



Secondary Employment Agreement New Request

EMPLOYER ACKNOWLEDGEMENTS:

A. NOTICE TO EMPLOYERS

Off-duty officers are subject to Charlotte-Mecklenburg 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.

Officers 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.

Officers do not have the same authority over private property that the employer or the employer's other employees have. The officer's actions are limited ONLY to any breach of the peace or violation of law.

Officers will not regulate entry into a facility or venue; officers will not check identification and/or entry tickets, operate metal detectors or perform searches of people coming into a business or event, question persons about the validity of their presence within a business or venue, or ask persons to leave a business or venue without an employee being present that has already asked the person to leave.

Officers will not make ANY record check of any individual unless that record check is designed to uncover a violation of law.

Officers will not initiate or otherwise authorize the towing of any vehicle from private property unless that vehicle is perceived to be more likely than not stolen.

Employers are responsible for maintaining records of each officer's hours and shall make those records available for review by CMPD representatives during business hours.

CMPD representatives will make periodic inspections of secondary employment jobs. If any job is discovered to be using officers 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 Secondary Employment Commander.****

☐ I have read and understand Section A.

B. RATE SCHEDULE

Rank	Off-Duty Minimum Pay Rate*
Officer	\$50.00 / hour
First Level Supervision	\$58.00 / hour

For venues, festivals, or events with 11,000 or more expected attendees within 24 hours or using 25 or more officers within 24 hours, a Special Events Rate shall be paid. The rate will be 1.5 times the off-duty minimum. This Special Events rate is non-negotiable for either party. Contact Secondary Employment Unit directly if your requested job falls under this category.

CMPD reviews the rate annually, and the rate is based upon the average officer salary per rank. CMPD reserves the right to change any rates at any time; however, every effort will be made to ensure that CMPD gives employers advance notice of any rate change.

**** Employers may compensate officers at the minimum rate or higher at the employers discretion. CMPD officers cannot negotiate rates with an employer; any rate paid to any officer that exceeds the minimum rate must be approved by the Secondary Employment Unit.***

Holiday Rates may equal to one and a half the minimum secondary employment rate per rank and will take effect for those jobs / events associated with a Charlotte Department of Transportation Permit on certain holidays. The holidays in question are:

- | | | | |
|--------------------|------------------------------|-----------------|------------------|
| • New Year's Day | • Martin Luther King Jr. Day | • Good Friday | • Memorial Day |
| • Juneteenth | • Independence Day | • Labor Day | • Veterans Day |
| • Thanksgiving Day | • Christmas Eve | • Christmas Day | • New Year's Eve |

☐ I have read and understand Section B.

C. COMPENSATION

All off-duty for CMPD will be scheduled and paid through the online PowerDetails platform. However, there are two exceptions for paying in PowerDetails (scheduling will still be done in PowerDetails):

- The off-duty employer hires the officer as an employee (withholds taxes and provides a W-2 for taxes) or,
- The off-duty employer pays the officers the day of the job (cannot be the next day).

The new system accepts payments in two forms, ACH and credit card.

- The system is set up for weekly invoices. All jobs for each location or account will be included on one invoice. When the off-duty employer pays the invoice, the money from that invoice will be routed to all of the officers listed on the invoice.

The employer must specify in the application the procedure that the officer (s) should follow to receive payment, including any tax forms that must be completed. The employer agrees not to withhold payment, or require officers to sign any contracts or forms that were not submitted at the time of application.

☐ **I have read and understand Section C.**

D. MARKED POLICE VEHICLE

Employers may request that the officer bring a marked police vehicle for the job. The Secondary Employment sergeant will determine if the use of a police vehicle is appropriate for the job. There is no extra 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 in an off duty job.

☐ **I have read and understand Section D.**

E. STAFFING REQUIREMENTS

The Secondary Employment Unit, along with the police personnel that command the Division in which the job is located, will review each application to determine the correct staffing levels; staffing levels are based upon a variety of factors, to include, but 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 (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. Larger venues may require the employment of Police Lieutenant(s), Police Captain(s) and/or a Police Major.

In cases where the employer underestimates the attendance of an event, a supervisor may call in additional on-duty officers for the event. The employer may be billed for the on-duty officers at the average on duty police officer cost per hour. This rate will be reviewed on an annual basis.

☐ **I have read and understand Section E.**

F. CANCELLATION PROCEDURES

Cancellations by the employer must be made at least 24 hours before the assignment begins. If the Secondary Employment sergeant receives less than 24 hour notice from the employer, and is unable to contact officers working the job, the employer will be required to pay the officers assigned to the job for three hours of pay at the minimum rate.

During business hours (Monday – Friday 8am – 4pm) contact the Secondary Employment Office at 704-336-3229. You may also notify us by email at secondaryemploymentadministration@cmpd.org.

After business hours and on weekends contact the Watch Commanders office at 704-336-3245.

It is the responsibility of the employer to notify the Secondary Employment Office 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 Secondary Employment Office that officers are not needed that day, the three-hour minimum charge will apply.

☐ **I have read and understand Section F.**

G. FILLING ASSIGNMENTS

Secondary employment is voluntary and done on an officer's time off from the department. Therefore, it can never be guaranteed that an off-duty assignment will be filled. The employer may request that a particular officer or officer(s) staff a job; however, whether this officer or officer(s) actually are employed at this job is at the discretion of the CMPD. When an employer asks to hire a CMPD officer, it is understood that ANY officer may in fact work the job.

Under extraordinary circumstances, off-duty officers may be activated to an on-duty status and pulled away from their off-duty assignments. The priority of CMPD officers is their full time assignment within the Police Department and any obligations, such as call-back or court, which come with their CMPD assignment.

☐ **I have read and understand Section G.**

H. OFFICER NOT REPORTING FOR OFF-DUTY JOB

If an officer is scheduled to work and did not report, the employer should notify the Secondary Employment Office at 704-336-3229. After business hours or on weekends notify the Watch Commanders office at 704-336-3245. You may also notify us by e-mail at secondaryemploymentadministration@cmpd.org.

☐ **I have read and understand Section H.**

I. SCHEDULED HOURS CHANGED

The Secondary Employment Sergeant will try to accommodate schedule change requests if made more than 24 hours prior to the time of the event /job.

☐ **I have read and understand Section I.**

J. MINIMUM HOURS FOR ASSIGNMENT

Officers will be compensated at the agreed upon rate for a minimum of (3) hours, even if the assignment is less than (3) hours.

☐ **I have read and understand Section J.**

K. JOB SITE COORDINATOR

If the requested job is longer than 30 days, a job site coordinator will be found and assigned. A "job site coordinator" is any full time sworn employee who schedules, manages, and coordinates other sworn employees working a specific secondary employment site, making secondary employment opportunities available to sworn employees on an equitable basis. Job site coordinators may be paid up to three (3) hours pay per week, for administrative time related to job coordination, billed to the employer.

☐ **I have read and understand Section K.**

L. CMPD FEE

A non-regulatory user fee to recoup the total costs associated with the secondary employment program. The fee is set annually through the City of Charlotte Budget appropriation and shall not exceed the total operating cost of the Secondary Employment Program.

- CMPD will collect a fee for every hour billed. The current fee is \$.50/hour. The CMPD fee must be paid by every employer in PowerDetails. This includes cash and W-2 employers.
- If a job is not paid through PowerDetails, the off-duty employer will be sent a weekly invoice for just the CMPD fee.

☐ **I have read and understand Section L.**

PROCEDURES FOR SECONDARY EMPLOYMENT APPLICATION

1. Acknowledge items A through K above and complete application below.
2. Applications can ONLY be accepted electronically.
3. Applications must be submitted no less than (5) days prior to the job.
Email: secondaryemploymentadministration@cmpd.org
4. Please explain the reason why you are requesting to hire an off-duty officer, the requested duties of the officer(s), and any other pertinent information in the narrative.
5. If you are hiring officers for a party or event, please provide a detailed description of the event, including the following information in the narrative:
 - Anticipated attendance
 - Band/entertainment scheduled
 - Advertising
 - Will alcohol be served
 - If applicable submit a copy of your ABC permit at the time of application.
6. Assistance for applications can be provided by calling the secondary employment office at (704) 336-3229, or by email at secondaryemploymentadministration@cmpd.org

Applications submitted without sufficient detail or the required payroll information will be rejected, and must be resubmitted with the required information.

The employer cannot retain the services of off duty CMPD officers until such time as this agreement is acknowledged by an authorized representative of the employer.



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Employer Information:

- Employer Name: _____
- Billing Address: _____
- Payroll Contact Person: _____
- Contact Phone: _____ • Alternate Contact Phone: _____
- Contact Email Address: _____
- Type of Business: _____ • ABC Permit: ☐ Yes ☐ No

Job Information:

- Contact Name: _____ • Contact Phone: _____
- Job Location / Address: _____
- Number of Officers Requested: _____ *(Minimum staffing levels will be determined by CMPD for each job.)*
- Nature of Job: ☐ Security ☐ Traffic ☐ Other: _____
- Job Start Date: _____ • Job End Date: _____
- Job Start Time: _____ • Job End Time: _____
- Days of the Week: ☐ Sun ☐ Mon ☐ Tue ☐ Wed ☐ Thu ☐ Fri ☐ Sat
- Narrative: *(Provide a complete description of the job/event and the requested duties of the officers.)*

*(For single day jobs that go past Midnight,
DO NOT enter an END DATE and **ONLY**
mark one day of the week.)*



Secondary Employment Agreement New Request

Payment Information:

1. All off-duty for CMPD will be scheduled and paid through the online PowerDetails platform. However, there are two exceptions for paying in PowerDetails (scheduling will still be done in PowerDetails):
 - The off-duty employer hires the officer as an employee (withholds taxes and provides a W-2 for taxes) or,
 - The off-duty employer pays the officers the day of the job (cannot be the next day).
 2. The new system accepts payments in two forms, ACH and credit card.
 - The system is set up for weekly invoices. All jobs for each location or account will be included on one invoice. When the off-duty employer pays the invoice, the money from that invoice will be routed to all of the officers listed on the invoice.
- Payment Method: ☐ Payment at Job ☐ PowerDetails Online Payment
 - Documentation Needed from Officer(s): ☐ W-9 ☐ W-2 ☐ N/A
 - Pay Rate: (Defaults to the minimum rate listed below, if left blank.) _____
[Minimum Rates: Officer - \$50, First Level of Supervisor - \$58, with 3 hour minimum Shift. (See the Secondary Employment Agreement)]
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*(The employer **cannot retain the services of off-duty CMPD officers** until each section of this agreement has been acknowledged by an authorized representative of the employer in the act of checking each box at the end of each section.)*

Agreement Acknowledgement Signature: _____ Date: _____

Best Contact Phone Number: _____ Contact Email: _____

***** Once this application is received and approved, you will be contacted by the CMPD Secondary Employment Unit to register for a user account with PowerDetails. *****

FOR OFFICE USE ONLY:

- ☐ Application for Secondary Employment is **GRANTED** ☐ Application for Secondary Employment is **DENIED**
- Notes on Decision:

CMPD Secondary Employment Unit _____ Date: _____
