



## Davidson Police Department Off-Duty Regulations

### **A. NOTICE TO EMPLOYERS**

*An off-duty officer is subject to all Davidson Police Department policies. An employer has no authority over police personnel and is restricted to providing only a general assignment of duties to be performed by the officer.*

**An off-duty officer must confine their duties to those of a law enforcement nature. Officers cannot enforce the rules and regulations of the employer that are not otherwise a violation of law.**

1. An off-duty officer does not have the same authority over private property that the employer or the employer's employees possess. The officer's authority is limited **ONLY** to any breach of the peace or violation of law.
2. An off-duty officer will not regulate entry into a facility or venue, *other than assisting event traffic entering and departing from an employer's parking facility.*
3. An off-duty officer will not check identification and/or entry tickets, operate metal detectors or perform searches of people coming into a business or event. An Off-duty officer will not question persons about the validity of their presence within a business or venue, or ask persons to leave a business or venue without such request first being made by the employer or designee, **AND** the employer/designee is present that has already asked the person to leave.
4. An off-duty officer will not conduct, or cause to be conducted **ANY** record check of any individual unless that record check is designed to uncover a violation of law.
5. An off-duty officer will not initiate or otherwise authorize the towing of any vehicle from private property unless that vehicle is stolen *or is parked in such a manner as to be a safety hazard to the public.*
6. Employers are responsible for maintaining records of each off-duty officer's hours and shall make those records available for review by a designated representative of the Davidson Police Department during business hours.
7. A designated representative of the Davidson Police Department may make periodic inspections of off-duty employment jobs. If any job is discovered to be using an officer for duties not of a law enforcement nature, the permit for that job will be suspended immediately and officers will no longer be able to be employed by that employer.

**Any deviation from the restrictions imposed above must be outlined in writing and formally approved in writing by the Off-Duty Employment Coordinator.**

## **B. RATE SCHEDULE**

### **Rank-Minimum Rate\***

Officer / Security \$30.00 / hour

Officer / Traffic \$30.00 / hour

Supervisor/ Sgt. \$35.00 / hour

DPD reviews the minimum rate annually, and any rate change will take effect on July 1 of the calendar year.

*\*An employer may compensate an off-duty officer at a higher rate at their discretion. DPD officers cannot negotiate rates with an employer. Any rate paid to any officer that exceeds the minimum rate must be approved by the Off-Duty Employment Coordinator, in writing.*

## **C. COMPENSATION**

An off-duty officer works for the employer as a sub-contractor. The employer is responsible for paying the officer directly. The employer must specify in the application the procedure that the officer should follow to receive payment, including any tax forms that must be completed.

## **D. MARKED POLICE VEHICLE**

### **Rate - \$10/hour**

An employer may request that the officer bring a marked Davidson police vehicle for the job. The Off-Duty Employment Coordinator will determine if the use of a police vehicle is appropriate for the job. There is a \$10.00 per/hour charge for the use of a police vehicle if it is approved. Even if a job is approved for a marked police vehicle it cannot be guaranteed that one will be available for use.

## **E. STAFFING REQUIREMENTS**

The Off-Duty Employment Coordinator will review each application to determine the correct staffing level; staffing levels are based upon a variety of factors, to include, but are not limited to, the following: estimated attendance, the sale and/or consumption of alcoholic beverages on the premises, previous event history, physical layout of the site, traffic and/or parking issues, and general crime trends in the vicinity.

Jobs that require more than four (4) officers will require a supervisor. Additional supervisors may be required for certain large jobs. A supervisor may be required for certain jobs regardless of the number of officers required for the job.

## **F. CANCELLATION PROCEDURES**

Cancellation by an employer must be made at least 24 hours before the assignment begins. If the Off-Duty Employment Coordinator receives less than a 24-hour notice from the employer, and is unable to contact an officer scheduled to work, the employer will be required to pay the officer assigned to the job for four hours of pay at the minimum rate.

The Off-Duty Employment Coordinator may be contacted during business hours (Monday – Thursday 8am – 4pm) at 704-892-5131. You may also notify the Off-Duty Employment Coordinator by email at: [mwaller@townofdavidson.org](mailto:mwaller@townofdavidson.org)

After business hours and on weekends, make notification by contacting the on-duty Sergeant at 704-892-5131 and press option 2. You must speak to the Sergeant—leaving a voice message will not suffice for notification.

It is the responsibility of the employer to notify the Off-Duty Employment Coordinator if the business or organization will be closed for a holiday or for any other purpose when off-duty officers are normally scheduled. If the employer fails to notify the Off-Duty Employment Coordinator that a scheduled officer is not needed that day, the four-hour minimum charge will apply.

## **G. FILLING ASSIGNMENTS**

**Off-duty employment is voluntary and worked on an officer's time off from the police department. Therefore, it can never be guaranteed that an off-duty assignment will be filled. An employer should request notification, or check with the Off-Duty Employment Coordinator to make sure the job is filled.**

**When an employer submits a request for an off-duty job, it is understood that ANY officer may, in fact, work the job.**

Under extraordinary circumstances, an off-duty officer may be activated to an on-duty status and pulled away from their off-duty assignments. The priority of Davidson Police Officers is their full-time assignment within the Davidson Police Department and any obligations, such as call-back or court that accompanies their DPD responsibilities.

If this occurs the officer should ensure that the employer is notified. The employer is only obligated for that amount of time worked, rounded up to the nearest quarter hour (i.e., 75 minutes = \$30/hour + \$7.50/15 minutes = \$37.50)

## **H. OFFICER NOT REPORTING FOR OFF-DUTY JOB**

If an officer is scheduled to work and fails to report, the employer should notify the Off-Duty Employment Coordinator at 704-892-5131. After business hours or on weekends notify the on-duty Sergeant at 704-892-5131 and select option 2. You may also notify the Off-Duty Employment Coordinator by e-mail at [mwaller@townofdavidson.org](mailto:mwaller@townofdavidson.org)

## **I. SCHEDULED HOURS CHANGED**

The Off-Duty Employment Coordinator will try to accommodate schedule change requests if made more than 24 hours prior to the time of the event /job.

## **J. MINIMUM HOURS FOR ASSIGNMENT**

Officers will be compensated at the agreed upon rate for a minimum of (4) hours, even if the assignment is less than (4) hours.