

ORDINANCE
(AS AMENDED)
(AS CORRECTED)
CITY OF NEW ORLEANS

CITY HALL: March 7, 2013

CALENDAR NO: 29,470

NO. 25428 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER CLARKSON (BY REQUEST)

AN ORDINANCE to amend and reordain Sections 90-121 and 90-122 of the Code of the City of New Orleans relative to the payment of police officers, through the Office of Police Secondary Employment, for secondary employment opportunities or private detail work, to establish fee schedules and officer pay schedules for time-based jobs and otherwise to provide with respect thereto .

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS** that Sections 90-121 and 90-122 of the Code of the City of New Orleans be and
3 the same are hereby amended and reordained to read as follows:

4 “Section 90-121. Payment of police officers for secondary employment or private details.

5 (a) Definitions.

6 The following terms, when used in this article, shall have the meanings assigned in
7 this section unless the context clearly indicates otherwise.

8 (1) *Secondary employment* means security or police-related work performed for
9 compensation by an NOPD officer or employee during his or her off-duty
10 hours. Formerly known as “paid details,” or simply “details.”

11 (2) *Time-based jobs* means those secondary employment opportunities that require
12 a person, place, or thing to be secured for a known or estimated duration or
13 period of time. This includes but is not necessarily limited to facility or area
14 security jobs, such as retail, neighborhood patrol, race route security, and
15 special events.

16 (b) Fee and officer pay schedule for time-based jobs:

17 (3) *Major Special Events* shall include any event held at the Ernest N. Morial
18 Convention Center, Fair Grounds Race Course, Mahalia Jackson Theater, New
19 Orleans Arena, Saenger Theater, Superdome, and UNO Lakefront Arena with
20 an expected attendance of at least 2,000 persons. This shall not limit the
21 authority of the City Council or any other authorized entity to declare special
22 events for the purpose of police secondary employment.

23 (4) A. *Holiday Premium* means a flat rate paid in addition to an officer's
24 hourly rate of pay for time-based secondary work and to be effective on
25 Specified Holidays and Days of Officer High Demand. Officers will
26 earn the hourly Holiday Premium for all hours of every continuous shift
27 that begins on a Specified Holiday, even if the shift carries over past
28 midnight. Shifts that begin before midnight the day before a Specified
29 Holiday and carry over past midnight into the holiday will not be
30 eligible for the Holiday Premium. This premium applies to all officers
31 regardless of rank, and does not incur any administrative fee for the
32 customer.

33 B. *Specified Holidays* are:

- 34 i. New Year's Day
- 35 ii. Martin Luther King's Birthday
- 36 iii. Mardi Gras
- 37 iv. Good Friday
- 38 v. Memorial Day
- 39 vi. Independence Day
- 40 vii. Labor Day
- 41 viii. Veterans Day
- 42 ix. Thanksgiving Day
- 43 x. Christmas Day

44 C. *Days of Officer High Demand* are:

- 45 i. Lundi Gras
- 46 ii. Friday after Thanksgiving

- 47 iii. Christmas Eve
- 48 iv. New Year's Eve

Rank	Officer paid per hour	OPSE Admin Fee	Customer pays per hour
Maj/Commander/Captain	\$39	15%, not to exceed \$5	\$44
Lieutenant	\$35		\$40
Sergeant (or full-time Lt working down in Sgt role)	\$32.10		\$36.90
Patrol Officer	\$29.33		\$33.68
Full time employed Lt or Sgt working in a non-supervisory role	\$29.33		\$33.68
Reserve Officer any rank, working in a non-supervisory role	\$29.33		\$33.68

- 61 (1) An additional amount of \$17 per officer per hour, regardless of the rank of the
- 62 officer, shall be added to the customer's hourly price and passed on fully to the
- 63 officer working that shift on Specified Holidays as well as on Days of Officer
- 64 High Demand. The Holiday Premium will only be paid for shifts beginning on
- 65 a Specified Holiday – not an alternate or observed holiday – or Day of Officer
- 66 High Demand.
- 67 (2) The Office of Police Secondary Employment may charge the customer an
- 68 administrative fee not to exceed 15% of the hourly rate or \$5, whichever is
- 69 less. No other fee may be charged to the officer for secondary employment.
- 70 (3) Any fees collected in excess of the amount actually required for operation of
- 71 the Office of Police Secondary Employment shall be proportionally refunded
- 72 to the officers annually. If a surplus is collected, the Office of Police
- 73 Secondary Employment shall reduce the administrative fee to the percentage
- 74 that would have provided sufficient funding, rounded up the nearest whole
- 75 percentage.
- 76 (4) The administrative fee may be waived by ordinance of the City Council.
- 77 (5) Exceptions to the pay schedule may be approved by ordinance of the City
- 78 Council.
- 79 (6) Secondary employment assignments that are required in order to comply with
- 80 an order or requirement put in place by the City of New Orleans shall not be

- 81 subject to the standard pay schedule.
- 82 (7) Assignments requiring specialized certificates beyond that required of all
83 police officers shall not be subject to the pay schedule. Rates shall be
84 determined based on the level of certification.
- 85 (8) For any pre-existing, single-officer details that are paid at a rate lower than the
86 schedule rate, officers may elect to continue working the assignment at the
87 lower rate.

88 Section 90-122. – Use of funds collected.

89 All fees charged for services pursuant to Section 90-121 hereinabove shall be payable to the
90 City of New Orleans and shall be collected by the Department of Finance and deposited,
91 pursuant to City Code Section 70-415.245, into the Police Secondary Employment Fund and
92 used to fund operations of the Office of Police Secondary Employment.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS AUGUST 8, 2013

JACQUELYN B. CLARKSON
PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON AUGUST 9, 2013

APPROVED:

DISAPPROVED: AUGUST 13, 2013

MITCHELL J. LANDRIEU
MAYOR

RETURNED BY THE MAYOR ON AUGUST 13, 2013 AT 3:15 P.M.

LORA W. JOHNSON
INTERIM CLERK OF COUNCIL

ROLL CALL VOTE

YEAS: Cantrell, Clarkson, Gisleson Palmer, Gray, Guidry, Head, Hedge-Morrell - 7

NAYS: 0

ABSENT: 0

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THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY
Lora W. Johnson
INTERIM CLERK OF COUNCIL