



INSTRUCTIONS FOR SECONDARY EMPLOYMENT APPROVAL **TRAFFIC CONTROL**

In order for San Jose police officers or reserve officers to be eligible work for your business while off-duty in any uniformed or non-uniformed security, patrol, private investigation or surveillance, traffic control, bodyguard, or other law enforcement or security related service capacity, your business must become an approved Secondary Employer pursuant to San Jose Municipal Code Chapter 8.16. The purpose of the Secondary Employment Approval is to regulate businesses that are eligible to contract with off-duty officers in order prevent officers from engaging in any off-duty work or occupation that may be detrimental to the officer's service to the City, that prevents or impedes the efficient performance of the officer's duties in his City employment, or that in any way is in conflict with the officer's employment by the City.

Completion of the following application, including execution of the Acknowledgment of Terms and Conditions of Secondary Employment Approval ("Acknowledgment"), and the approval of your application by the Chief of Police, does not constitute an agreement by the City of San Jose to supply your business with off-duty officers. Your business must contract with each officer individually. It is up to the individual officer to decide whether he/she wishes to work for your business. The Secondary Employment Approval application must be fully completed and an authorized individual representing your business must sign the Acknowledgment.

The fees are listed on our [fee schedule](#):

http://www.sjpd.org/Records/Fees_Public_Safety_Permits.asp?#secondary_employment

- 1) New Permit - Annual processing fee for employment of officers - **or**
- 2) One time project lasting five (5) days or less.*

***The one-time fee will be waived if you possess an Encroachment Permit or contract with the City of San Jose requiring the use of San Jose police officers or reserve officers to perform traffic control duties (SJMC Section 8.16.090(B) (2)). Attach a copy of the permit or contract along with the Secondary Employer application.**

A copy of the Acknowledgement is included and must be signed as a requirement for your business to qualify for the Police Department's Secondary Employer Program. The agreement to indemnify the City contained in the Acknowledgement is a term and condition of the Secondary Employment Approval, SJMC Section 8.16.070(C). As a participant in the program, your organization will be included as an additional insured under a Law Enforcement Professional Liability Insurance Policy that covers the City, the off-duty police officers and you.



INSTRUCTIONS FOR SECONDARY EMPLOYMENT APPROVAL
TRAFFIC CONTROL (CONTINUED)

The standard hourly rate for all off-duty uniformed employment is \$55.00 per hour with a minimum of 3 hours or \$165.00 per assignment.

Secondary Employers will pay time and one-half on any assignment exceeding eight (8) hours. Officers will be paid double time on the following holidays only:

- New Year's Eve from 12pm – 12am
- Thanksgiving Day
- Christmas Day
- New Year's Day
- Christmas Eve 12pm-12am

Payment is due directly to individual officers. Cancellations must be made 3 hours prior to the scheduled start time or a 3 hour minimum will apply to each affected officer.

Return the completed and signed Secondary Employer Approval Application and Acknowledgement by:

- 1) Email (seu_requests@sanjoseca.gov) and make credit card payment over the phone **or**
- 2) Make a check payable to the **City of San Jose** and mail application to:

San Jose Police Department
Secondary Employment Unit
201 West Mission Street
San Jose, CA 95110

Contact the **Secondary Employment Unit** at (408) 277-4980 if you have any questions. Please be aware that we cannot process your request until payment is received.

Please E-MAIL the following Application to: SEU_REQUESTS@SANJOSECA.GOV

APPLICATION



SAN JOSE POLICE DEPARTMENT
 SECONDARY EMPLOYMENT UNIT
 201 W. Mission Street
 San Jose, CA 95110
 (408) 277- 4980



OFFICE USE ONLY

Date:

Annual Event
 Exempt Log
 Approved
 Disapproved

Signature: _____

Annual Employment of Officers [Fee]

One Time Project – 5 Working Days or Less [Fee]

Possess Encroachment Permit/Contract with the City of San Jose – **Fee Waived**
 (Attach copy of Permit or Contract)

Company Name:		Company Phone:	
Company Business Address:			
Company Mailing Address:			
Business Owner:		Business Owner Phone:	
Company Contact:	Title:	Company Contact Phone:	
Contact Email Address:			

ACKNOWLEDGMENT OF TERMS AND CONDITIONS OF SECONDARY EMPLOYER APPROVAL BY CHIEF OF POLICE

Approval by the Chief of Police of Secondary Employment of off-duty San Jose Police Officers and Reserve Officers by the Secondary Employer for law enforcement or security related services is subject to the terms and conditions specified below pursuant to SJMC Section 8.16.070. The Secondary Employer hereby acknowledges the following terms and conditions:

1. The Secondary Employer shall maintain records of each officer's hours of work in a format approved by the Chief of Police and make those records available for review by representatives of the San Jose Police Department during business hours.
2. The Secondary Employer authorizes representatives of the San Jose Police Department to inspect the Secondary Employer's business or public agency premises during business hours, or when the officer is actually working at the work site, including but not limited to inspection of the premises of the business and the work site of the off-duty officer or reserve officer for the purpose of assuring that the premises and the business are in compliance with the terms and conditions of the Approval and with the requirements of applicable provisions of the San Jose Municipal Code and any other applicable local, state or federal law or regulations.
3. The Secondary Employer shall operate the Secondary Employer business in compliance with the requirements of applicable provisions of the San Jose Municipal Code and any other applicable local, State or Federal law or regulation."
4. The Secondary Employer shall comply with the requirements of San Jose Police Department policy governing secondary employment in the San Jose Police Department Duty Manual Policy C 1500, Standards of Conduct – Secondary Employment.
5. **Pursuant to the terms of the indemnification requirements set out in Subsection C of SJMC Section 8.16.070 Secondary Employer acknowledges and agrees that in consideration of the CITY'S consent to allow the Secondary Employer to contract with off-duty San Jose Peace Officers for private security services and, when required, in consideration of the Secondary Employer's payment of the Secondary Employer Approval Fee, the Secondary Employer shall indemnify and hold harmless the CITY, its officers and employees, from any and all damages, costs, attorney's fees, expenses, losses or liabilities, arising out of the private security services performed by off-duty San Jose Police Officers or San Jose Reserve Police Officers for the SECONDARY EMPLOYER.**

- a. This indemnity shall commence either on July 1, 1998 or, at the time and on the date the part-time employment of the off-duty San Jose Police Officers or the San Jose Reserve Police Officers by the Secondary Employer begins if employment commences after July 1, 1998, and shall extend for the actual times and dates of such employment. Contracts between the Secondary Employer and the off-duty San Jose Police Officers or the San Jose Reserve Officers, written or oral, of all durations are covered under this indemnity to the extent the private security services are provided by the off-duty San Jose Police Officers or San Jose Reserve Police Officers for the Secondary Employer.

- b. For purpose of this indemnity, the term "private security services" includes any of the following services provided in plainclothes or in San Jose Police Department uniform as part of an off-duty, part-time engagement with a private person or public agency: private security guard, patrolperson, private investigation or surveillance, traffic control, bodyguard or other security or law enforcement related services.

Company Name

Street **City**

State **Zip Code**
()

Telephone

Owner or Authorized Agent (print name)

Signature

Date