

REQUEST FOR SECONDARY EMPLOYMENT CONTRACT FOR SECONDARY EMPLOYERS

FORWARD: Thank you for your interest in contracting for the (off-duty) services of a Matthews Police Officer. Interested officers are available for a variety of public-safety-focused assignments, including traffic direction and personal and/or event safety. While contracted with you or your company for these purposes, these officers remain a representative of the Matthews Police Department and are subject to the controls and restrictions of our department.

CONTACT INFO: You may reach a member of our Secondary Employment Unit at: (704) 841-6755 or at SecondaryEmployment@MatthewsPolice.org. For urgent concerns, call (704) 847-5555 and ask to speak with someone with the Secondary Employment Unit.

CONDITIONS OF SECONDARY EMPLOYMENT:

The solicitation for employment of police officers shall be made with the Secondary Employment Unit of the Matthews Police Department ('MPD'.) The Secondary Employment Administrator shall establish the guidelines for such service.

Off-duty officers are subject to MPD policies. A private employer has no supervisory 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, nor operate metal detectors, 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 conduct ANY record check of any individual unless that record check is pursuant to an official investigation of a possible violation of law.

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Officers will not initiate or otherwise authorize the towing of any vehicle from private property unless the officer has reasonable belief that the vehicle is stolen or subject to a criminal investigation; tows from private property must be initiated by the employer.

Representatives of the MPD 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 Administrator.

REQUEST & STAFFING REQUIRMENTS:

The Secondary Employment Unit 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: 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.

Requests for Secondary Employment officers shall be submitted at least five (5) business days prior to the date & time of the requested service. The five-day period may be waived if the employment is in the interest of critical public safety.

Jobs that require more than (4) officers may require a supervisor. Additional supervisors may be required for certain larger jobs. A supervisor may be required for certain jobs regardless of the number of officers required for the job. Some assignments may require the employment of a Police Captain(s) and/or a Police Major.

In instances where the employer underestimates the attendance of an event, a supervisor may call in additional off-duty officers for the event. The employer shall be billed at the 'Late Request' rate for those additional officers required.

COMPENSATION OF OFFICER(S):

The officer(s) 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.

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Officers shall be compensated for a minimum of three (3) hours for any assignment unless special arrangements are confirmed by the Secondary Employment Administrator.

The employer shall compensate officer(s) in the manner and timeliness as stated in the Request for Secondary Employment Form. Any failure of the employer to make payments during the time specified may result in a ('Late Request') financial penalty for those hours to be compensated and/or denial of consideration for future requests for employment of officers.

SECONDARY EMPLOYMENT RATE SCHEDULE:

MPD reviews the following rates annually, considering market rates of the area. Employers will be provided at least thirty (30) day notice of anticipated rate changes; any rate change will take effect on July 1st. Employers may compensate officers above the minimum (stated) rates at the employer's discretion; MPD Officers cannot negotiate rates with the employer. Any rates paid to any officer that exceeds the minimum rate must be approved by the MPD Secondary Employment Administrator. The following rates are effective July 1, 2018:

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|---------------------|------------------------------------|----------------|
| HOURLY RATE: | Officer / Non-Traffic | \$36.00 |
| | Officer / Primarily Traffic | \$38.00 |
| | Supervisor* | \$45.00 |

LATE REQUEST RATE: \$5.00 additional per hour; for requests received in fewer than four (4) days of the event / need

*** The Supervisor or Captain rate is only required for those qualifying 'large' events as described earlier; when not the case, the standard 'Officer' rates shall apply.**

SCHEDULE CHANGES:

Requests to change the assignment hours must be received by the MPD Secondary Employment Unit at least forty-eight (48) hours prior to the assignment report time.

Failure to do so may result in the required payment of hours originally agreed upon, if request was to reduce hours of assignment.

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If request is to increase the hours of assignment and this request is received in less than forty-eight hours, there are no assurances of coverage for the additional hours.

CANCELLATION PROCEDURES:

Cancellations by the employer must be made at least forty-eight (48) hours before the assignment begins.

If the Secondary Employment Unit receives less than 48-hour notice from the employer and is unable to contact officer assigned to the job, the employer will be required to pay the officers assigned to the job for three (3) hours of pay at the stated rate.

It is the responsibility of the employer to notify the Secondary Employment Unit 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.

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. While the employer may request that a particular officer or officer(s) staff a job, the officer or officer(s) actually employed remain the discretion of the MPD.

The priority of MPD officers is their full-time assignment within the Police Department and to the Matthews community at large. Under extraordinary circumstances, employed officers may be activated to an on-duty status and pulled away from their off-duty assignments. In such instances, the private employer will be financially responsible for only those hours actually worked.

PERFORMANCE CONCERNS:

Officers of the Matthews Police Department perform their duties and operate under the guidelines and expectations of the Matthews Police Department.

Other than constructive (operational) guidance by (you) the employer, all issues of substandard performance shall be reported to the Secondary Employment Administrator. In any instance of

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immediate concern, the on-duty supervisor, during the absence of the Secondary Employment Administrator, should be contacted.

If an officer scheduled to work does not report, or is late to report, the employer should notify the Secondary Employment Administrator. After business hours or on weekends, the On-Duty Supervisor should be informed at (704) 847-5555.

SECONDARY EMPLOYMENT REQUEST FORM:

On the following page, you will find the Secondary Employment Request Form. While the original (signed) must be received by our Secondary Employment Unit before any commitment is made, you may complete & e-mail to us the 'Request Form' page only to SecondaryEmployment@MatthewsPolice.org. This will enable our staff to begin the process.

If you have questions about the Contract or the Request Form, you may contact Sgt. David Ruby at the above e-mail address or at (704) 841-6755.

NOTICE: By signing the Secondary Employment Request Form, the signer attests that he/she has the legal authority to enter into this Contract and understands and commits to the Conditions as described in this document.

Secondary Employment Request Form

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|---------------------------------|------------------------|------------------------------------|--------------------------------------|
| EMPLOYER INFORMATION | Employer Name: | | Date of Request: |
| | Employer Address: | | Telephone Number: |
| | Type of Business: | ABC Permit: Yes No | Private Club: Yes No |
| | Requestor's Name: | Requestor's Title: | |
| | Requestor's Signature: | | Date Signed: |

| | | | | | | | | | | |
|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----|------|-----|--------------------------------------------------------------------|-----------|-------------------------|--------|--------------|-----------|
| ASSIGNMENT INFORMATION | Days of Week of Requested Assignment: | | | | Start Date: | End Date: | | | | |
| | Sun | Mon | Tues | Wed | Thur | Fri | Sat | Varies | Report Time: | End Time: |
| | Assignment Location / Address: * Same as Employer Address Above - | | | | | | Telephone Number: | | | |
| | Assignment Contact Person: | | | | Telephone Number: | | Other Telephone Number: | | | |
| | Nature of Assignment: Security Traffic Other (Describe Below) | | | | Number of Officers Requested (final # to be determined by MPD): | | | | | |
| Brief Description of Event / Purpose of Request & the Requested Duties of the Officer(s): | | | | | | | | | | |

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|-----------------|-------|------|------------|---------------|--------|--------|--|
| Payment Method: | | | | Payment Time: | | | |
| Cash | Check | Mail | Electronic | At Job | Weekly | Other: | |



1201 Crews Road
 Matthews, NC 28105
 704.847.4069

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|----------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------|
| PAYMENT INFORMATION | Payroll Contact Person: | E-Mail Address: | Telephone Number: |
| | Documentation Needed From Officer(s): W-2 W-9 Invoice Other: | | MPD Coordinator (Completed by MPD): |
| | Minimum Hourly Rates: Security - \$36 / Traffic - \$38 / Supervisor - \$45 / 'Late' Request - \$5 (additional) | | |

NOTE: This form may be faxed to (704) 845-5824 or e-mailed to SecondaryEmployment@MatthewsPolice.org. The original (signed) form must be mailed or delivered to the Secondary Employment Administrator. For questions regarding this form or the Secondary Employment program, call the Secondary Employment Unit at (704) 841-6755.

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