



Item No. 2
Board of Police Commissioners for the Halifax Regional Municipality
April 2, 2025

TO: Chair and Commissioners of the Board of Police Commissioners for the Halifax Regional Municipality

FROM: Cathie O'Toole, Chief Administrative Officer

DATE: March 11, 2025

SUBJECT: Refreshed HRP policies on off-duty employment and extra duty

INFORMATION REPORT

ORIGIN

December 13, 2023, Board of Police Commissioners for the Halifax Regional Municipality (Item No.10.2.2):

MOVED by Commissioner Giles, seconded by Commissioner Smith.

THAT the Board of Police Commissioners for the Halifax Regional Municipality approve the action items and timeframes in the Board of Police Commissioners' 2024-2025 Workplan, as outlined in Attachment 1 of the staff report dated November 29, 2023.

MOTION PUT AND PASSED.

BACKGROUND

On December 13, 2023, the Board of Police Commissioners (BoPC) for the Halifax Regional Municipality (HRM) passed motion 10.2.2 in relation to the Board of Police Commissioners' 2024-2025 Work Plan.

Included in this plan is the strategic priority "Increase accountability," which includes the action items of refreshing the Halifax Regional Police (HRP) policies related to off-duty employment and extra duty. This report is provided in response to that action item.

DISCUSSION

It is important to note from the outset that 'extra duty' and 'off-duty employment' are two separate matters and independent of one another.

Extra duty

HRP officers are available for hire outside of their regularly scheduled hours by external organizations to provide police presence for a range of functions including, but not limited to, sporting events, parades, traffic control and retail locations. This work is considered to be "extra duty."

Extra duty work is organized through HRP's Extra Duty Program and is paid for by the external organization requesting the service - not by HRP.

The revised HRP Extra Duty Policy can be found at **Attachment 1**.

Off-duty employment

Off-duty employment refers to any private business or volunteer activity outside HRP in the member's capacity as a private individual - not as a police officer - as a result of which they receive or are likely to receive remuneration for their activity.

As a private individual, HRP members are entitled to spend their time off-duty as they wish. They may participate in off-duty employment in the same way as any other off-duty activity, such as playing sports, caring for dependents, volunteering, travelling, etc. However, for off-duty employment, a member must obtain prior authorization from the Chief of Police before commencing the employment.

Off-duty employment is separate to the member's regular duties as a police officer and HRP does not administer remuneration or any other form of compensation for off-duty employment in any way.

HRM has a conflict-of-interest policy that includes a section on off-duty employment for municipal employees. HRP's policy is in addition to that.

The revised HRP Off-Duty Employment Policy can be found at **Attachment 2**.

HRP's Senior Policy Advisor conducted jurisdictional scans of policing agencies across Canada in 2024 and consulted with subject matter experts to incorporate best practices when refreshing the extra duty and off-duty employment policies for members.

The new extra duty and off-duty employment policies were released and posted externally on the organization's website for members of the public to view on March 10, 2025.

HRP's new policies provide for the collection of information that will inform or facilitate reporting to the BoPC regarding extra duty and off-duty employment, as specified in the Board's policies on the same.

FINANCIAL IMPLICATIONS

There are no financial implications identified as a result of this report.

The report itself outlines that work arranged through HRP's Extra Duty Program is paid for by the external organization requesting the service and not by HRP.

The report also indicates that off-duty employment is separate to a member's regular duties as a police

officer and HRP does not administer remuneration or any other form of compensation for off-duty employment in any way.

COMMUNITY ENGAGEMENT

No community engagement was required for the purpose of preparing this report.

LEGISLATIVE AUTHORITY

Police Act 2004 section 56 states:

- (1) Every board shall establish a written policy respecting extra-duty employment by members of its police department and the policy shall
 - a) define extra-duty employment;
 - b) provide that requests for a member of the police department to be employed on extra duty be made to the chief officer;
 - c) require that a member of the police department engaged in extra-duty employment be in uniform except where the chief officer determines that plain clothes are required; and
 - d) require that at all times while on extra duty the member of the police department is under the orders of the police department and no one else.

- (2) Every board shall establish a written policy respecting off-duty employment by members of its police department and the policy shall
 - (a) define off-duty employment;
 - (b) set policy guidelines regarding permitted and prohibited off-duty employment;
 - (c) prohibit a member of the police department from engaging in the business of serving civil process documents or in the private investigator or private guard business; and
 - (d) prohibit a member of the police department from being in uniform while engaged in off-duty employment.

(3) The chief officer shall determine whether employment is extra-duty employment or off-duty employment and whether a particular kind of off-duty employment is permitted or prohibited within the off-duty police policy. 2004, c. 31, s. 56.

ATTACHMENTS

Attachment 1 – Halifax Regional Police Extra Duty Policy
Attachment 2 – Halifax Regional Police Off-Duty Policy

Report Prepared by: Natasha Pace, Coordinator, Halifax Regional Police

Report Approved by: Chief Don MacLean, Halifax Regional Police
 Bill Moore, Commissioner of Public Safety

EXTRA DUTY WORK

1. GENERAL

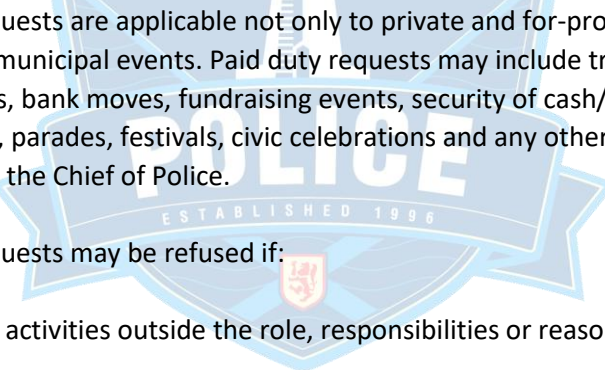
Halifax Regional Police administers the extra (paid) duty program on a cost recovery basis to provide additional service to our community at events where public safety may be a concern. The use of off-duty officers reduces the impact on resources that may have to respond to situations at these events and makes businesses and event organizers financially responsible for police resources they may require as a result of their activities.

Participation in extra-duty work is completely voluntary. An officer may withdraw from the list at any time.

This policy provides specific directions and responsibilities for members of Halifax Regional Police when administering and working paid duties.

2. POLICY

PAID DUTY REQUESTS

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- A. Extra- duty requests are applicable not only to private and for-profit events, but also to charitable and municipal events. Paid duty requests may include traffic control, concerts, sporting events, bank moves, fundraising events, security of cash/valuables, large load moves, filming, parades, festivals, civic celebrations and any other special event deemed appropriate by the Chief of Police.
 - B. Extra- duty requests may be refused if:
 - a. It involves activities outside the role, responsibilities or reasonable duties of a police officer
 - b. The event or location may bring discredit on the reputation of Halifax Regional Police
 - c. In involves a conflict of interest or the appearance of a conflict of interest, including any conflict with any law, policy or procedure of Halifax Regional Police
 - d. It involves an event likely to promote a confrontation between participating groups
 - e. It involves security during a labour dispute, acting as door staff at licensed premises, bodyguard services, or security at a private residence unless used for a charitable event or production company
 - f. It requires the member to receive money or certify the authenticity of cheques/cash, to check ID of those entering premises, to check parcels at retail premises

OFFICER ELIGIBILITY

- A. Any officer who has completed their probationary period and has been cleared by their coach officer to work independently is eligible to participate in extra-duty work, subject to the ineligibility list in section C and D, below.
- B. Officers must be current with their use of force training
- C. Officers who are on injury, sick leave or modified duties, under suspension, long-term disability, leaves of absence including maternity/paternity leave, or are on call are ineligible to participate in extra-duty work.
- D. At the discretion of the Chief of Police, officers who are under Police Act/SIRT investigation may not be approved for participation in extra duty work

SELECTION FOR ASSIGNMENTS

- A. The extra-duty coordinator will assign/re-assign officers from the list of eligible officers in a fair and impartial manner, ensuring opportunity for work is shared equitably. The log of hours performed will be reset each January.
- B. The extra-duty coordinator may depart from section A above, at their discretion if special qualifications are needed for a particular assignment or for assignments on short notice.

RESTRICTION ON WORK HOURS

- A. In order to ensure the wellness of our officers as well as the need to ensure adequate shift staffing, an officer cannot exceed working 16 hours in a 24-hour period. There must be a minimum of one hour between the end of a regular shift and the start of a paid duty, and eight hours between the end of a paid duty and the start of a regular shift.
- B. It is the responsibility of the officer to adhere to these restrictions and to not request/refuse a paid duty assignment that would bring them into conflict with them.

INABILITY TO FULFILL AN EXTRA-DUTY ASSIGNMENT

- A. If unable to fulfill an accepted extra-duty assignment, the Officer shall notify the Extra-Duty Coordinator who will re-assign the duty in accordance with this policy.

LOSS OF PRIVILEGE TO PERFORM EXTRA-DUTY WORK

- A. Infractions of this policy that do not engage the Professional Standards division will be investigated by the Extra-Duty Coordinator and reported to the Inspector of Support Services for decision regarding consequences. A progressive consequence model will be followed where the officer may be verbally counselled, receive a written warning or incur loss of privilege to perform extra-duty work.
- B. Any infraction will be documented by the Extra- Duty Coordinator in a report that will remain active for a period of two years. A first report will result in a warning; a second report in a loss of privilege for 90 days , and third or subsequent reports in a loss of privilege for 180 days

SPECIAL TYPES OF EXTRA DUTY WORK

- A. Officers performing **Oversize Load Escorts** shall review all permits and examine the load to ensure the dimensions accord with the permit.
- B. Officers performing extra duty work involving **Pyrotechnic Use** shall be police explosive technicians. Officers shall review all permits and insurance certificates prior to the event commencement.
- C. Officers assisting at **Commercial Filming Locations** shall ensure that permits are in place and that traffic is not impeded for any more than three minutes at a time. No officers, vehicles, equipment or police buildings shall be used or filmed without permission of the Chief of Police.
- D. **Interviews with officers by External Non-Governmental Agencies** (insurance adjusters, private investigators, law firms, **not** Public Prosecution) are subject to the extra- duty rate whether interviews take place on or off duty. Interviews must be approved by the officer's supervisor. No records will be provided unless approved and paid for.

ROLES AND RESPONSIBILITIES

ROLE OF THE EXTRA-DUTY COORDINATOR

- A. Creates a special-events calendar for the year by January 30th.
- B. Reviews extra-duty requests to determine if they are compatible with the police role
- C. Brings incompatible requests to the attention of the Inspector of Support Services
- D. Meets with the event organizer, reviews event history and previous calls for service
- E. If it is a special event requiring an operational plan, consults with the NCO assigned to Support Services
- F. If it involves construction, has the client submit a traffic protection plan
- G. If liquor is being sold, reviews the permit/license
- H. Determines the police and equipment resources required including the ratio of supervisors to officers
- I. Prepares the contract for the client to sign
- J. Once the contract has been signed, assigns officers in accordance with this policy including the assessment of any special qualifications required for any particular assignment
- K. Maintains a list of eligible officers and monitors the number of hours performed by each
- L. Authorizes the time sheets of assigned officers
- M. Invoices clients
- N. Conducts random follow-up interviews with clients to monitor client satisfaction
- O. Investigates and creates a report of any complaints regarding officer conduct to the Inspector of Support Services
- P. Provides a monthly report on extra-duty activities to the Inspector of Support Services including the number of extra-duty assignments requested and completed by patrol division, the number of extra-duty hours worked, the number of extra-duty assignments involving traffic control and retail, and the number of charges laid during extra-duty assignments

OFFICER EXPECTATIONS

- A. Officers assigned to extra-duties are governed by the provisions of the *Police Act* and Halifax Regional Police policies and procedures and are expected to conduct themselves in accordance with the Values and Code of Professional Ethics of Halifax Regional Police.

- B. Officers performing a extra-duty shall meet Service uniform dress and appearance requirements and as directed in the paid duty assignment
- C. Execute their assignment in accordance with the regular expectations of a police officer, including the enforcement of municipal, provincial and federal statutes.
- D. Officers are expected to use their personal vehicles for travel to and from extra-duty assignments unless a police vehicle has been approved for use as part of the client contract.
- E. Upon arrival at an extra-duty assignment, an Officer shall log in with IES, check-in with the client, and ensure licenses and permits are in place.
- F. An officer shall notify the Watch Commander if the assignment differs from what was expected, weather or unsafe conditions exist, there are insufficient number of officers or the assignment is going beyond the time expected.
- G. If it is necessary for an arrest to be made while performing an extra-duty, notify IES to dispatch a patrol unit to transport and process the offender and report the arrest to the Watch Commander. The transporting officer will be come the I/O and complete the file.
- H. Not leave an assignment before the scheduled end time except to respond to a serious complaint.
- I. Upon completion of an extra-duty, complete any reports and/or notebook, meet with the client, and sign out with IES.
- J. Prohibitions: Officers shall not accept cash, gift or any other form of compensation from the client and shall not make any private arrangements to work.

WATCH COMMANDER

- A. At commencement of a shift, obtains the location of all extra-duties being performed
- B. Addresses any concerns regarding a extra-duty assignment while it is on-going
- C. Fulfills any last-minute extra-duty assignments to the extent possible and reports these to the Extra-Duty Coordinator

INSPECTOR OF SUPPORT SERVICES

- A. Reviews requests for extra-duty regarded as incompatible by the Extra-Duty Coordinator for decision
- B. Reviews monthly extra-duty reports submitted by the Extra-Duty Coordinator
- C. Reviews investigations of extra-duty infractions and decides appropriate consequences

HUMAN RESOURCES/PROFESSIONAL STANDARDS

- A. Notifies the Extra-Duty Coordinator of any change of status in an Officer's eligibility to participate in extra-duty work

FINANCE

- A. Receives invoices from Extra-Duty Coordinator and ensures payments to Officers are processed promptly and client accounts are paid
- B. Notifies Extra-Duty Coordinator of any delinquent accounts

3. DEFINITIONS

- A. **Extra/Paid Duty Employment** means all police-related duty sanctioned by the Chief of Police other than that normally provided for by the Halifax Regional Municipality
- B. **Client** means the person or entity contracting for extra duty police services
 - C. **Regular Duty/Shift** means any scheduled duty including court, in-service training, assigned professional development activities, overtime and on-call, or substitution shift.
 - D. **Contract** means the written agreement between Halifax Regional Police and the client in relation to an extra-duty assignment
 - E. **Traffic Control** means any extra duty assignment that primarily involves directly the flow of traffic or a street closure
 - F. **Retail** means any extra duty assignment inside commercial premises where the primary activity is the sale of goods

Effective Date of Last Revision	March 10, 2025
Policy Owner	Inspector Christina Martin

By Order Of:



Original Signed

Don MacLean
Chief of Police



OFF DUTY EMPLOYMENT/ACTIVITIES

1. GENERAL

- A. A member's primary responsibility is to the Halifax Regional Police Service. The public have a right to expect that its police officers are in optimal physical and mental condition to carry out their duties, that they are always available for emergency service and that they do not engage in activities that create an appearance of impropriety. Ensuring that members are only engaged in approved off- duty employment is important to maintaining public trust.
- B. The purpose of this policy is to set out a process for approval of off- duty employment, to advise members of the restrictions placed on off- duty employment by Section 56(2) of the *Police Act*, and their responsibilities when such activities are considered.

2. POLICY

- A. Section 56 of the *Police Act* provides:
 - (2) Every board shall establish a written policy respecting off duty employment by members of its police department and the policy shall:
 1. define off-duty employment.
 2. set policy guidelines regarding permitted and prohibited off-duty employment.
 3. prohibit a member of the police department from engaging in the business of serving civil process documents or in the private investigator or private guard business; and
 4. prohibit a member of the police department from being in uniform while engaged in off-duty employment.
 - (3) The chief officer shall determine whether employment is extra-duty employment or off-duty employment and whether a particular kind of off-duty employment is permitted or prohibited within the off-duty police policy.
- B. Additionally, the HRM Code of Conduct for Municipal Employees states:
 - i. Outside employment or activities:
 1. Employees must avoid accepting employment or volunteer work for private interests when:
 - a. Such employment or services are incompatible with the performance of their official duties.
 - b. Such employment or services are related to the employee's position with the Municipality, which could impact, or be seen as impacting, their judgement and objectivity; or
 - c. Such employment or services puts the employee in competition with services provided by the Municipality; or the employee has an advantage resulting from their employment with the Municipality that is not available to other interested parties.

SCOPE OF POLICY

- C. Members who are off duty due to sickness or injury, subject to an accommodation or absence management plan or program are prohibited from engaging in off- duty employment except with special permission of the Chief.
- D. A member who has been suspended with or without pay is subject to this policy. A member who is suspended **with** pay shall report all monetary benefits earned from the off-duty employment during the period of suspension to the Inspector of Support. Such earnings will be deducted from pay received during the period of suspension.
- E. Off Duty Employment/Activities that are outside the scope of this policy include but are not limited to:
 - i. Volunteering or participating in charitable or community activities
 - ii. Assisting a friend or relative on a limited, emergency or seasonal basis
 - iii. Hobbies that are undertaken primarily for pleasure
 - iv. Extra Duty employment arranged by Halifax Regional Police
- F. Members of the Canadian Forces Reserves do not need to apply for approval of Reserves employment but will instead provide annual written notice to the Chief of their membership, responsibilities, and the time commitment involved.

PROHIBITED EMPLOYMENT

- G. The following are prohibited as off-duty employment/activities:
 - i. bill collector
 - ii. security guard or other security work
 - iii. taxi, limousine or ride-sharing driver (Uber, Lyft), or the owner or operator of a taxi, limousine or ride-sharing service
 - iv. owner, operator or employee of an establishment in which alcohol is consumed and/or in which gambling occurs
 - v. cannabis industry
 - vi. insurance adjustor or investigator
 - vii. private investigator including skip tracer
 - viii. escort, as an employee of an escort agency
 - ix. process server
 - x. armored car driver or guard
 - xi. Bodyguard
 - xii. any occupation which requires the member to be armed except when police officers who are members of the Canadian Forces Reserves actively engaged in military training or performing a peacekeeping role are covered by the HRP policy on **Military Leave**.
 - xiii. offering a service, advice or consultative direction including crime prevention/intervention. home security and/or business/personal security.
 - xiv. weapons manufacturing or sales
 - xv. employment in any establishment that purports to be a place of adult entertainment
 - xvi. lawyer, paralegal or Commissioner of Oaths outside the work of Halifax Regional Police

RESTRICTIONS ON APPROVED ACTIVITIES

- H. While engaging in an approved off duty employment/activity, members cannot:
 - i. Bid on and/or accept any HRM contracts for services

- ii. Receive, accept or make telephone calls or other communications, including pager messages, related to off duty employment/activities during hours of work for the HRP.
 - iii. Under any circumstances, use any HRP resources to assist them in carrying out any function related to an approved off -duty employment/activity. This prohibition includes but is not limited to the use of HRP computer equipment, photocopiers, electronic system and/or database, telephones, fax machines, pagers and vehicles.
 - iv. Advertise off duty employment/activities on any police uniform, on the member's person or in HRP buildings at any time.
 - v. Wear any articles of the issued HRP uniform while engaged in off duty employment/activities.
 - vi. Identify themselves through words or images as a police officer while engaging in any business related to off duty employment/activities or attempting to secure employment or business related to an activity, or while advertising relative to off duty employment, without the consent of the Chief of Police.
 - vii. Discuss their off-duty employment with any member of the public or any other HRP member during their or the other member's hours of work for the HRP.
 - viii. While on duty or while identifiable as a member of the HRP and off duty, solicit, entice or encourage any member of the public or any other HRP member to join or become involved in their off-duty employment/activities.
 - ix. Use any information to which they are privy because of their employment as a member of Halifax Regional Police including policies and procedures, lesson plans, materials, pamphlets, information and instructions developed by the Service, without written consent of the Chief
 - x. Claim any injuries or illnesses against the Service resulting from their involvement in their off-duty employment
 - xi. Be a member of a trade union unless special permission has been granted by the Chief
- I. Members must notify the Chief if involved in a labor strike or lawsuit related to the off-duty employment/activity

APPLICATION PROCESS

- J. No member shall begin or continue to perform off- duty employment/activities unless and until the member has applied (Appendix A) and received the consent of the Chief of Police. Applications for off- duty employment/activities shall be submitted in writing by the requesting member to the Office of the Chief of Police via his/her Divisional Commander/Section NCO.
- K. Applications to engage in off- duty employment/activities shall include full particulars of the employment/activity including but not limited to:
 - i. Name, address, employer and business owner if the off-duty employment/activity is as an employee.
 - ii. If the employee is involved in a partnership, business venture or company and/or as an officer or shareholder. If advising of the latter, all shareholders' names and dates of birth.

- iii. Nature and location of the employment/activity, including if the employment/activity is as an outside contractor.
- iv. Expected hours of work. If an independent contractor, the manner of obtaining work and the expectations of the work commitments on an annual basis.
- v. Any additional information to assist the Chief of Police with this decision.
- vi. Where a partnership, business venture or company is involved, the list of all clients and current contracts. Any new client relationship/contract secured following approval of an application/renewal will promptly require subsequent disclosure be made to the Office of the Chief of Police.

DECISION-MAKING

- L. The Chief may approve or deny the application or approve the application with such restrictions as are deemed appropriate so that such off-duty employment/activity does not adversely affect the performance of the member in the discharge of their duties.
- M. Any decision by the Chief pursuant to this policy shall be made in writing to the member and shall be included in the member's Personnel file (Appendix B).
- N. Approvals may be granted where:
 - i. The member is in good standing
 - ii. Participation does not create a conflict of interest with the member's duties as a peace officer
 - iii. Participation in the business, venture or employment is not obtained because of being employed as a member of the HRP.
 - iv. The member's effectiveness and performance as a peace officer is not adversely affected.
 - v. The member's position as a peace officer is not demeaned.
 - vi. Participation does not constitute full-time employment.
 - vii. The employment/activity is not otherwise in contravention of this policy or *Police Act* and its regulations.
- O. The Chief may rescind approval for off-duty employment/activity if it is determined that a conflict of interest exists, or the performance of the member's duties is adversely affected. Where an order is made rescinding an approval of off duty employment/activity, the Chief shall allow the member sufficient time for the efficient withdrawal from the off-duty employment/activity.
- P. All off- duty employment/activities approved by the Chief must be renewed annually on January 1 of each calendar year
- Q. Any changes between renewals to the ownership or nature of a member's off- duty employment/activities shall be reported promptly to the Office of the Chief of Police in writing. The Chief may then continue or rescind the authorization. Failure to make this notification may result in cancellation of the original approval and/or disciplinary action.

3. DEFINITIONS

- A. **“Off Duty Employment/Activities”** means any activity, business, undertaking, or calling in which a member participates while not on duty whether or not it involves financial gain or other benefit or consideration.
- B. **“Conflict of Interest”** means a conflict between an officer’s personal and/or business interests and their responsibility and/or duty as an officer of HRP and includes actual or perceived conflicts, and those situations which have potential to be actual or perceived conflicts, those which will bring discredit on the reputation of HRP or undermine the public confidence in same. A conflict of interest can exist whether or not a member is receiving direct salary, financial compensation or a benefit.

4. APPENDICES

Appendix A Application form

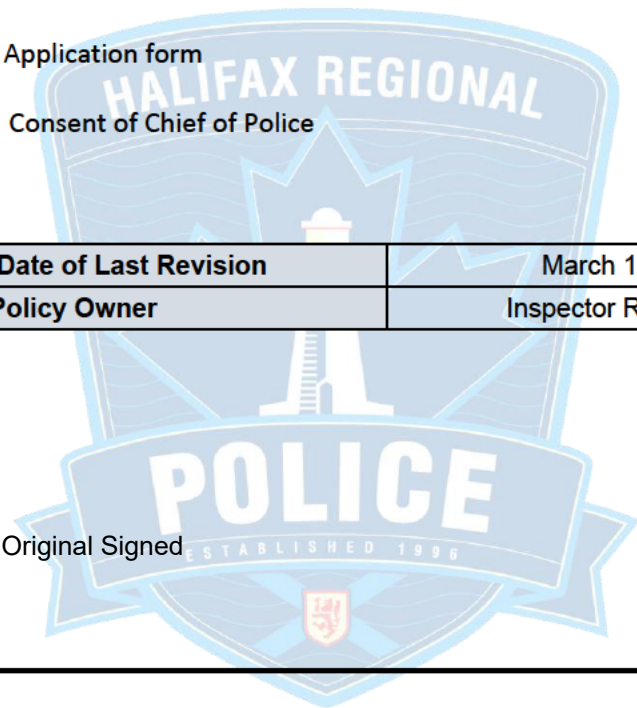
Appendix B Consent of Chief of Police

Effective Date of Last Revision	March 10, 2025
Policy Owner	Inspector Ron Legere

By Order Of:



Original Signed



Don MacLean
Chief of Police