



SHERIFF'S POLICY MANUAL

3.16 OFF-DUTY and EXTRA DUTY EMPLOYMENT: [CALEA 22.3.4 CALEA-C 3.2.6, FCAC 4.06a]

- A. It is the policy of this agency to permit employees to avail themselves to work in legitimate activities outside the scope of their duties at the Broward Sheriff's Office or in extra sworn assignments beyond normal duty or overtime hours. Florida statutes, management rights, and applicable accreditation standards permit the Sheriff to place requirements and restrictions on this activity as described in this policy. The Department of Professional Standards will be responsible for coordinating the administrative requirements of this policy.
- B. With the exception of Fire Rescue, employees shall not work more than 16 continuous hours or 16 hours cumulatively within a 24-hour period unless specifically approved in writing by a lieutenant/civilian manager or above or pursuant to a collective bargaining agreement. The 16-hour period includes normal work hours, overtime/compensatory hours, extra duty employment, and off-duty employment hours. Any employee that has worked a 16-hour period as defined above shall have a minimum eight-hour rest period before returning to normal, overtime or detail assignments. Exceptions to this policy may be made under emergency situations.
- C. For the purposes of this policy:
 - 1. "Off-Duty Employment" will refer to any activity undertaken by a BSO employee outside the scope, responsibilities, working hours, and colors of the Broward's Sheriff Office, including employees who are members on external boards, commissions, etc., (public, private or non-profit) whether compensated or not. For sworn deputy sheriffs, the ability to exercise law enforcement powers may not be a condition for employment, and employment will not provide any real or implied law enforcement benefit to the employer. Further discussion of off-duty employment follows in Section 3.16.1
 - 2. "Extra Duty Employment" will refer to employment coordinated and administered by the Broward Sheriff's Office for qualified sworn deputies and sworn firefighters beyond normal working and overtime hours which require law enforcement or fire rescue authority. "Extra Duty Employment" is commonly referred to as "Special Details" at the Broward Sheriff's Office. [CALEA 22.3.5]

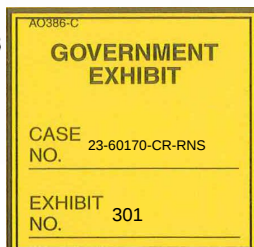
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- D. The nature of public safety often requires employees to have the ability to work irregular duty schedules. Employees must always be alert during a tour of duty. It is the responsibility of every BSO supervisor and manager to ensure the fitness of their employee throughout that employee's tour of duty. At a minimum, the safety of the employee, the other employees around him or her, and the public, depends on an employee properly fulfilling their assignments during a work period. BSO supervisors and managers may restrict off-duty and extra duty employment when it may: [FCAC 4.06c]
1. Physically or mentally exhaust employees to the extent it may affect their performance.
 2. Require special considerations be given to the scheduling of employees' regular duty hours.
 3. Bring BSO into disrepute or impair the operation or efficiency of BSO or its employees.
- E. Broward County businesses, law enforcement, fire rescue, or governmental agencies requesting the expertise of an employee must request it in writing to the Sheriff. If approved, employees will perform the service in an on-duty capacity.

3.16.1 Off-Duty Employment: [CALEA 22.3.4, CALEA-C, FCAC 4.06b]

- A. Off-duty employment will be approved with the explicit understanding by a requesting employee and outside employer that the employee is subject to emergency recall by BSO at any time. Employees subject to military recall are exempt.
- B. Employees may be considered for off-duty employment subject to certain limitations. Off-duty employment will not: [FCAC 4.06c]
1. Interfere in any way with an employee's BSO employment
 2. Interfere with BSO's efficiency
 3. Cause the appearance of impropriety
 4. Interfere with the BSO mission

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5. Cause, or appear to cause, a conflict of interest
 6. Affect an employee's official performance of duties
 7. Provide any opportunity for potential misuse of official information
 8. Be harmful to an employee's health or safety
 9. Subject BSO to civil liability
- C. In an attempt to ensure employees' safety and fitness for duty, employees will not work more than a combined total of 52 hours per week to include any combination of overtime, extra duty, and approved off duty employment. With the exception of Fire Rescue, a work week is defined as beginning at 12:00 midnight on Saturday and ending at 11:59 pm on Friday.
- D. BSO equipment will not be used in performing any off-duty employment (i.e., BSO vehicles, cameras, camera equipment, video tapes, lab equipment, and other BSO items).
- E. Employees performing off-duty employment will not do so under BSO colors. BSO accepts no liability for employee services or misrepresentation of skills, knowledge, or expertise made by an employee to gain service.
- F. Due to the knowledge, education, and expertise of many employees, employees will be permitted to work in an outside, off-duty capacity as consultants and experts in their respective fields of expertise.
1. Employees working as consultants or experts in a particular field will not accept cases or employment in Broward County.
 2. If employees working as consultants and experts in their areas of expertise begin work outside of Broward County and their work leads them to areas requiring work to be performed within Broward County, they must immediately withdraw from the specific case.
- G. The following requirements apply to employees seeking off-duty employment:
1. Employees will complete an Off-Duty Employment Request Form (BSO RP#45/RP#45a) if:

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- a. Requesting approval for off-duty employment
- b. Changing an off-duty employer or employer's address or telephone number
- c. Changing the type of work performed
- d. Employee is self-employed, which will be fully explained on the form in the space provided.

Note: Self-employed employees will complete an Off-Duty Employment Request Form for each separate business activity (i.e., lawn service business and plumbing business).

2. A separate form will be submitted for each off-duty employer.
3. It is the responsibility of the BSO employee to maintain any records, licenses, approvals, etc., for off-duty employment that may be required by applicable state law, county, municipal, or other governing ordinances. Those documents are to be available upon request by BSO for verification.
4. The Employment Form "sunsets" or expires on an annual basis. A new form will be submitted every December for the following calendar year. The form expires on December 31st of each year. This does not preclude BSO employees submitting new forms when off-duty employment conditions or information changes at any time during the year.
5. Off-Duty Employment Request Form Review/Approval Process: [FCAC 4.06c]
 - a. Employees completing an Off-Duty Employment Request Form will send it to their immediate supervisor. Forms must be reviewed by the employee's chain of command up to the Departmental Executive Director level or as determined by the Sheriff or designee.
 - b. Requests for Off-Duty Employment must include full disclosure in the nature and scope of the work in which the employee will be engaged. Full disclosure also includes, but is not limited to, the

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employee's exact duties, tasks, and responsibilities, the expected type of clientele serviced by the business, and the past, present and pending relationship with BSO.

- c. It is incumbent upon the employee's chain of command to review the appropriateness of the request, and carefully evaluate requests, especially if the business or employment has direct or indirect involvement with:
- (1) Sale or distribution of alcoholic beverages
 - (2) Bail bond agents
 - (3) Investigative work, e.g., private investigations, insurance agencies, attorneys, etc.
 - (4) Private security services, e.g. security guard, bodyguard, chauffeur, armored car personnel, etc.
 - (5) Consumer or commercial collection agencies.
 - (6) Repossession or recovery agents.
 - (7) Any business that acts as a lobbyist or employs lobbyists that do business in Broward County and/or may seek to influence the business of the Broward Sheriff's Office.
 - (8) Any enterprise which may bring BSO into dispute with the public or cause the potential for a conflict of interest.
 - (9) No employees of the Fire Rescue bargaining Unit may serve as a paid or non-paid member of any other county, municipal, or private agency providing emergency Fire-Rescue services.
- d. Requests for Off Duty Employment with a vendor who has an existing or pending contract, or a vendor (contractor, service provider, etc.) seeking to contract for the public's business with the Broward Sheriff's Office will be considered on a case-by-case basis. Full disclosure (defined in Paragraph b.) must be noted on

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the appropriate Off Duty Employment Request Form(s)-RP#45 /RP#45a and approved by the employee's chain-of-command.

- e. If the form is approved by the employee's chain of command, it will be forwarded to the Sheriff or designee for approval.
 - f. After review, the Department of Professional Standards will distribute the completed forms as follows:
 - (1) Original – Bureau of Human Resources
 - (2) Copy – Employee's Command
 - (3) Copy – Employee
 - g. The original form will be maintained in the employee's personnel file in Human Resources.
 - h. This does not preclude the Sheriff or designee to maintain final approval or revocation authority for all off-duty employment.
- H. The following requirements apply to employees terminating their approved off-duty employment:
- 1. Employees will complete the Off-Duty Termination Form (BSO RP#45b) and submit through chain of command to the Department of Professional Standards.
 - 2. After review, the Department of Professional Standards will distribute the completed forms as follows:
 - a. Original – Bureau of Human Resources
 - b. Copy – Employee's Command
 - c. Copy – Employee
- I. The Sheriff or designee reserves the right to deny or cancel off-duty employment for any reason, or if there is reason to believe the off-duty employment interferes with the efficiency, operation, or public perception of BSO. [CALEA-C 3.2.6, FCAC 4.06c]

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- J. Guidelines to determine off-duty employment (not all inclusive) and completion of the "Off-Duty Employment Request Form" (BSO RP#45/RP#45a):
1. If you are taking money or compensation for an off-duty activity, complete a form.
 2. If you accept an honorarium, travel expenses, or items of value, even though you may not receive "traditional" income, complete a form.
 3. If you have to report income to the Internal Revenue Service for an off-duty activity, complete a form.
 4. If you are named in a corporation (officer, etc.), whether you draw a salary/compensation or not, complete a form. A copy of the form will be forwarded to the Purchasing Division for Information.
 5. If you have interests in several organizations that you perform activities, complete a form for each one.
 6. If you are the principle in one company that does a variety of off-duty activities (i.e., teach, consult, etc.), complete one form with a full explanation of the company and activities.
 7. If you are a volunteer/mentor in your church, synagogue, mosque, or school, and accept no compensation, a form is not necessary.
 8. If you accept a gift or gratuity as part of your off-duty employment, refer to Sheriff's Policy Manual Section 2.20 for guidance.
 9. If you are not sure, consult your immediate supervisor.
- K. Reserve/Auxiliary Deputies and part-time employees will complete form RP#45a to provide information on their full-time or other employment information. This will include information about a previous agency if the Reserve/Auxiliary Deputy or part-time employee is retired from another agency (including the Broward Sheriff's Office).
- L. Employees who join the National Guard/Reserves do not have to complete an "Off-Duty Employment Request Form" (BSO RP#45/RP#45a). All paperwork

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related to military service will go through the chain of command to Human Resources. Refer to Sheriff's Policy Manual section 4.3 for more information.

3.16.2 Extra Duty/Special Detail Employment:

- A. The requirements of Extra Duty or Special Detail Employment described in this section applies to qualified deputies and CSA's. Fire Rescue and Emergency Services employees will comply with all policies related to details and special assignments as found in the Fire Rescue SOP and the collective bargaining agreement.
- B. "Extra Duty Employment" is based on the vested law enforcement powers of a deputy and rendered during a time period not within assigned duty hours for public safety, security, and/or traffic control. For the purposes of this policy, the Broward Sheriff's Office has traditionally used the term "special detail" for extra duty employment. "Special detail" will continue to be used in this policy.
- C. BSO provides qualified sworn deputies, through the rank of captain who successfully complete their law enforcement field training, with the ability to work special details. Captains are not allowed to work:
 - 1. Within their own assignment (Example: The Weston Captain cannot work a detail in Weston.)
 - 2. A premium detail (Courthouse and Port Everglades)
 - 3. During "business" hours Monday – Friday (To avoid any potential conflicts)
- D. Employees who are working a special detail will conform to all rules, regulations, policies and procedures of the Broward Sheriff's Office the same as if they were in an on-duty capacity. Working a special detail does not relieve the employee of his/her responsibility and accountability under the Sheriff's Policy Manual. [CALEA 22.3.5b]
- E. In an attempt to ensure employees' safety and fitness for duty, employees will not work more than a combined total of 52 hours per week to include any combination of overtime, extra duty, and approved off duty employment. Special Details will be defined as billable hours. A work week is defined as beginning at 12:00 midnight on Saturday and ending at 11:59 pm on Friday. Exceptions to the cap will be for events only, e.g. Super Bowl, Orange Bowl, etc. The Executive

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Director of the Department of Law Enforcement or designee must approve all exceptions in writing. Department of Fire Rescue employees will not work more than forty-eight (48) consecutive hours (including mutual exchanges) excluding holdovers, riots, extraordinary civil emergencies, or natural disasters.

F. Deputies will: [CALEA 22.3.5b, FCAC 4.06b]

1. Call the Special Details Office to accept a special detail.
2. Advise Communications of their special detail location and availability to be dispatched for incidents occurring at the special detail.
3. Continuously monitor the radio and respond if necessary or directed by an on-duty supervisor.
4. Wear a Class B uniform while working a special detail unless otherwise advised by the Special Details Office. The intent of a special detail is to provide a visible uniform presence at the detail location. Requests for plain-clothed special details (and their subsequent requirements) must be sent to the Special Details Office for approval by the Department of Law Enforcement Executive Director or designee.

G. Calls for service that can be handled on location will be the responsibility of the special detail deputy. On-duty patrol deputies will assist the special detail deputy with: [CALEA 22.3.5b]

1. Backup
2. Transportation and booking of prisoners
3. Follow-up investigations off the premises
4. Completing investigative reports when applicable

H. When working a special detail, deputies will report any crimes, arrests, use of force, or any action that is taken as they would on-duty to a BSO Supervisor nearest their location.

I. Non-Eligibility Status:

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1. Deputies on light duty will not be permitted to work overtime or special details.
 2. Deputies are prohibited from working special details:
 - a. While on-duty
 - b. While on military leave
 - c. While on personal sick time, FMLA, bereavement leave, or workers compensation and 24 hours after the use of such leave. For example, if an employee uses 12 hours of sick and their schedule is 5:00am - 5:00pm, the employee cannot work a special detail until 5:00pm the following day.
 - (1) The 24-hour clock starts on the last hour of leave.
 - (2) For Workers Compensation, employees must have received a full duty approval from Risk Management/Workers' Compensation Unit.
 3. Deputies will not perform special details while on suspension, when relieved from duty pending an investigation, administrative action, or disciplinary action. District/division/unit commanders will notify the Special Details Office of deputies in their command on light duty, suspension, or relieved from duty pending investigative, administrative, or disciplinary actions.
 4. Command may restrict special details for performance related issues.
- J. Non-Eligibility Status Exceptions:
1. Deputies using sick leave for other than a personal illness (medical checkups, dentist appointments, etc.) may be permitted to perform special details during off-duty hours subject to their commander's prior approval in writing.
 2. Deputies, if authorized, will be allowed to work a maximum of 70 hours in a work week in special details if they are on approved annual leave for the same work week. Authorization can only be granted from a Major via

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chain-of-command and must be in writing prior to working the details. The duration and type of activity must be included in the memo, approval or disapproval will be on an individual basis.

3.16.3 Special Details Office: The Special Detail Office function is to issue permits, assign employees to special details, maintain records, and report all concerns to the Executive Director of the Department of Law Enforcement or designee, on all DLE special detail issues. [CALEA 22.3.5a, CALEA 22.3.5c]

- A. Permanent Permit: Permits issued for special details exceeding two weeks in duration or performed on a repetitive basis as follows:
 - 1. Applications for permanent permits will be sent to the Special Details Office for processing and approval.
 - 2. Permits will not be issued to any person, organization, or firm whose officers, members, business, or operations are questionable or for any event that may embarrass or discredit BSO.
 - 3. Applications for permits will not be accepted by telephone.
 - 4. The original application and copy of the permit will be maintained by the Special Details Office and reviewed on an annual basis.
- B. Permit Involving Food and/or Alcoholic Beverage: Applications for permits involving patrol of parking lots or grounds of establishments or events where food and alcoholic beverages are sold or consumed will be subject to review by SID for a background check; the report is sent to the Special Details for approval.
- C. Vendor Request from Within Municipality: The Special Details Manager will take the following steps if a vendor requests a special detail be performed within a municipality:
 - 1. The vendor must be informed that the municipal police department may be a source for special detail service.
 - 2. If a vendor does not want to obtain special detail service from the municipality, the Special Details Manager must inform the municipal police department that BSO has been requested for staffing a special detail in their city.

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3. The Special Details Manager will notify the appropriate DLE or DOD command.

3.16.4 Contractual Service Charge:

- A. Hourly rates will be established by the Sheriff. The Special Details Office will compile and distribute a current rate schedule. The minimum charge for any special detail will be three hours of service at the approved rate.
- B. Sergeants, lieutenants, or captains working details normally worked by a deputy (no supervisory duties) will be compensated at the deputy rate.
- C. If four deputies (a squad) will be required for additional service, one supervisor/OIC will be required.
- D. Upon approval of the Sheriff or designee, the ratio of deputies and supervisors may be altered based on the activity's circumstances.
- E. If assessed, a predetermined amount will be charged for each authorized vehicle needed to fulfill a special detail.
- F. Hourly charges for special details will be made from the starting place and time specified by the permit holder to the ending place and time specified by the permit holder.
- G. The time and geographic point a special detail begins and ends will be established at the time of the permit request.
- H. The permit holder will be assessed the three-hour minimum rate for each deputy whose special detail is canceled or postponed, unless the Special Details Office is notified a minimum of three hours before the specified start time, during normal business hours of the Special Details Office.
- I. Special details needing 10 deputies or more will require an extra 15 minutes per deputy for cancellation notification.
- J. A permit holder may cancel a special detail at any time; however, the permit holder will be required to pay reasonable compensation for all expenses incurred to provide authorized permit service. [CALEA 22.3.5c]

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- K. Deputies may choose to volunteer for a special detail without compensation. Such activities will not involve the direct solicitation of funds. Written approval must be obtained from the Special Details Office before participation. Activities of this kind will not constitute additional BSO service as defined by this procedure.

[CALEA 22.3.5c]

- L. At no time will deputies accept cash payment from a permit holder.

- M. Deputies working special details will be paid by BSO (via Finance) and will not accept any compensation, gifts, gratuities, or any items of value from the permit holder. For further information, refer to Sheriff's Policy Manual Section 2.21.

[CALEA 22.3.5b]

- N. If payments are more than 30 days in arrears, the Special Details Office will consider a permit suspension. If the permit is suspended, the Special Details Office will notify the permit holder of the suspension. Further service will be withheld pending the settlement of the account. [CALEA 22.3.4c]

- O. Duplicate permits will be sent to Finance. Original permits will be retained in the Special Details Office files.

3.16.5 Special Details Administrative Policy:

- A. Districts/Divisions will be responsible for the performance of deputies assigned to work special details in their district. Deputies working special details come under the direct supervision of the on-duty shift supervisor or commander of the district where the detailed is performed, unless the detail has a supervisor assigned. Deputies working special details outside a BSO district or across more than one district will come under the direct supervision of the on-duty supervisor or commander in the nearest BSO district. If there are problems with an assigned deputy or special detail, districts/divisions will report this to their applicable Major and the Special Details Manager as soon as possible. When infractions occur, the Special Details Manager will consult with the affected employee's district/division to ultimately determine the appropriate administrative action.

[CALEA 22.3.5d]

- B. Deputies performing special details will comply with BSO directives on uniform standards and personal appearance. [CALEA 22.3.5b]

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- C. Deputies working special details outside of a BSO district will be required to go in service on the radio talk-group channel designated for the municipal jurisdiction. While working, deputies will monitor calls for service in the municipal jurisdiction. Upon the completion of the special detail, deputies will go out of service on the same radio talk-group channel.
- D. Deputies may continue to perform their permanent special detail until:
 - 1. Terminated by the permittee.
 - 2. They are no longer able to fulfill the assignment.
 - 3. They are removed for cause.
- E. Deputies performing permanent special details who fail to meet their obligations may be relieved from the assignment.
- F. Deputies are deemed to be acting within the course and scope of their official duties while fulfilling assigned special details.
- G. BSO service vouchers will be prepared by the deputy fulfilling the assignment and submitted to Special Details Office within five business days. Invoices and vouchers must show the actual time the deputy arrived and departed the special detail, not the pre-scheduled special detail time. Invoices and vouchers improperly completed will not be processed.
- H. Deputies who leave their assigned detail for a BSO court-related appearance or deposition will submit an over-time slip for actual time in attendance. If time remains on the detail, deputies will return to the detail to complete their obligation.
- I. Deputies will not accept special details unless they are assigned by the Special Details Office or as a fill in for another deputy. [CALEA 22.3.5a]
- J. Deputies assigned to a special detail will not transfer their special detail to another deputy without first receiving permission from the Special Details Office. Exceptions may be made after hours or in emergencies when an assigned deputy may arrange for another deputy to work the special detail. If this occurs, the Special Details Manager must be notified the next business day or a message left at the Special Details Office.

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- K. Deputies accepting special details will be responsible for completing the special detail. Deputies may be excused from special details under the same conditions as employees performing regular-duty assignments.
- L. If a deputy fails to show up for a special detail, the following administrative action may take place:
 - 1. First No Show Within 12 Months: Removed from the special detail list for 30 days.
 - 2. Second No Show Within 12 Months: Removed from the special detail list for 90 days.
 - 3. Third No Show Within 12 Months: Removed from the special detail list for six months.
- M. Deputies substituting for assigned deputies must be off-duty. If the substitution deputy fails to show up for the assigned detail, the deputy initially assigned the special detail and/or the substitution deputy may be subject to the administrative action noted above.
- N. Employees are prohibited from adjusting their schedules on a particular day to work a special detail, unless approved in writing by their respective district/unit command.
- O. To establish fair and equitable procedures for the assignment of deputies to special details, the following procedure will be in effect:
 - 1. Deputies wanting to work special details will complete the Special Detail Availability List form. New forms will be completed only if a deputy's status has changed. All forms must be approved by the deputy's immediate supervisor or commander before submission to the Special Details Office.
 - 2. Permanent and Non-permanent details will be posted/announced using the following methods:
 - a. Available special details will be posted on the BSO Informant and mobile data terminals.

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- b. Deputies will be notified of available special details according to the option they selected (email or text message) via the BSO Informant. The Special Details Office must have the employee's cell number and carrier if text messaging is the selected option. The employee must provide the cell number and carrier or e-mail address within PeopleSoft via Employee Self Service under "Special Detail Notification". BSO will not be responsible for any charges incurred by the employee for this option or any system error on behalf of the carrier.
 - c. Deputies receiving notification of availability of a special detail assignment **must call** the Special Details Office to accept the assignment. The detail will be assigned to the first eligible deputy to call in.
 - d. In general, permanent details are assigned to the first deputy who responds to the text, and who does not already have a permanent detail. However, Special Details office staff will also consider a number of factors including but not limited to:
 - (1) Vender Requests
 - (2) Detail Location
 - (3) Special Unit Request
 - e. If no one accepts the detail it will be put on the MDC, BSO Informant and sent out to the districts. Some details require only district personnel. In that case, an e-mail is sent to the Captain of the district to put out to his/her command for first refusal.
 - f. Employees who currently have more than one permanent detail will be considered only if no one takes the detail after all other efforts have been exhausted.
 - g. Personnel authorized to work details are prohibited from contacting the Special Detail's Office to solicit details.
3. Once an employee accepts a non-permanent detail they are not eligible to accept another non-permanent detail for at least 24 hours. The 24-hour clock will start when the accepted detail begins.

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4. Personnel authorized to work details cannot have more than three permanent assigned details with the exception of those who have already been grandfathered.

3.16.6 Reserves Deputies Special Details:

- A. Reserves deputies working the special detail will not be utilized in a supervisory capacity.
- B. Reserves deputies must meet the minimum mandatory work hours each month to be eligible for special detail assignments.
- C. Reserves deputies will not be permitted to work more than 52 hours a week performing special details. A week is defined as beginning 12:00 midnight on Saturday and ending at 11:59 pm on Friday.
- D. Reserves deputies on a special detail will be subject to the same operational procedures as full-time deputy sheriffs working a special detail.

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