



GENERAL ORDERS

Chapter
POLICE PERSONNEL POLICIES

Subject
Off-Duty

POLICY

1. The department offers Police Officers and Police Aides (PAs) the opportunity to earn additional income by working outside their regular work hours as a Police Officer engaged in security and traffic control, or as a PA engaged in traffic control only.
2. As a service to the community and other city departments, the department fills requests to hire off-duty police officers when practical and appropriate. The Special Event Unit (SEU) Supervisor is designated as the Off-Duty Coordinator (ODC) and administers off-duty requests.
3. Working off-duty is a privilege without entitlement and is regulated and administered by the department.

DEFINITIONS

City-Requested Off-Duty: Off-duty assignment for a city department paid at your overtime rate.

Off-Duty: Generic term referring to police work (traffic control and security) performed outside of regular police duties for compensation. Off-duty work can be performed for a private employer for an established rate or performed for the city for overtime. Off-duty work is optional and available to sworn personnel and PAs. PAs are limited to traffic control duties only.

Off-Duty Coordinator (ODC): SEU Supervisor.

- The ODC reviews requests for employment of off-duty personnel, oversees the assignment of off-duty personnel, and addresses any issues relating to off-duty employment.

Off-Duty Management System (ODMS): Computer application with a database of eligible employees used to process the filling and billing of off-duty jobs. Contains off-duty positions and contacts you via email or text message once you have logged in, applied for the job, and are given the off-duty position.

- SEU and the Police Technology Section (PTS) maintain the database and program.

Off-Duty Officer-in-Charge (OIC): Ranking supervisor or senior officer per shift/per assignment. The off-duty OIC is responsible for administrative matters related to the assignment.

- Watch commanders are responsible for the functional supervision of police-related off-duty assignments occurring during their watch.

Off-Duty Rate: Hourly rate of pay paid to off-duty officers and PAs by private employers as specified in the Off-Duty Letter of Agreement. The off-duty rate is set through the annual city budget process.

Outside Employment: Not the same as off-duty employment. *See* General Order (GO) [2020/Outside Employment](#).

Regular Off-Duty: Off-duty work coordinated by SEU and paid by a private employer at a predetermined rate.

Special Event Overtime: Off-duty position assigned to traffic control at a special event designated by the city to receive assistance from the Event Traffic Control Subsidy Account. The city pays overtime to Police Officers and PAs assigned to these positions.

Special Event Unit (SEU): Unit within the Traffic Enforcement Section (TES) that coordinates and tracks off-duty employment, special events, and outside employment for the department.

Special Event Unit (SEU) Specialist: Employee who processes and fills off-duty requests, maintains off-duty records, and assists the ODC.

Standing Off-Duty: Off-duty work for the same employer for an extended or continuous duration. The ODC may delegate scheduling responsibilities to an OIC who then becomes the standing off-duty OIC for that specific employer.

Standing Off-Duty Officer-in-Charge (OIC): Officer in charge of scheduling for a specific standing off-duty job.

ELIGIBILITY

OFFICER or PA ELIGIBILITY – You are eligible to work off-duty if you:

1. Do not have a significant performance issue and are not on a Performance Improvement Plan (PIP).
2. Have completed field training six months before requesting approval for off-duty employment.
 - Exceptions for laterals can be made if approved by their chain of command.
3. Complete the Request for Approval of Off-Duty Employment form, have it approved by your chain of command, and ensure it is received by the Police Personnel Division (PPD) and SEU.
 - Occasionally you will be required to complete a new Request for Approval of Off-Duty Employment form if there are substantive changes to the form or it is in the best interest of the department.
4. Complete IRS Form W-9 (only required for regular off-duty).

5. Are ordered and otherwise required to work an overtime position (city requested off-duty or special event overtime) even if you have not met the eligibility requirements of #2. and #3. above.

REVOCAATION – You may have your off-duty privileges revoked:

1. For poor job performance at an off-duty job.
2. If off-duty employment negatively impacts your primary job.
 - Indicators of negative impact include, but are not limited to, low productivity, sick leave abuse, or frequent tardiness.
3. For failing to turn in required off-duty paperwork in a timely manner.
4. For other off-duty employment-related issues.

REINSTATEMENT – Employees with revoked off-duty privileges may reapply for off-duty employment once all issues are resolved to the satisfaction of their chain of command and the ODC.

ADMINISTRATION

The **ODC** oversees the initial approval, continuation, or revocation of off-duty employment privileges.

PROCESSING OFF-DUTY REQUESTS

1. The ODC and SEU Specialist process all requests for off-duty officers and PAs.
2. **Outside Employers** – Off-duty requests from outside employers are not filled until SEU receives the following:
 - a. A completed and signed Off-Duty Letter of Agreement.
 - The agreement explains conditions of employment, insurance requirements, workers' compensation requirements, and compensation rates.
 - An Intergovernmental Agreement (IGA) may be used in lieu of an Off-Duty Letter of Agreement when SPD officers work off-duty for another jurisdiction.
 - b. A valid certificate of insurance, including workers' compensation, with appropriate levels of coverage.
 - For an additional hourly fee, the insurance requirement may be waived. The appropriate section of the Off-Duty Letter of Agreement must be initialed for this waiver option.

3. **City Departments** – Off-duty requests from other city departments are filled as soon as practical and are paid at an overtime rate by the other city department. An Off-Duty Letter of Agreement is not required.
4. When multiple employees are needed, the ODC determines the need for one or more supervisors. The ranking supervisor or senior officer per shift/per assignment is the OIC and is responsible for administrative matters related to the assignment. Watch Commanders are responsible for the functional supervision of all police-related off-duty assignments occurring during their watch.
5. Officer positions are filled by officers and supervisor positions are filled by supervisors. If no officer is available to fill an officer position, a supervisor may be assigned to an officer position and paid at the officer rate. If no supervisor is available to fill a supervisor position, an OIC may be assigned to a supervisor position and paid at the supervisor rate.
6. Employer requests for specific employees are only honored if doing so is in the best interest of the department.
7. Reserve officers may only be used for off-duty employment when all attempts to fill the request with Police Officers or PAs have failed.

OFF-DUTY EMPLOYMENT RESTRICTIONS

1. Off-duty employment is prohibited:
 - a. Outside city limits unless approved by the Uniformed Services Bureau (USB) Assistant Chief.
 - b. For businesses where the department exercises supervisory or regulatory functions, such as a pawnshop or bingo hall.
 - c. For any type of out-call service, sexually oriented business, or other business with a sexual connotation, or any activity that would discredit you or the department.
 - d. At a medical marijuana dispensary or other locations related to a medical marijuana dispensary including, but not limited to, off-site cultivation and storage locations.
2. Off-duty employment may be permitted at a bar or restaurant where liquor is served only if approved by the USB Assistant Chief and only under the following circumstances:

- a. Employment is limited to outside security and crowd/traffic control.
- b. The employer will not put officers in a position to determine who is or is not admitted, served, or ejected.

FILLING OFF-DUTY REQUESTS and using the OFF-DUTY MANAGEMENT SYSTEM (ODMS)

1. ODMS is used to fill routine and city-requested off-duty positions. Urgent and last-minute off-duty requests are filled by text or email. You may log into the program through any computer or phone application.
2. Employees approved for off-duty employment have the option of being activated or deactivated in ODMS at any time.
3. Jobs are entered into ODMS as they come in. If the request has a short turnaround time from the start of the job, an email is sent to officers or PAs, asking to check ODMS. The number and email you provided are contacted if you are approved for the job.
 - If approved for the assignment, the job description and contact information is available in the ODMS job description section.
4. If more than one position is being filled for the same assignment, SEU picks by seniority and the number of jobs officers take in the system.
5. If you opt to participate in ODMS, it is your responsibility to inform SEU.

OFF-DUTY EMPLOYER PAYMENT

1. SEU bills regular off-duty employers as soon as all billing has been submitted and makes reasonable efforts to ensure you are promptly compensated for the services provided, including assessing late fees payable to you as the affected employee.
2. If the ODC is unable to secure payment, affected employees are required to seek their own legal remedies.

COMPLAINTS on PERSONNEL

1. Allegations of employee misconduct while working off-duty are resolved as outlined in the GO chapter [1400/Internal Affairs](#).
2. Your regular duty chain of command remains in effect for

complaints received while working in an off-duty capacity.

**GENERAL REQUIREMENTS
for OFF-DUTY OFFICERS and
PAs**

OFF-DUTY RESTRICTIONS

1. Do not engage in off-duty employment while on transitional duty, sick leave, or suspension from the city without special permission from the Office of the Chief.
2. Adhere to the requirements for consecutive hours worked outlined in GO [2303/Workweeks/OVERVIEW](#).
3. You cannot use vacation or compensatory time while at the same time earning overtime.
 - You may use vacation time or compensatory time while earning regular off-duty pay.
 - On your regularly scheduled days off, you may earn overtime for city-requested off-duty and special event overtime.
4. You are first required to fulfill your duties and responsibilities as a city employee. Report any requests by an off-duty employer that may conflict with the department GOs, Operations Orders, or other written directives to the ODC or a department supervisor.
5. Changing your regular workdays to accommodate an off-duty assignment is discouraged and otherwise prohibited unless approved by your regular supervisor.
6. You may be required to report for duty from an off-duty assignment to meet the basic requirements for police service.
7. Whenever possible, you cannot be on-call while working an off-duty assignment, including standing off-duty assignments. Exceptions may be made with approval from the ODC and your regular supervisor.
8. When you accept an off-duty assignment, you must be able to work the entire off-duty assignment duration. You cannot accept an off-duty assignment to give it, or a portion of it, to another employee.
9. You cannot be involved in pictures or advertising of commercial products or candidates for public office when identifiable as a Scottsdale police employee.
10. Federal and state regulations require you to report off-duty employment income.
11. Do not accept cash payment for off-duty employment.

12. Do not accept payment at the end of a regular off-duty shift unless authorized by SEU. SEU is responsible for billing regular off-duty employers.
13. The standing off-duty OIC arranges payment for standing off-duty. Cash payment is prohibited.

ATTENDANCE at OFF-DUTY ASSIGNMENTS and NOTIFICATION of NON-ATTENDANCE

1. Attendance requirements at off-duty assignments are the same as reporting for a scheduled duty shift.
2. If you accept an off-duty assignment and then become unavailable:
 - a. In most circumstances, you should find your own replacement. Ensure your replacement is authorized to work off-duty and notify SEU of your replacement by phone or email. Otherwise, contact SEU and advise a replacement is needed.
 - b. If the need for replacement is an emergency, such as illness or other exigent circumstance, and SEU is not available; contact the off-duty OIC, station personnel, or an on-duty supervisor in the affected district and request a replacement.
 - The reason for replacement must be a valid emergency and equal to those for normal duty replacement.
 - Notify SEU by phone or email of the change and name of the replacement, if known.
3. The ODC notifies Internal Affairs (IA) when you are absent without leave or unreasonably late for an off-duty assignment.
 - a. IA forwards a short form document to your regular duty supervisor.
 - b. Your supervisor handles the incident in the same manner as missed court or missed training. *See* GO chapter [2500/Disciplinary Procedure](#).
 - c. Absent mitigating circumstances, failure to appear for an off-duty assignment will result in the following progressive discipline:
 - First offense – Verbal counseling and a 30-day suspension from off-duty.
 - Second offense within one year – Letter of Counseling and a 90-day suspension from off-

duty.

- Third offense within one year – Letter of Reprimand and a 6-month suspension from off-duty.

APPEARANCE, ATTIRE, and REQUIRED EQUIPMENT

1. Wear the standard police uniform as outlined in GO [2112/Uniform Regulations](#) for off-duty assignments, unless otherwise approved by the USB Assistant Chief.
2. When an off-duty assignment requiring non-uniformed attire is approved by the USB Assistant Chief, dress appropriate to the duties required.
3. Specialty unit employees may wear their unit uniform when performing their specialty unit function at an off-duty assignment.
4. You must have reasonable access to all equipment necessary to perform your police duties. This includes a traffic vest and flashlight.
5. Only use City of Scottsdale vehicles at off-duty assignments after receiving approval and authorization from SEU.
 - The USB Assistant Chief approves any exceptions prior to the off-duty assignment.

COMMUNICATION and TIMESHEET REPORTING

1. Off-duty assignments are distributed on the city email system. You are required to check your email in a timely manner to obtain off-duty assignments.
2. When reporting for an off-duty assignment, contact Communications and notify them of the location, start time, and end time.
3. Officers and PAs must complete the Off-Duty/Special Event Timesheet and Daily Recap form for all off-duty jobs. For off-duty jobs paid at an overtime rate, enter overtime information into WebTime for payment.

ENFORCEMENT ACTION, PROBLEMS, and EXCEPTIONAL INCIDENTS

1. You are expected to take appropriate enforcement action for incidents that occur while working off-duty. Patrol personnel should handle enforcement action not related to off-duty employment whenever possible.
 - a. If the enforcement action is related to off-duty employment, complete all required paperwork.

- b. If enforcement action involves leaving the event or area of employment, such as booking a prisoner, advise the off-duty supervisor/OIC and do not charge the employer for this time because you are considered on-duty, so overtime applies.
 - c. Charge overtime to your assigned cost center number and document the report number in WebTime. If you return to the off-duty job, overtime ends and the off-duty time resumes.
2. Report problems or exceptional incidents to the Watch Commander.

SPECIAL EVENT OFF-DUTY

1. The ODC fills off-duty positions at large special events. Command positions are city paid unless otherwise stated.
2. When positions at an event are ready to be filled, the ODC sends an email to all police employees requesting a reply from those interested in working the event.
 - a. The ODC provides information about the event including whether positions are paid at the off-duty rate or as overtime.
 - b. Under normal circumstances, employees have at least ten days to respond. For late requests from employers or last-minute vacancies, positions may be filled on a first response basis.
 - c. Positioning within an assignment is at the ODC's discretion and is usually based on seniority, expertise, and continuity.
3. Employees who apply for an event are required to check their email for the event roster to see if they are assigned to the event.
4. Specialty units may be assigned to large events as part of their regular workweek at the discretion of the commander, or designee.
5. When a special event is large enough to require an event commander (usually filled by a lieutenant), the event commander completes an After Action Report. *See* [GO 3001/Reporting](#).

STANDING OFF-DUTY

1. A regular off-duty job can become a standing off-duty job if

the off-duty employer needs officers for an extended or continuous duration. The ODC, with approval of the off-duty employer, may designate a regular off-duty job as a standing off-duty job.

2. The ODC, in conjunction with the off-duty employer, determines a standing off-duty OIC based on the following considerations:
 - a. Interested officers with experience working at the off-duty job or for the off-duty employer.
 - b. Officer seniority.
 - c. On-duty and off-duty performance. (Officers not currently serving as standing off-duty OICs are given priority.)
 - d. Regular days off.
3. If a standing off-duty OIC is no longer willing or able to perform the duties, the ODC selects a new standing off-duty OIC based on the above considerations.
4. The standing off-duty OIC:
 - a. In accordance with the guidelines of this chapter, is responsible for daily scheduling, routine administrative issues, arranging for payment of standing off-duty employees, and communicating problems or significant issues to the ODC. (SEU is responsible for acquiring and maintaining the off-duty contract and insurance.)
 - b. Must fairly distribute standing off-duty positions among interested and qualified employees.
 - c. Must submit a Standing Off-Duty Monthly Report to SEU within fifteen days after the end of the month. Each officer's Off-Duty/Special Event Timesheet and Daily Recap form must be attached to the monthly report.
5. If you work a standing off-duty job, complete the Off-Duty/Special Event Timesheet and Daily Recap form and submit it to the standing off-duty OIC. The OIC must receive all timesheets by the end of each month.

SCHOOL OFF-DUTY

1. School off-duty is considered a standing off-duty job for the school. The School Resource Officer (SRO) assigned to the school is the standing off-duty OIC and has the same

responsibilities and requirements as stated in the STANDING OFF-DUTY/[#4](#), section above.

2. The SRO is responsible for working with school staff to ensure an adequate number of officers are present at school events. Sporting events with rival schools may require additional personnel.
3. A supervisor is required for every three officers.
 - If a school event needs to be staffed by four or more officers, then the SRO must find a supervisor.
 - If a supervisor is not available, with School Resource Unit (SRU) Supervisor approval, the SRO may be the event supervisor and paid at the supervisor rate.
 - If three or fewer officers are required, the SRO is always the OIC for the school event regardless of officer seniority.
4. If you work a school off-duty job, complete the Off-Duty/Special Event Timesheet and Daily Recap form and submit it to the SRO.
 - The SRO must receive all timesheets by the end of each month.

