



HARFORD COUNTY SHERIFF'S OFFICE PERSONNEL POLICY

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Sheriff

Secondary/Supplemental Employment

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1. Purpose

To provide members of the Harford County Sheriff's Office (HCSO) with guidelines and procedures regarding secondary employment.

2. Policy

The HCSO will permit Agency members to engage in secondary employment, provided the secondary employment does not interfere with or negatively impact the member's ability to perform their assigned duties with the Sheriff's Office.

3. Definitions

SECONDARY EMPLOYMENT: Any work, occupation, labor or profession, while off-duty, that results in payment of any kind to the employee by any person, partnership, corporation, professional association or other entity including "self-employment"; however, does not include Supplemental Law Enforcement Services.

SUPPLEMENTAL LAW ENFORCEMENT SERVICES: Services approved by the HCSO through a Memorandum of Agreement with businesses or organizations who have requested the HCSO to furnish uniformed personnel for a particular event or at a certain location where special deployment of law enforcement protection is appropriate. When deputies work in this capacity, they are serving as employees of the Sheriff, are under his direction and command, have full law enforcement powers and are authorized to use all necessary agency equipment. The HCSO is reimbursed for actual hours worked by law enforcement deputies.

4. Procedures

A. General

1. The Community Services Division Commander will be the Secondary Employment Coordinator (SEC) and Agency Supplemental Law Enforcement Services Coordinator and may delegate this responsibility to his assistant division commander.
2. The Secondary Employment Coordinator/Agency Supplemental Law Enforcement Services Coordinator shall conduct regular audits of the respective programs to ensure policy compliance.
3. Requirements of secondary employment will apply to all members of the Sheriff's Office.
4. Secondary employment requests must be approved prior to working any secondary employment.

5. Union Board members receiving a stipend through the Deputy Sheriff's Union or the Harford County Correctional Association do not need to submit a Secondary Employment Request (SO-75) form for that stipend.

B. Secondary Employment

1. Employees desiring to engage in secondary employment will complete and forward the Secondary Employment Request (Form SO-075) through the chain of command to their Division Commander.
2. Each supervisor will make a recommendation to approve or disapprove the request.
3. Within five (5) calendar days of receipt by the Division Commander, the request will be approved or disapproved and the member will be notified of the decision.
4. The Division Commander will forward the original Secondary Employment Request (Form SO-075) to the SEC for approval. A completed copy will be returned to the employee.
5. The SEC will forward the original Secondary Employment Request (SO-075) to HR for filing.

C. Supplemental Law Enforcement Services

1. Businesses or organizations may apply to have the HCSO furnish uniformed personnel for a particular event or at a certain location where special deployment of law enforcement protection is appropriate.
2. The Sheriff, at his discretion, will grant or deny the application based on several factors, including but not limited to availability of personnel, general security conditions, the nature of the event and/or location, the expected duration of the request and impact on other community obligations.
3. The client must sign a Memorandum of Agreement before the Sheriff will provide law enforcement deputies in response to their request.
4. Under the agreement the client agrees to reimburse the Harford County Sheriff's Office the full amount of overtime/FICA payment due to each Deputy for each hour of time assigned to Client.
5. The Sheriff's Office bears the costs of liability insurance, workers compensation liability, incidental costs of personnel benefits (not including FICA) and other regular operating expenses.
6. The provision of Supplemental Law Enforcement Services is not guaranteed and may be rescinded by the Sheriff under the conditions described in the Memorandum of Agreement.
7. Personnel desiring to participate in any reimbursable overtime project will respond directly to the project manager when positions are announced.

D. Restrictions

1. Working secondary employment or supplemental law enforcement services during on-duty hours or while on sick leave is prohibited.
2. Employees shall not work any supplemental law enforcement services or secondary employment while in a modified duty assignment.

3. Employees on suspension from regular duty or disciplinary probation will not work secondary employment or supplemental law enforcement services.
4. Employees on administrative duty, leave, or suspension, due to an internal investigation will not work secondary employment or supplemental law enforcement services.
5. Wearing official Harford County Sheriff's Office uniform, badge or identification while working secondary employment is prohibited.
6. Generally, members are prohibited from using Agency equipment and/or resources while working secondary employment; however, in the interest of officer safety, law enforcement deputies may use their issued handgun, magazines, ballistic vest (concealed/no external carriers), handcuffs, radio and less lethal options (TASER, OC, and ASP) while working secondary employment in Harford County.
7. The use of an agency vehicle while working secondary employment is prohibited. This restriction does not apply while traveling to and from the work site within Harford County.
8. Members assigned as Recruits in the training academy or Lateral Deputies may not apply for secondary employment or supplemental law enforcement services until successful completion of their field training program.
9. Employees who work eighteen (18) consecutive hours shall have six (6) hours rest prior to their next duty assignment, including secondary employment and supplemental law enforcement services.
10. Employees shall not work in excess of two (2) consecutive shifts, including secondary employment and supplemental law enforcement services.
11. Exceptions to #9 and #10 above, concerning hours worked, may only be approved by the Division Commander and documented on a Memorandum (Form SO-212) sent to the Secondary Employment and Agency Supplemental Law Enforcement Services Coordinator.

E. Communications

1. Law Enforcement Deputies working supplemental law enforcement services will "open a card" for a detail utilizing their issued MDC and include the location of the detail along with any pertinent information that dispatch may need should an emergency arise.
 - a. If a deputy working supplemental law enforcement services does not have an MDC, they will contact the Harford County Department of Emergency Services Communications Center by radio utilizing "Talk Group - Sheriff 4" prior to beginning the secondary detail and "open a card" for the detail.
 - b. When clearing the supplemental law enforcement detail the deputy assigned will clear the call with a "10-8, 02, E7."
2. Law Enforcement Deputies working secondary employment involving security, traffic direction, or other enforcement related services will contact the Harford County Department of Emergency Services Communications Center by radio utilizing "Talk Group - Sheriff 4" prior to beginning the secondary detail and supply the following information:
 - a. Identification number;

- b. A description of what the deputy is wearing; and
- c. Location and duration of the work assignment.
- d. When completing their secondary law enforcement service the Deputy must notify the Communications Center via radio that they have completed the assignment.
- e. For secondary employment a "card" will not be opened. The deputy will merely indicate a location change or "10-6" status at the location of the detail. The deputy will clear the detail on the primary channel of the precinct in which they are operating by indicating "10-8."

F. Denial

1. Secondary employment shall be denied for, but not limited to, one or more of the following reasons:
 - a. The member's sick leave record or other information indicates secondary employment may impair the employee's ability to discharge agency related duties.
 - b. The employment or location of work would bring the Sheriff's Office or its personnel disrespect or disfavor, or involve the requesting member to be in violation of policy, procedure or regulations of the agency.
 - c. The employment or location of work would impair the requesting member's efficiency or capabilities as an agency member or interfere with an emergency return to duty.
 - d. The employment would require the requesting member to appear in uniform, or avail himself of official law enforcement records, documents, files, or involve service of civil process.
 - e. The employment would require quasi-law enforcement functions including, but not limited to collection of bad checks or debts, investigation of accidents, recovering motor vehicles in default of payment, conducting private investigations, claims adjustment, acting as a security guard at the scene of a labor dispute or if the employment requires the member to obtain a private detective's license.
 - f. Employment with a business regulated or licensed by the HCSO.
 - g. The employment involves the sale, dispensing or serving of alcoholic beverages for consumption on or off premises; all other requests where alcohol may be involved shall be reviewed by the Sheriff prior to approval.
 - h. Other employment that would constitute a conflict of interest.
2. Supplemental Law Enforcement Services shall be denied for, but not limited to, one or more of the following reasons:
 - a. The member's sick leave record or other information indicates secondary employment may impair the employee's ability to discharge agency related duties.
 - b. The employment or location of work would impair the requesting member's efficiency or capabilities as an agency member or interfere with an emergency return to duty.

3. The Special Investigations Division Commander may deny any secondary employment or Supplemental Law Enforcement Services for Division personnel if it could compromise the detective's or the division's covert capacity.

G. Suspension

1. Secondary employment and Supplemental Law Enforcement Services may be suspended by a shift supervisor or higher authority who shall complete a Memorandum (Form SO-212) citing the rationale for the suspension and forward through the chain of command to the respective employee's Division Commander for a final decision.

2. The Division Commander will forward the original to the SEC for review.

3. The SEC will forward the original to HR for filing.

H. Termination/Revision

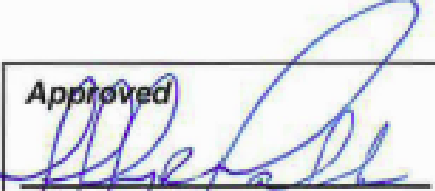
1. Upon termination of secondary employment, or revision to include changes in hours, changes in work description, or other substantive changes to the agreement the member shall forward a Memorandum (Form SO-212), through the chain of command, to the Division Commander notifying that they are no longer performing secondary employment.

2. The Division Commander will forward the original to the SEC for review.

3. The SEC will forward the original to HR for filing.

I. Liability and Insurance

1. Secondary employment work may not provide immunity from civil liability as provided by State law.
2. In addition, the member may not be insured by the state or county for tortuous acts or omissions, or for workers' compensation or unemployment insurance.
3. The member and/or the secondary employer will assume any and all liability and responsibility for the member's actions while the member is working for the secondary employer and for any incidents occurring during such employment but for which claims may be made subsequent to the employment.

Approved 
JEFFREY R. GAHLER
SHERIFF
Date 12/17/19