

ARIZONA DEPARTMENT OF PUBLIC SAFETY

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Off Duty Employer:

The Officers of the Arizona Department of Public Safety (DPS) are allowed to provide off-duty law enforcement traffic and security services as long as the off duty employment meets the following criteria:

- Employment does not conflict or interfere with the employee's responsibilities to the Department.
- Employment does not detract from the professional image of the Department.
- Employment does not impair accomplishment of the Department's mission.
- Employment does not duplicate a service which would be provided by the Department upon request. (These issues would be addressed on a case-by-case basis.)
- Employment does not provide for a conflict or potential conflict of interest pursuant to policies and laws regarding *Conflict of Interest*.
- Proof of insurance is provided when working in a law enforcement function.

The purpose of this letter is to clarify the proof of insurance requirements, documentation needs and typical billing procedures. To continue providing off-duty services to you, you must update your insurance information on file with the Department to conform to the following by April 15, 2008.

Attached is the *Insurance Specifications and Indemnification* contract which must be signed by an authorized representative of the off-duty employer. In addition to this signed *Insurance Specifications and Indemnification* contract, the Department of Public Safety requires the following be delivered to the Secondary Employment Coordinator (SEC) prior to commencement of any work:

- A valid certificate of insurance with the required coverages listed in the *Insurance Specifications and Indemnification* contract as well as the expiration date,
- The endorsement which names the Department of Public Safety and State of Arizona as additional insured, see text in the *Insurance Specifications and Indemnification*,
- A letter from either the off-duty Employer or the off-duty Employers workman's compensation carrier stating the off-duty officer is covered under the off-duty employer's workman's compensation.

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If a Department vehicle is leased for use in performance of the off-duty work assignment, a *Vehicle Reimbursement Voucher* will be required. These vouchers must be signed by an authorized company representative coordinating the work as well as the off-duty Officer for each period of work. The officers will then forward the voucher to the SEC scheduling the off duty assignment. These vouchers will serve as time sheets from which the SEC will then invoice the off-duty employer for payment for the officer and for the vehicle lease. The off-duty employer will forward payment for the off-duty officer and vehicle lease directly to the SEC who will distribute the payments appropriately. Checks will be made payable to the officers for the appropriate time periods worked while checks for the vehicle lease (mileage or time whichever is greatest) shall be made payable to the Arizona Department of Public Safety.

The rules governing off-duty and secondary employment prohibit an officer from working in excess of 16 hours in any 24 hour period as well as more than 64 hours in any week. These hours are the combined total of primary, secondary and off duty work. In the case of over-dimensional load escorts this means from the time the officer leaves his/her home portal to the time he/she gets back to his/her home portal must be less than 16 hours. For this reason the SEC will need to know your expected time in route with the load to verify ample time is available for the return trip. Most loads that are moved in 6 hours or less should be completed in a single leg. Loads beyond 6 hours will be looked at case by case based on distance, speed, etc. If it appears the officer will be close to being out of hours, the load will be broken into segments.

If you have any questions in regard to these requirements please feel free to contact me at (602) 223-2853 or the Statewide Secondary Employment Coordinator, Lisa Reyna at (602) 223-2816.

Lt. Jeff A. King
Highway Patrol Division Staff
Arizona Department of Public Safety