privileges have been revoked, may apply for reinstatement after two (2) years have elapsed from the date of removal. The member requesting reinstatement shall submit the request in writing by numbered memo to the Chief of Police via the chain of command. The decision to reinstate shall rest solely with the Chief or designee and may take into consideration the member's discipline, evaluations, and member's supervisor's recommendations for the previous two-year period.
 5. After one (1) year has elapsed for a first offense, any additional violations will be viewed under a new one (1) year time frame.
 6. After two (2) years has elapsed for a second offense, any additional violations will be viewed under a new two (2) year time frame.
 7. Any member who accrues three violations in a two-year time frame shall be perpetually viewed as having three violations

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regardless of the time frame of the offenses in reference to these administrative sanctions.

- B. A Captain or designee has the authority to suspend an employee from working off-duty details during an initial inquiry if it is determined to be in the best interest of the agency.
- C. The actions listed in this section are strictly administrative and not discipline and therefore cannot be appealed.

History: issued 06/15/2001, revised 04/08/2004, and 04/06/2021.