

SEMINOLE COUNTY SHERIFF'S OFFICE GENERAL ORDER	NUMBER: G - 31
	RESCINDS:
SUBJECT: Outside Employment	
EFFECTIVE: November 14, 1994	
REVISED: November 27, 2023	

Table of Contents:

- I. Purpose
- II. Policy
- III. Forms
- IV. Definitions
- V. Governing Laws/Regulations
- VI. General Conditions
- VII. Types of Employment Not Permitted
- VIII. Outside Employment (Non Enforcement)
 - A. General Conditions
 - B. Outside Employment - Time Restrictions
 - C. Outside Employment - Teaching Positions
 - D. Self-Employment /Employees Starting their own Business
 - E. Violations of Outside Employment Policies
- IX. Courtesy Deputy (Enforcement)

I. PURPOSE:

The purpose for this General Order is to provide guidelines for the approval and management of outside employment.

II. POLICY:

It is the policy of the Seminole County Sheriff's Office to allow employees, subject to approval by a Chief, to engage in outside employment that do not interfere or conflict with the employees' primary duties and responsibilities with the Sheriff's Office, that is not in violation of any federal, state, or county law, or Sheriff's Office General Orders and would not cause embarrassment to or detract from the reputation of the Sheriff's Office. Outside employment is a privilege and the Sheriff or his designee may revoke, deny, or restrict outside employment if such action is deemed to be in the best interests of the Sheriff's Office. Certain circumstances outlined in this policy require the Sheriff's approval.

III. FORMS:

Outside Employment Request Form which is located on SCSONET under Human Resources.

IV. DEFINITIONS:

- A. *Courtesy Deputy:*
A Sheriff's Office employee with full law enforcement arrest powers who works security and resides at an apartment or condominium complex in exchange for free or reduced rent. Law Enforcement personnel requesting to provide security services in exchange for reduced or free rent must complete an "Outside Employment Request Form" and must receive command approval prior to signing a lease/rental agreement.
- B. *Employee:*
For the purposes of this General Order, an employee is defined as any full-time employee of the Sheriff's Office whether civilian, certified, or sworn.
- C. *Employer (Outside Employment):*
A business, individual, or governmental agency who desires to hire a Sheriff's Office employee (civilian, sworn, or certified) as a part time employee or independent contractor and who does not require law enforcement powers or the use of Sheriff's Office equipment and uniforms as a condition of employment.
- F. *Outside Employment:*
Employment by a business, individual, governmental agency or self-employment in which law enforcement powers are not a condition of employment and which requires no real or implied law enforcement service to the outside employer. The term "outside employment" shall also include serving as an employee, officer, director, or manager of any corporation, not-for-profit organization, or limited liability company regardless of whether the employee receives wages or other financial benefit. Outside employment is secondary employment to that of the Sheriff's Office and within the guidelines of this General Order, is available to all eligible employees of the Sheriff's Office.

V. GOVERNING LAWS / REGULATIONS:

- A. *Section 112.313, Florida Statutes:* Establishes standards of conduct for public officers and employees of governmental agencies and as such prohibits the following:
1. Employees acting in a private capacity from renting, selling or leasing any realty, goods or services to their employer except as specifically authorized within Section 12 of this statute.
 2. No public officer or employee shall have or hold any employment or contractual relationship which is subject to the regulation of, or is doing business with, the Sheriff's Office.
 3. No public officer or employee shall have or hold any employment or contractual relationship that will create a continuing or frequently occurring conflict between his/her private interests and the performance of his/her duty as an employee of the Sheriff's Office or that would impede the full and faithful discharge of his/he public duties.
- C. *Section 205.053, Florida Statutes:* Requires any person who engages in or manages a business, occupation or profession to obtain a local business tax receipt (formerly referred to as a business / occupational license) in accordance with local ordinances/laws unless exempted.
- D. *Section 561.25, Florida Statutes:* Prohibits Sheriffs and their Deputies from engaging in the sale and service of alcoholic beverages under the beverage law, from being employed, directly or indirectly, in connection with the operation of any business licensed under the beverage law, or owning any stock or interest in any firm, partnership, business or corporation dealing wholly or partly in the sale or distribution of alcoholic beverages except as provided for within the statute.

1. This Statute does not prevent Deputies from being employed in businesses which have obtained licenses only to sell beer and/or wine for consumption off premises, however, the approval of the Sheriff or his designee must be obtained for any such employment.
 2. The statute also permits Deputies to be employed as an entertainer(s) and to render security services when off duty in any business establishment licensed under the beverage law to sell beverages, provided that approval is granted by the Sheriff or his designee.
- E. *Section 648.44(2)(D), Florida Statutes:* Prohibits Sheriffs, Deputy Sheriffs and employees of the Sheriff Office from being bail bond agents, temporary bail bond agents, employees of a bail bond agent or bail bond business and from receiving either directly or indirectly any benefits from the execution of a bail bond.
- F. *Article 7, Section 10 of the Florida Constitution:* Prohibits State of Florida governmental entities from giving, lending or using their taxing power or credit to aid any corporation, association, partnership or person.

VI. GENERAL CONDITIONS:

- A. The ability to work outside employment while employed by the Sheriff's Office is considered a privilege and is not an employment guarantee. Employees must obtain written permission using prescribed forms via the chain of command to engage in outside employment and must be considered eligible.
- B. Outside employment is secondary employment to that of the Sheriff's Office and within the guidelines of this General Order, is available to sworn, civilian, and certified employees occupying full time positions with the Sheriff's Office.
- C. Participation in outside employment is strictly voluntary, and Sheriff's Office employees are not required to work outside employment or become a courtesy officer as a condition of employment with the Sheriff's Office.
- D. Employees who are approved to work outside employment are responsible for the payment of all taxes incurred on income earned, and for meeting any local business license requirements.
- E. All employees, including those working approved outside employment, are subject to recall by the Sheriff's Office if such action is deemed necessary by competent authority.
- F. Employees receiving approval for outside employment may not solicit or receive business from the Sheriff's Office, unless specific conditions identified in Section 112.313 Florida Statutes, are met and approved by the Fiscal Services Director.

VII. TYPES OF EMPLOYMENT NOT PERMITTED:

Employees may work outside employment when it presents no potential conflict of interest between their duties as a Sheriff's Office employee and the duties required by an outside employer. Employment involving potential conflicts of interests is prohibited, whether or not compensation is received. Examples of prohibited employment include, but are not limited to the following:

- A. Outside employment that has not been reviewed and approved via the chain of command.
- B. Outside employment which requires the employee to formally or informally endorse any product or service without prior approval from the Sheriff.

- C. Working as a private Detective or conducting background investigations which might require access to non-public law enforcement databases including criminal history information, confidential records, or files as a condition of employment. This includes investigative work for attorneys, insurance companies, collection agencies, private security firms, or related businesses.
- D. Working as a process server, bill collector, bar bouncer, re-possessor of vehicles or other property, or any similar employment in which an employee might be expected to exercise their position with the Sheriff's Office to an employer's benefit.
- E. Outside employment jobs which require wearing clothing (uniforms or civilian attire) bearing Sheriff's Office insignia unless eligible as provided in this general order.
- F. Assisting (in any manner) with the case preparation of the defense in a criminal action.
- G. Employment for a business, whose primary purpose is to provide entertainment or services of a sexual nature, or the sale or rental of pornographic media, books, magazines, or sexual devices.
- H. Employment directly or indirectly involving bail bond agencies or bail bond activities.
- I. Employment prohibited by Section 561.25, Florida Statutes, which includes engaging in the sale of alcoholic beverages or being employed directly or indirectly, with or without compensation, in connection with the operation of any business licensed under the beverage law unless otherwise permitted by statute.
- J. Any employment which may adversely affect the performance of official duties, create a conflict of interest, ethical violation, or violation of an ordinance or state statute, or negatively reflect on the organizational philosophy, mission, values, or canon of ethics of the Sheriff's Office.

VIII. OUTSIDE EMPLOYMENT (NON-ENFORCEMENT):

A. *General Conditions:*

- 1. All Sheriff's Office full time employees (civilian, sworn, certified) are eligible to obtain approval to work outside employment that complies with the guidelines set forth in this General Order.
- 2. Employees must submit an Outside Employment Request Form through their chain of command to their Chief for approval prior to beginning employment.
- 3. Employees authorized to work outside employment, excluding authorized teaching positions, may not use agency equipment (including vehicles) or wear their Sheriff's Office uniform (including polo shirts/t-shirts bearing the Sheriff's Office name or star) while engaging in outside employment.
- 4. Outside employment may be terminated by the employee's Captain or higher when it is determined that the employment has an adverse effect on the mission of the Sheriff's Office, or upon the employee's work assignment.
- 5. Employees on approved Family Medical Leave, restricted duty, suspension with/without pay, in a trainee status, or employees who are receiving Workers' Compensation, must immediately notify the Human Resources Director for a determination as to how their employment status in the aforementioned circumstances impacts their ability to work outside employment.
- 6. Employees with a specified training program are prohibited from working outside employment

until such a time that they have completed the established training program. Exceptions may be made by the Sheriff.

7. Employees who serve as officers of a not-for-profit organization as a Sheriff's Office representative are not required to complete an Outside Employment Request Form.
9. Employee who works in a family-owned business (whether paid or unpaid), must complete the Outside Employment Request Form.

B. *Outside Employment - Time Restrictions:*

1. Employees working approved outside employment may not work more than thirty (30) hours during a seven day work period without first receiving approval from their Lieutenant/Manager or higher ranking supervisor.
2. Employees working approved outside employment are required to have a rest period of eight consecutive hours prior to coming to work for the Sheriff's Office.

C. *Outside Employment – Teaching Positions:*

1. Teaching positions are considered non-enforcement related outside employment.
2. Employees teaching law enforcement related subjects, techniques, or equipment for private businesses for compensation must wear business or other appropriate attire and must communicate to students on the first day of class that the Seminole County Sheriff's Office does not endorse products or services and that the opinions and preferences of the employee acting as the instructor are strictly their own. Sheriff's Office equipment may not be utilized unless specifically authorized and if authorized, vehicle/administrative rates shall be applicable.
3. Employees approved to teach at Florida Department of Law Enforcement (FDLE) approved training academies operated by the State Colleges or Criminal Justice Institutes are exempt from the requirements of this Section, but are reminded that they are representing the Sheriff's Office and will conduct themselves professionally at all times as their actions directly reflect upon the Sheriff and the Sheriff's Office. Uniforms may be worn and equipment utilized as approved by the Sheriff or his designee.
4. When teaching during an employee's normal working hours, employees must use personal time off and obtain supervisory approval. The flexing of an employee's schedule to accommodate paid teaching assignments is not permitted.

D. *Self-Employment/Employees Starting Their Own Business:*

1. All Sheriff's Office full time employees (civilian, sworn, certified) must obtain approval to start their own business or be a principal in a business. The business must be in compliance with the guidelines set forth in this General Order. Approval shall be requested by submitting an Outside Employment Request form via the chain of command to the Sheriff for approval.
2. Employees authorized to own a business or act as a principle in a business are prohibited from using agency equipment, agency resources, or wearing the Sheriff's Office uniform (including polo shirts/t-shirts bearing the Sheriff's Office name or star) while engaging in business activities.

E. ***Violations of Outside Employment Policies:***

Failure to abide by the conditions set forth herein concerning Outside Employment may result in the employee no longer being allowed to participate in the outside employment in question and also being subject to progressive disciplinary action up to and including termination as set forth in General Order #35.

IX. *COURTESY DEPUTY (ENFORCEMENT):*

- A. A Deputy Sheriff, utilizing the Outside Employment Request Form, must be approved by the chain of command to accept a Courtesy Deputy position, and may not sign any lease or rental document which requires the employee to perform residential security service in exchange for offsetting all or a portion of rent/lease housing costs or expenses without first obtaining such approval.
- B. A Deputy Sheriff may only work as a Courtesy Deputy for a housing development located in Seminole County, and the Deputy Sheriff must reside in the housing development. A Deputy Sheriff approved to serve as a Courtesy Deputy must immediately notify the Human Resources Division if he/she moves out of the housing development.
- C. With the exception of Deputy Sheriffs who have not successfully completed the SNP field training program, all Sheriff's Office full time Deputy Sheriffs with full arrest powers are eligible to apply for Courtesy Deputy positions that are advertised by the Human Resources Division.

Exception: Deputy Sheriffs in SNP field training may be permitted to continue providing security services in exchange for living accommodations if they held a previous law enforcement sworn position in Seminole County and the Courtesy Deputy assignment was approved by the prior employing agency. An Outside Employment Request Form must be immediately submitted upon employment for approval. Enforcement personnel are responsible for notifying the housing unit employer that their request is under review.

- D. A Deputy Sheriff is not authorized to solicit a Courtesy Deputy position from a housing development on his/her own behalf, and should refer all requests for Courtesy Deputies to Human Resources.
- E. A Deputy Sheriff on approved Family or Medical Leave (where the employee, not a family member is on leave), on restricted duty, taking sick leave, on suspension with or without pay, or who is on Workers' Compensation, is prohibited from engaging in physical activities pertaining to his/her responsibilities as a Courtesy Deputy without the written approval of the Human Resources Director or their Captain, dependent upon the specifics of the situation.
- F. A Deputy Sheriff acting as a Courtesy Deputy may not work a combination of regular, overtime, and housing security hours exceeding sixteen (16) hours in any rolling 24-hour period. Conversely, a Deputy Sheriff must have a rest period of eight (8) consecutive hours during the same 24-hour period.
- G. A Deputy Sheriff acting as a Courtesy Deputy may not work more than thirty (30) hours during a seven day period.
- H. A Deputy Sheriff receiving benefits in the form of reduced or free rent for performing Courtesy Deputy residential security services is responsible for any tax implications associated with receiving these benefits.
- I. A Deputy Sheriff acting as a Courtesy Deputy is not required to pay the Sheriff's Office equipment use/administrative rate.

- J. A Deputy Sheriff acting as a Courtesy Deputy is required to notify the appropriate District Commander of any incidents of significance occurring within the housing complex.