



**INSTRUCTIONS FOR SECONDARY EMPLOYMENT APPROVAL APPLICATION  
FOR SPECIAL EVENTS**

In order for San Jose police officers or reserve officers to be eligible to work for your business or public agency 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 or public agency 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 and public agencies 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 or public agency 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 or public agency. The Secondary Employment Approval application must be fully completed and an authorized individual representing your business must sign the Acknowledgement.

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.

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The standard hourly rate for all off-duty uniformed employment is \$70.00 per hour with a minimum of 3 hours or \$210.00 per assignment. The standard hourly rate for Supervisors working in a supervisory capacity for these jobs will be \$80.00 per hour with a minimum of 3 hours or \$240.00 per assignment. In special circumstances where a Lieutenant position is required, the standard hourly rate will be \$92.00 per hour with a minimum of 3 hours or \$276.00 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

**Check payment is due directly to the individual officer. *Officers working a uniformed secondary employment assignment are prohibited from accepting cash payment for their services. Any exception requires approval from Unit Commander in the Secondary Employment Unit. Gratuities or other forms of compensation are not allowed.* Cancellations must be made 48 hours prior to the scheduled event or a 3 hr. minimum will apply to each affected officer.**

You must do the following at the time of application:

1. Visit us on the web for updated fees:  
<https://www.sjpd.org/records/fees/permit-fees>
2. Return the completed and signed Secondary Employer Approval Application and Acknowledgement by:
  - a) Email ([seu\\_requests@sanjoseca.gov](mailto:seu_requests@sanjoseca.gov)) and make credit card payment over the phone **or**
  - b) 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.

## **MANDATORY DIRECTIVE FOR SOCIAL GATHERINGS**

According to the Health Officer's Order issued July 2, 2020 the following are mandatory requirements for all gatherings:

- A **maximum of 60 people** are allowed for an outdoor gathering, while ALL indoor gatherings are still prohibited under the state orders. This includes any staff members and guests.
- **Social Distancing Protocol:** All businesses must fill out and submit the newest version of the Social Distancing Protocol to the County using the [Social Distancing Protocol Form](#) or <https://www.sccgov.org/sites/covid19/Pages/social-distancing-protocol.aspx>. The Protocol is submitted under penalty of perjury, meaning that everything written on the form must be truthful and accurate to the best of the signer's knowledge, and submitting false information is a crime. The Protocol must be distributed to all workers, and it must be accessible to all officials who are enforcing the Order. Businesses are responsible for ensuring that workers understand and are trained on Protocol requirements in a language that they understand.


Social Distancing Protocol submitted: Yes [ ] NO [ } Date completed: \_\_\_\_\_

- *All Gatherings Must Have an Identified and Designated Host, Who Is Responsible for Ensuring Compliance With All Requirements*
  - ***A specific person or business (including nonprofits, religious organizations, educational entities, or any other business entity) must be the designated host for a gathering and ensure compliance with all requirements in the Order and this Directive.***
  - The host also must maintain a list with names and contact information of all participants at the gathering.
  - **San Jose Police Officers are only to enforce city laws and provide security for your event.**

Social Distance Designated Host for Event: \_\_\_\_\_

- **Signage:** All businesses/applicants must print (1) an updated COVID-19 PREPARED Sign and (2) a Social Distancing Protocol Visitor Information Sheet, and both must be posted prominently at all facility entrances. These are available for printing after submission of the Social Distancing Protocol online

## APPLICATION

	<p><b>SAN JOSE POLICE DEPARTMENT</b>  <b>SECONDARY EMPLOYMENT UNIT</b>                  201 W. Mission Street                  San Jose, CA 95110                  (408) 277- 4980</p>	<p style="text-align: center;"><b>OFFICE USE ONLY</b></p> Date: _____ Annual <input type="checkbox"/> Event <input type="checkbox"/> Exempt <input type="checkbox"/> Log <input type="checkbox"/> Approved <input type="checkbox"/> Disapprove <input type="checkbox"/> Signature: _____
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Employer: School/Public Entity <input type="checkbox"/> One-Time Event <input type="checkbox"/> Annual Employer <input type="checkbox"/>		
Form of Payment (Select " <b>Exempt</b> " if Applicable): Exempt <input type="checkbox"/> Check/Money Order <input type="checkbox"/> Credit Card <input type="checkbox"/>		Amount Due (Enter " <b>0</b> " if Exempt):
Applicant Name:		Company Phone:
Company Business Address:		
Company Mailing Address:		
Applicant Contact:	Title/Position:	Company Contact Phone:
Contact Email Address:		

**FILL OUT INFORMATION BELOW IF APPLYING AS AN ANNUAL EMPLOYER**

Job Site Address:	
Coordinating Officer's Name:	Officer's Duties:

**FILL OUT INFORMATION BELOW IF APPLYING FOR A ONE-TIME EVENT**

Name of Event:
Location and Address of Event:

**WILL ALCOHOL BE SERVED?**       YES       NO

**Schedule Information:**

Event Date(s):	Event Start Time:	Event End Time:	Est. Daily Attendance:
	AM <input type="checkbox"/> PM <input type="checkbox"/>	AM <input type="checkbox"/> PM <input type="checkbox"/>	
	AM <input type="checkbox"/> PM <input type="checkbox"/>	AM <input type="checkbox"/> PM <input type="checkbox"/>	
	AM <input type="checkbox"/> PM <input type="checkbox"/>	AM <input type="checkbox"/> PM <input type="checkbox"/>	

**Request for Officer(s) Information:**

Officer Duties: \_\_\_\_\_

Date:	Officer Start Time:	Officer End Time:	Total Hrs:	Number of Officers:
	AM <input type="checkbox"/> PM <input type="checkbox"/>	AM <input type="checkbox"/> PM <input type="checkbox"/>		
	AM <input type="checkbox"/> PM <input type="checkbox"/>	AM <input type="checkbox"/> PM <input type="checkbox"/>		
	AM <input type="checkbox"/> PM <input type="checkbox"/>	AM <input type="checkbox"/> PM <input type="checkbox"/>		

## **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 the Chief of Police and representatives of the San Jose Police Department to inspect the Secondary Employer's business 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. The Secondary Employer shall comply with the requirements of the of the local County Order and State Order listed on page 3.
6. **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.

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Company Name

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Street                      City

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State                      Zip Code

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Telephone

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Owner or Authorized Agent (print name)

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Signature

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Date