

OFF-DUTY, EXTRA-DUTY AND SECONDARY WORK:
MANAGING MUNICIPAL POLICE WORKING PRIVATELY

By

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Executive Summary

While it is known by many names, the practice of private employers hiring municipal police officers to provide law enforcement services is common across the nation. In North Carolina, municipal officers have logged hundreds of thousands of hours working under their municipal authority for private employers. This capstone examined the extent and administration of the practice across the largest municipal police organizations in North Carolina and found significant differences in how agencies managed the practice in a number of key areas. Understanding how this practice is managed by peer organizations allows administrators to better assess and compare their own management choices.

The attached paper represents the work done by a UNC Chapel Hill Master of Public Administration student. It is not a formal report of the School of Government, nor is it work of School of Government faculty.

Introduction and Background

The terms “off-duty,” “extra-duty” and “secondary” are commonly used to describe the practice of police officers working during their time off for a private employer in the uniform and under the authority of their primary agency. This means municipal officers in their city-issued uniform and equipment providing police services for a private employer who monetarily compensates the officer directly or indirectly. For the purposes of this paper, and for simplicity, the term “off-duty” will be used to designate this practice.

This type of private employment of public police officers is not a new concept, though there has been limited research in this area. More than 20 years ago, *The Hallcrest Report* found that over 80 percent of the law enforcement agencies allowed officers to work second jobs.ⁱ In 1988, Albert Reiss conducted an exploratory study examining management of off-duty work across the country, and defined several models for managing the practice.ⁱⁱ Building on his work, a 2003 study of police agencies in North Carolina found the eighteen largest agencies all allowed officers to do off-duty work, and in thirteen of them, at least half of the officers engaged in the practice.ⁱⁱⁱ

Allowing officers to work off-duty has benefits for a jurisdiction as well as the officers. The practice puts more officers in visible positions in the community enhancing the community’s sense of safety and acting as a deterrent, thereby reducing the burden of on-duty personnel. It also acts as a recruiting and retention tool to help offset traditionally lower salaries. In addition, the off-duty officers become a resource that can be utilized to assist on-duty personnel in an emergency.^{iv}

Allowing off-duty employment does come with some concerns for local governments as well. Off-duty practices have been cited as the cause for decreased productivity and tired officers, which could lead to an increase in complaints and safety violations.^v Agencies may confront equity issues, conflicts of interest and the possibility of tax dodging.^{vi} Stories of inappropriate and illegal activities related to off-duty work have appeared in newspapers across the country and can have serious impact on agencies.

This capstone assesses the current extent of the off-duty practice in North Carolina and examines management practices for off-duty work across North Carolina’s largest police organizations.

Research Design

In order to target organizations with a significant volume of off-duty work, this study focused on North Carolina municipal police agencies with more than 100 sworn officers (19 agencies total) and consisted of two parts: a content analysis of their policies^{vii} governing off-duty work and telephone interviews with administrators who managed, or were involved in managing, off-duty work in each agency. This combination of methods allowed for clarification, verification and expansion of information gathered through one method by the other. The response rate for both parts was 100%, though administrators could not answer all questions.

Data were collected on eight key areas identified by previous research^{viii} and expert judgment as being important to understanding the practice of off-duty work: the extent of off-duty work, administrative structure and control, monitoring and reporting, equity and transparency in administration, compensation, relationship to private employer, officer dissatisfaction, and violations and discipline.^{ix}

This study was focused exclusively on off-duty work of a sworn nature for a private employer and its administration during 2008. Every attempt has been made to separate out that off-duty work from other arrangements.^x

Limitations

There are several limitations associated with the research that are important to consider. The sample used in this study is small, consisting of only nineteen agencies, which limits the ability for statistically significant conclusions to be drawn from any analysis. Much of the data used in this project comes from interviews and is self-reported and as such relies on the knowledge and accuracy of information provided by the respondents.

Findings and Discussion

The results below are presented around the eight major areas critical to understanding the practice and administration of off-duty work.

Extent of Off-Duty Work

Off-Duty work across North Carolina's largest municipal police agencies represents a significant practice. All agencies allow officers to work off-duty. In 73% of the agencies at least half of the officers have worked off-duty in the past year, and in 57% at least half the officers worked off-duty at least monthly. Twelve agencies were able to provide total hours their officers worked off-duty in 2008. Data from just these twelve agencies demonstrates the extent of the practice with officers working over 975,000 hours of off-duty work. Amounts varied across departments, but in all cases represented a significant resource allocation. For example, officers from the Charlotte-Mecklenburg Police Department logged over 450,000 hours of off-duty work – the equivalent of 216 additional full-time officers, and officers from the Durham Police Department logged over 153,000 hours - the equivalent of 73 additional full-time officers.^{xi} (See Table A in the appendix for more detail.)

Administrative Structure and Control

The administrative structure used to manage the programs differed across the state. Sixteen agencies (84%) identified a single person as the “coordinator” or “manager” for the program.^{xii} In the remaining three agencies, one identified the staff of a particular unit as sharing the responsibility, while the other two could not make any clear designation. Of those with a manager, twelve (75%) used sworn personnel, while four (25%) used civilians. Of those with sworn personnel, half used a command rank (Lt. or Capt) with three (25%) using a first line supervisor (Cpl. or Sgt.) and three using an officer. Seven of the coordinators (44%) identified managing off-duty work as a primary responsibility, and six coordinators (38%) estimated spending more than half their time dealing with off-duty issues.

Of the sixteen agencies with a manager, that person directly controlled and managed all of the hours and assignments in only four of those agencies (25%). The remaining twelve agencies used some type of “job coordinators” to manage portions of off-duty work at individual locations. In eight of the twelve, these job coordinators controlled at least half the total off-duty hours. Few agencies that used these decentralized job coordinators had any controls in place to monitor them. (See Appendix B for more detail.)

The level of administrative structure and control appears to be across a continuum with those agencies having an identified manager who is primarily responsible for most or all of the work scheduling at the highest level, and those with no identifiable manager on the other end. Variation across the continuum is characterized by differences in the degree of responsibility that falls on the coordinator and the extent to which job coordinators are utilized. This is an alternative model for describing control than that presented by Reiss (1988) that indicates more distinct categorical groupings.

Correlations run between the level of administrative structure and record keeping, reporting, efforts toward equitable work distribution, and transparency resulted with relationships in a positive direction. The correlation with efforts toward equitable work distribution was significant at a 0.05 level, while the other factors did not reach a statistically significant level.^{xiii} Agencies with higher degrees of administrative control structures appear more likely to monitor and report, make specific efforts toward equity, and be more transparent.

Monitoring and Reporting

There was substantial variation in record keeping and reporting. All agencies described having some type of computer system, payroll system, work logs, written documentation, or radio dispatch records to track off-duty work, but only seven agencies could provide a yearly total of hours officers worked and a breakdown by individual officer free from obvious errors. Six agencies were able to report only part of the information or all with apparent errors, and five indicated they could not provide the information. Two did not respond to this question.

Additionally, in those agencies able to provide all the information, it was only immediately accessible to coordinators in five agencies, four of which used a computerized tracking system while the other had direct access to payroll information. In the other two agencies, the coordinator had to rely on other sources to find the information. One was able to pull the records from Computer Aided Dispatch (CAD), while the other was able to get the information from payroll.

CAD data was the most commonly cited method of tracking and recording off-duty work, though it was often less reliable. Eleven agencies (58%) required officers to make notifications by radio when working off-duty and ten relied on that CAD data for record keeping. Only two of the latter were able to provide all information (20%) with two able to provide partial information and four specifically stating they were unable to provide reliable data in this area from their system. As an example, one of the agencies that did provide the data had an instance of an officer being logged on an off-duty job for 100 hours, an error attributed to the officer failing to notify communications when his shift ended.

Variation was also found in what information was reported on a regular basis. Only five agencies (26%) did any formal reporting of off-duty statistics or information to the agency administration on a regular basis, though others stated they would provide it on request. Of those that did report, two provided data on program hours and officer hours, two provided information on failures to report or other discipline related issues, and one provided a summary of private employers requesting officers.

Almost half of the agencies (47%) specifically describe records maintenance as the program manager's responsibility. From an accountability standpoint however, it appears that very little information about the extent of off-duty work within agencies is being communicated upwards through any formal channels. Most of the reporting seems reactive in nature and in some cases the information simply does not exist.

Equity and Transparency in Administration

In eight of the agencies, the administrator could describe specific efforts made to spread work equitably, though most others relied on a first-come-first-serve arrangement without special effort to ensure that work was distributed equitably. The types of efforts used in those eight agencies included:

- Varying the times/days jobs were released
- Having set days that jobs were released
- Limiting the number of jobs that can be taken in a 24 hour period
- Controlling monthly schedules and ensuring everyone gets a minimum number of hours
- Uses a rotating pool or list to select officers

None of the agencies' policies described fairness or equity as a purpose of their policy or program, and "equity" was only mentioned in six agency's policies. Four policies described using equity as a responsibility of the coordinator and required equity in distributing work, one only described it in terms of the coordinator's responsibility and one only in terms of distributing work. There does seem to be inconsistency between policy and practice here as administrators in two of these six agencies did not describe any efforts at equity beyond first-come-first-serve.

The degree to which personnel can get information about who had secured jobs and which personnel were assigned to work which jobs could have an impact on perceptions of equity. In eight agencies (42%), there was some method in place by which individual officers could make themselves aware of who was working which jobs. In four agencies (21%) that information was only available to supervisors, and in the remaining agencies (37%), the information was not available.

Compensation

Compensation varied in terms of whether officers were paid directly or indirectly by the private employer, and whether the rate charged was set or varied and allowed for negotiation.

Direct or indirect pay: Officers were compensated for the off-duty work either directly by the private employer with cash or checks, or indirectly through their city paycheck. In the indirect method, the city

bills or collects the money from the private employer and then includes that pay in the officers' regular payroll check. Fourteen agencies (74%) used the direct method exclusively, three agencies (16%) used the indirect method exclusively and two agencies (11%) used the direct method predominantly with a few indirect exceptions.

Set or Negotiable Rate: Every agency had at least some type of targeted rate of pay, but it was expressed as a set rate, a minimum rate, or a "suggested" rate. Set rates are established "across the board" or for specific situations or levels, and did not vary across similar situations. Some agencies had one set rate, while others had a set rate for different ranks and situations, such as last minute jobs. Negotiable rates were often expressed as a minimum or "suggested" rate and allowed for officers and employers to negotiate that rate up or down in some situations. Set rates were used by ten agencies (53%), while the remaining nine used a negotiable rate.

Overall, the policies provide limited information about compensation. Thirteen policies do mention pay rate, with nine providing specific numbers and the others stating to the effect "the rate is set by the Chief of Police." Only four of the policies describe the direct or indirect nature of the pay structure.

The three agencies that use an indirect pay structure exclusively are the only agencies that indicated efforts to recoup the costs of their program administration. In each case, the city retains a portion of the hourly wage charged to the employer. This amount varies from \$1.75 to \$6.00 and represents revenue of over \$120,000 for two of the agencies based on their volume and rate.

Relationship to Private Employer

Most agencies did very little screening of private employers. For most, the screening process amounted to ensuring the business met the guidelines of the agency's policy, though one agency did do formal criminal background checks and a few did check their local records systems. Detailed screening is not as significant an issue for recognized businesses, but is a much more significant issue in situations where an individual is hiring the officers for a private function.

Eleven agencies (58%) used some type of written agreement with the private employer, while the others relied on a verbal arrangement. The purpose of agreements in use included establishing the relationship between the city and the private employer, establishing compensation details, outlining what officers can and cannot do for the private employer, and/or defining the workers compensation arrangements.

Officer Dissatisfaction

Administrators reported receiving a range of complaints from officers related to their off-duty program, though some commonalities existed. As shown in Table 1, equity and availability of work were the most common complaints to reach administrators, present in 42% of the agencies. Equity was generally expressed in terms of the distribution of work, or in how work was made available, for example posting work first-come-first-serve during the day put officers working night shifts at a significant disadvantage. Availability of work was described two ways: jobs being filled before some officers ever had a chance at them, and there not being enough jobs – officers wanting to work more than what was available.

It was noteworthy that the only organizations to report ease of use complaints were those that had a computer management system that officers used to sign up for and close out jobs.

Table 1: Types of Officer Complaints

Type of Complaint	# of Agencies	% (n=19)
Equity and fairness issues	8	42%
Availability of work/ not enough	7	37%
Slow pay by Private employer	3	15%
System ease of use	3	15%
Restrictions on hours/working	2	11%
Treatment by Private employer	2	11%

Violations and Discipline

Many agencies reported having encountered similar violations during the previous three years (see Table 2). The most common response by most agencies to violations of procedures and no-shows was to restrict officers from being able to work off-duty for a period of time. Other violations resulted in varying levels of discipline.

In terms of the most significant disciplinary actions reported for off-duty related violations in the last three years, five agencies reported having had terminations, one reported a regular-duty suspension, four reported written discipline, and two reported verbal counseling. The remaining agencies either had no off-duty related discipline, or were unable to report.

Some problem areas are still not addressed in the policies of North Carolina agencies. For example, the policies of three agencies that reported experiencing “double dipping”^{xiv} still do not explicitly forbid that practice, while others do.^{xv}

Conclusion and Recommendations

Officers working off-duty is very common and represents a significant practice in terms of hours worked and amounts compensated across the state. Stark differences exist in how the agencies administer and manage the programs, how they monitor and what types of reporting they do, how they structure compensation, how agencies promote equity and make programs transparent, and their relationship to the private employers. There is variation in the types of internal complaints and the types of policy violations and resulting disciplinary action that agencies have experienced.

Considering the volume of off-duty work across the state, the number of personnel most agencies have participating in the program, the limited reporting undertaken, and the fact that terminations have been reported, the need for sound management of off-duty work seems clear. Several recommendations come from this research:

- Establish a single manager who is responsible for and in control of most of the off-duty work. Having higher levels of control provides accountability and indicates correlation to maintaining better records, making efforts toward equity, and developing more transparency within the system. From the types of discipline issues agencies have encountered, it appears that systems can be abused and policies violated. While having a single coordinator will not keep policies from being violated, the oversight and record keeping will help agencies detect problems so they can be addressed.
- Consider some type of computerized tracking software. The agencies that used some type of computerized tracking system were all able to provide details on total hours and individual hours easily. Coordinators were better able to retrieve information and described its uses in overseeing their program. The agencies with these systems were the only ones to note ease of use complaints about their system, so computer programs should be evaluated carefully.
- Monitor equity and ensure fair distribution of work. As equity was the most common area of officer complaints, agencies should make every effort to evaluate how work is being distributed to ensure as fair a system as possible. Increased transparency may help with feelings of inequity as well.

One of the goals of this project was to provide a background that could be expanded upon in the future. An obvious future question to be answered is “Which system is best?” Before any type of “best practices” can be developed, there are still other questions that need to be answered. A more detailed examination of discipline problems and satisfaction and their relationship to specific combinations of practices is still needed. Additionally, a measurement of satisfaction among the officers and how well different agencies are able to distribute work equitably needs to be examined.

Table 2: Types of Violations

Violation Type	# of Agencies	% (n=17)
No Shows / failing to report	13	76%
Falsifying work records/hours	5	29%
Double dipping^{xiv}	3	18%
Violating hours restrictions	3	18%
Inappropriate conduct	2	12%
Working unauthorized jobs	1	6%
Sleeping	1	6%
Other violations	3	18%

ENDNOTES

ⁱ Cunningham, W.C. and Taylor, T.H. (1985) *The Hallcrest report: Private Security and police in America*. Portland, OR: Chancellor Press.

ⁱⁱ Reiss, A. J. (1988). *Private employment of public police*. Washington, DC: U.S. Department of Justice.

ⁱⁱⁱ Brunet, J.R. (2008) Blurring the line between public and private sectors: The case of police officers' off-duty employment. *Public Personnel Management*, 37(2), 161-174.

^{iv} Ibid. p 163-164.

^v Lindsey, D. (2007). Police Fatigue: An accident waiting to happen. *FBI Law Enforcement Bulletin*, 76(8), 1-8.

^{vi} Brunet, J.R. (2008) Blurring the line between public and private sectors: The case of police officers' off-duty employment. *Public Personnel Management*, 37(2), 164-166.

^{vii} "Policy" as used in this research includes the policy itself and any attachments that are referenced in and kept with the policy that were in effect for the majority of 2008. For example, an attachment that specifies a pay rate, a concept mentioned in the language of the policy, is considered part of the policy for content analysis.

^{viii} Several of these key areas were also examined in both Reiss's and Brunet's work.

^{ix} Examining the volume of work allows both an understanding of the extent of the practice across the state and how well agencies track information and are aware of what their personnel are doing. The administrative structure and how agencies control, monitor and report off-duty work, define how agencies physically manage the practice. Compensation is a central issue to this practice, and how personnel are compensated is linked to the overall program structure. Equity and transparency are common elements in the management of many issues in public administration. Complaints and discipline were examined as possible effectiveness indicators of a program or management structure. The relationship between agencies and the private employer can have control and liability implications.

^x In many agencies off-duty work is managed along with city-paid overtime opportunities, non-sworn second jobs, and other special situations for officers to earn extra pay.

^{xi} Based on 2080 hours for one full-time officer.

^{xii} For the purposes of this section the term "manager" will be used to identify this person.

^{xiii}

		Recordkeeping	Formal Reporting	Effort to Spread/ Equity	Transparency
Level of admin	Pearson	.417	.307	.456*	.336
structure/control	Sig. (2-tailed)	.096	.200	.049	.159
	N	17	19	19	19

Correlation is significant at the 0.05 level (2-tailed).

^{xiv} "Double dipping" is the practice of officers working for a private employer while on-duty for their municipality, for example "watching" an apartment complex by stopping in continually between answering calls for service.

^{xv} Further detail on problem areas not addressed: ten (53%) forbid "double dipping" (working off-duty for a private employer while one is on-duty for their agency), nine (47%) forbid soliciting work from private employers, and only two (11%) include directives in their policies that officers report all income.

Appendix A: EXTENT OF OFF-DUTY WORK

	Total Sworn ¹	% worked off-duty last year	% worked monthly last year	Total hours agency-wide	# of private employers ²
Asheville	201	40%	33%	Unknown	50-100 ³
Burlington	105	95%	75%-80%	Unknown	20 ³
Cary	150	35%-40%	25%	8618 ⁴	120
Chapel Hill	115	40%	25%	Unknown	364
Charlotte	1515	98%	60-70%	452,533	12,000**
Concord	144	72%	50%	4,564	32
Durham	474	84%	47%	153,780	177
Fayetteville	342	50%-60%	30%	Unknown	88
Gastonia	161	71%	53%	22,909 ⁵	101
Greensboro	534	67%	50%	70,419	60 ⁸
Greenville	164	49%	23%	7,619	52
Hickory	114	90%	50%	Unknown	Unknown
High Point	216	90%	80%	27,482	Unknown
Jacksonville	101	25%	10%	No response	No response
Raleigh	725	74%	73%	101,286 ⁶	300
Rocky Mount	146	90%	75%	19,213	177
Wilmington	254	63%	35%	20,897 ⁷	120 ³
Wilson	111	65%	50%	No response	No response
Winston-Salem	500	85%	75%-80%	86,338	909 ⁸

¹ Based on 2007 SBI statistics for total sworn per agency

² This number was tracked differently or partially in many agencies.

³ Regular employers (no count of one-time etc.)

⁴ Privately paid off-duty through December 4th, does not include Town of Cary events.

⁵ May 08 – December 08

⁶ Estimate

⁷ July 07-June 08

⁸ Job locations/requests, but may include the same employer having multiple locations.

Appendix B: ADMINISTRATIVE STRUCTURE / CONTROL

(n=19 for all)	Centralized Coordinator?	Primary Responsibility?	% of time spent on off-duty admin	Use JSCs? ¹	% of total hours JSCs control
Asheville	Yes	No	10%	Yes	50%
Burlington	Yes	No	25%	Yes	80%
Cary	Yes	Yes	50%-70%	No	-
Chapel Hill	Yes	No	50%	Yes	2%
Charlotte	Yes	Yes	98%	Yes	80%
Concord	Yes	No	25%-30%	Yes	50%
Durham	Yes	Yes	90%	Yes	94%
Fayetteville	Yes	No	10%-20%	yes	5%
Gastonia	Yes	No	12%	Yes	90%
Greensboro	Yes	Yes	80%	Yes	60%
Greenville	Yes	Yes	50%	No	-
Hickory	No	-	-	Yes	55%
High Point	Yes	No	25%	Yes	30%
Jacksonville	Yes	No	25%	Yes	60-75%
Raleigh	No	-	-	Yes	90%
Rocky Mount	Yes	Yes	10%-15%	Yes	10%
Wilmington	Yes	Yes	100%	No	-
Wilson	Yes	No	10%-30%	No	-
Winston-Salem	No	-	-	Yes	75%-80%

¹ JSC's are some type of decentralized "Job Site Coordinator" or individual, other than the off-duty manager, who controls off-duty work for specific locations.

Appendix C: MONITORING AND REPORTING

	Able to provide data? ¹ (n=17)	Tracking Process (n=19)	Routine formal reporting? (n=19) ²	What is reported? (n=19)
Asheville	No	Radio CAD system	None	-
Burlington	No	Radio CAD system	None	-
Cary	Partial	Hard copies of Job contracts/forms/records	None	-
Chapel Hill	No	Work log	Quarterly	Job requests by private employers
Charlotte	Yes	Computer Software - CYA	None	-
Concord	Partial	Radio CAD system	None	-
Durham	Yes	Computer Software - CYA	Monthly	Individual Officer and Total Hours
Fayetteville	No	Radio CAD system	None	-
Gastonia	Yes	Computer Software - CYA	Monthly	Overlapping shifts and “0” hours (no shows)
Greensboro	Yes	Customized Computer Records/Payroll System	Monthly	Individual Officer and Total Hours, Locations
Greenville	Yes	Payroll System	Monthly	No shows
Hickory	No	Radio CAD system	None	-
High Point	Yes	Radio CAD system	None	-
Jacksonville	No response	Radio CAD system	None	-
Raleigh	Partial	Biweekly Time Sheets	None	-
Rocky Mount	Partial	Radio CAD system	None	-
Wilmington	Yes	Payroll System	None	-
Wilson	No response	Radio CAD system	None	-
Winston-Salem	Partial	Radio CAD system	None	-

¹ Each agency was asked to provide total hours for 2008 and hours by individual officer. While some had some type of tracking, they could not provide the information. “Yes” denotes they could provide both, “Partial” means they could part of the information, or what they did provide had obvious errors, “No” means they could not provide either piece (other than estimates).

² Several agencies stated that while they did not do any routine formal reporting, they would provide the information on request of the Chief or other authority.

Appendix D: COMPENSATION

(n=19 for all)	Direct/Indirect	Set/Negotiable ¹	Expressed rates ²	Expressed in Policy
Asheville	Direct	Set	\$30	Not Addressed
Burlington	Direct	Set	\$25, \$30 if alcohol related	Numbers quoted
Cary	Direct	Set	\$30 for officer, \$35 for supervisor	Numbers quoted
Chapel Hill	Both	Set	\$30	Not addressed
Charlotte	Direct	Variable	\$26 min, \$28 for traffic work, \$36 for supervisor, \$40 for command rank.	General terms
Concord	Direct	Set	\$25, \$30 last minute/speedway or traffic related	Numbers quoted
Durham	Direct	Set	\$25 officer, \$35 for supervisor and last minute	Numbers quoted
Fayetteville	Direct	Negotiable	\$25 recommended	Not addressed
Gastonia	Direct	Negotiable	\$20 minimum	Numbers quoted
Greensboro	Indirect	Set	\$26.75 for officer, \$31.75 for supervisor ³	Numbers quoted
Greenville	Indirect	Set	\$30	Not addressed
Hickory	Direct	Negotiable	\$22 minimum	Not addressed
High Point	Direct	Negotiable	\$22 minimum	General terms
Jacksonville	Direct	Set	\$20	General terms
Raleigh	Direct	Negotiable	None	Not addressed
Rocky Mount	Both	Negotiable	\$20 recommended for officer, \$25-\$40 for supervisors at various levels	Numbers quoted
Wilmington	Indirect	Set	\$30	Numbers quoted
Wilson	Direct	Set	\$25	General terms
Winston-Salem	Direct	Negotiable	\$25 recommended, \$30 for supervisor	Numbers quoted

¹ The key to a negotiable rate was whether the officers could and did negotiate pay, not how the rate was expressed. Most agencies having a negotiable rate reported that it was usually not negotiated and the suggested rate was most frequently used.

² The rate information here is provided for information and comparative purposes. The supervisor rate is only paid when the off-duty job requires supervisory personnel, generally when the job has several officers working it at the same time, such as a large event. A supervisor working a job not requiring supervision is paid the officer rate.

³ For Greensboro, Wilmington and Greenville, the employers are charged the listed rate, but some of the funds are retained by the city to cover the costs of administering the program.

Appendix E: POLICY ELEMENTS

The following is a summary of 20 elements identified in the agency policies, and the number of policies having those elements, as well as the number of elements each agency's policy addressed.

of Polices that Include Each Element

Element	# of	Element	# of
Has a stated purpose	13	Addresses role of city worker's compensation	10
Includes definitions about aspects or personnel	15	Describes a contract or agreement w/ private	8
Covers other types of second income	16	Describes ability to suspend off-duty privileges	17
Establishes a coordinator of contact person	15	Addresses court time from off-duty actions	6
Defines who/when personnel are eligible to	18	Forbids soliciting work	9
Requires eligible personnel to get approval	17	Requires personnel to report all income	2
Limits personnel hours	16	Describes some type of decentralized job site	9
Sets restrictions on types of businesses	19	Describes off-duty as a privilege	13
Describes pay process/structure	4	Addresses employer requests for specific officers	4
Describes pay rate	13	Forbids brokering or signing up for jobs officers are	4
Describes distribution of work	9	Forbids double dipping	10

of Elements Each Agency Includes in Policy (20 elements)

Agency	# of	Agency	# of
Asheville	11	Greenville	5
Burlington	9	Hickory	13
Cary	16	High Point	14
Charlotte	17	Jacksonville	16
Chapel Hill	11	Raleigh	10
Concord	13	Rocky Mount	14
Durham	13	Wilmington	11
Fayetteville	13	Wilson	12
Gastonia	18	Winston Salem	15
Greensboro	16		

There was no identifiable correlation between the number of elements included in the policy and higher levels of administrative structure and control or other areas examined in this paper. One area of interest was that the three agencies describing having experienced double dipping in the past five years were among those that did not include in their policies a specific prohibition against officers doing so.

Appendix F: ADDITIONAL CONSIDERATIONS FOR MANAGERS

This appendix was created to provide additional information that may be valuable to managers and administrators involved in making policy decisions about this practice. The information in this section includes recurring statements and findings from interviews and in policies that appear to be of value, but have not been proven empirically. This information is provided for consideration only.

Additional Findings:

Changing Programs Many of the agencies involved in this study have undergone changes in their programs in the last five years. Seven agencies specifically described improvements in record keeping and tracking, two describe the introduction of contracts or agreements, one is currently moving to a centralized structure with a coordinator which they did not have previously, and one has set limits on officer hours they did not have before. Many of these changes represent a trend toward more control and accountability.

Hours Limits Policies of 16 (84%) agencies describe limits to how many hours officers can work, while three agencies do not mention limits in their policies. Of those that limit hours, eleven (69%) use a daily limit, weekly limit or combination of the two. One agency has a monthly limit. In addition to these limits, six agencies also require blocks of time off prior to an on-duty shift and 4 require a block of time off between on-duty shifts.

Location of Off-Duty Management The structure of the various organizations differed and as such the location in that structure that off-duty management varied. The most common locations for off-duty management to be housed were in Internal Affairs or the Chief's Office (44%), followed by support or administrative divisions (28%).

Eligibility Eighteen agencies defined when officers were eligible to work off-duty. Eight (44%) described it as being after field training, six (33%) as during the probationary period but with restrictions, and four (22%) as after the probationary period. Seven agencies also mentioned reserve officer eligibility and five mentioned later transfer officer eligibility. Seventeen agencies required officers to get approval prior to engaging in off-duty, fifteen specifically described this as being in writing and thirteen of those required that written approval to go through the chain of command.

Role of Worker's Compensation Ten agency policies (52%) included some mention of the relationship of worker's compensation to off-duty work. Seven agencies described the role as providing some protection, with one saying no protection, one saying total protection and one being unclear either way. Eight administrators described the role as providing some protection, seven describe the role as providing total protection, and two did not know while two were unclear. While worker's compensation claims are always evaluated on a case-by-case basis, many administrators described officers being covered so long as they were injured while taking a "Law enforcement Action."

Additional Practices for Consideration:

Report Information Accountability and awareness up the chain of command ensures that agency leaders are aware of the activities of those working in the agency. Formal reporting will also add to transparency and can be used to measure equity.

Screen Private Employers From a liability and safety standpoint, some type of screening of private employers should be done. As officers are working for a private employer under the municipalities authority, it seems necessary for the city to ensure that private individuals hiring officers are free from criminal backgrounds that could prove an embarrassment.

Use Signed Agreement with Private Employer Requiring the private employer to sign an agreement can have several purposes. It can help ensure the officers or city are paid. It can also help ensure the private employer understands what officers can and cannot do. It may also help provide the municipality some liability protection.

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