	<b>Charlotte-Mecklenburg Police Department</b>		<b>SOP</b>
	<b>Standard Operating Procedure</b>		<b>Hireback SOP</b>
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I. PURPOSE

The purpose of this Standard Operating Procedure is to establish guidelines for the hireback of retired employees. The guidelines are established to provide consistency and efficiency in hireback procedures to include pay, assignments, and term (length) of hireback status. Hirebacks are used to fill gaps as needed in the Charlotte-Mecklenburg Police Department (CMPD).

II. POLICY

This policy applies to all retired employees of CMPD who are being considered for hireback as active employees. The hireback of retirees can have significant benefits for both the individual and CMPD by providing the department with a knowledgeable and experienced pool of candidates to help meet business needs. Although the hireback of retirees is permissible, certain protocols must be observed in order to comply with applicable IRS and NC State Retirement System regulations, as well as ensure that the hireback of a former employee meets the needs of the department. Information about civilian rehires can be found by contacting City of Charlotte Human Resources.


III. DEFINITIONS

- A. Retiree: A former employee, who has or is receiving benefits as a retiree from the North Carolina Local Governmental Employees' Retirement System (NCLGERS).
- B. Special Events Hireback: Rehired sworn retiree that is responsible for working special events or at any other time deemed necessary by the department. Employee must maintain NC State Law Enforcement Officer Certification with CMPD.
- C. Task Oriented Hireback: Rehired retiree that is responsible for a specific task approved by the Chief of Police or designee. Position may be sworn or civilian. Sworn retiree must maintain NC State Law Enforcement Officer Certification with CMPD.
- D. Break in Service: The waiting period (30 days) that a person is not employed by the City of Charlotte. Days are counted beginning with the first day after the last day of employment (including any leave usage) until the day before the new hire date.
- E. Rehire Procedure: Process that a rehired retired employee must adhere to before being re-employed by CMPD. This is administered by the Human Resources Division.
- F. Hireback Liaison: A person to be appointed by the Deputy Chief of Support Services to assist in administering the Hireback program.

IV. PROCEDURE

A. Eligibility

- 1. The retired employee seeking hireback status with CMPD must be in compliance with NCLGERS requirements prior to submitting an application for re-employment. It is the retired employee's responsibility to ensure compliance prior to submitting application for re-employment. In addition, retirees seeking

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hireback status should contact the NCLGERS office to discuss their earnings limitations and their individual employment situations.


2. Hirebacks are prohibited from being a certified law enforcement officer with any other law enforcement agency other than CMPD.
3. No hireback shall be employed with private security companies, to include as a security guard or for a patrol company, to include as an unarmed or armed security guard either as a licensee or working for a licensee as a guard under N.C.G.S. 74C; or in any private protective services capacity, or for any company police certified under N.C.G.S. 74E; or for any business, whether for profit or non-profit that conducts or provides private investigations or background checks.
4. Any occupation not covered under N.C.G.S. 74 that may be considered a conflict of interest shall be referred to the hireback liaison and Human Resources Division for review.

**B. Request and Approval Process for Task Oriented Hireback**

1. The Section seeking the services of a hireback must submit a letter of request through their Chain of Command to the Support Services Deputy Chief or Designee, with final approval resting with the Chief of Police. Approval must be granted before making a commitment to the retiree.

Any Section requiring the services of a hireback employee must submit the following:

- a. Description of the legitimate business need;
- b. Job description;
- c. Immediate supervisor for the employee;
2. The selection of a task oriented hireback will be based on the skill, knowledge, and experience the retiree possesses to fill the position described in the job description. Employees may only be considered for hire back status once they have an official retirement letter and date submitted to Human Resources Division. The employee must have the requisite break in service (30 days) as required by the NCLGERS prior to returning as a hireback employee.
3. Hireback status is not guaranteed. Approval depends on the department's needs at the time of the application, the retiree's qualifications, suitability, and funding.
4. Hireback status can be terminated at any time at the direction of the Chief of Police or designee.

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C. Responsibilities for Task Oriented Hirebacks


1. Will report to the immediate supervisor that is listed on the initial written request.
2. Both Sworn and Civilian Hireback employees will be required to maintain training requirements for task assigned, pursuant to N.C. State Law and all departmental requirements for full-time employees.

D. Request and Approval Process for Special Events Hireback

1. Prior to retirement, the employee seeking to be employed as a Special Events Hireback must submit a letter of request through their Chain of Command to the Support Services Deputy Chief or designee, with final approval resting with the Chief of Police. The employee's Chain of Command must approve the request at each level to be considered for hireback.
2. Hireback status is not guaranteed. Approval depends on the department's needs at the time of the application, the retiree's qualifications, suitability, and funding. Employees may only be considered for hireback status once they have an official retirement letter and date submitted to the Human Resources Division. The employee must have the requisite break in service (30 days) as required by the NCLGERS prior to returning as a hireback employee.
3. Hireback status can be terminated at any time at the direction of the Chief of Police or designee.

E. Responsibilities for Special Events Hirebacks

1. Will report to the Executive Officer (XO) for Support Services and Hireback Liaison
2. The following events are on duty special events designated as City sponsored events. Special Events Hirebacks must work the minimum amount of events as outlined below:
  - a. Carolina Panthers traffic 8 out of 10 games
  - b. Three of the following single day events
    - (1) Martin Luther King Parade,
    - (2) St. Patrick's Day Bar Crawl,
    - (3) Veterans Day Parade,
    - (4) Thanksgiving Day Parade.
  - c. One of the following events
    - (1) New Year's Eve,

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(2) 4th of July.

d. Friday or Saturday night of each of the following

(1) CIAA Tournament,

(2) Speed Street.


3. More events may be added with as much advance notice as possible from XO or Liaison.
4. Opportunities will vary from year to year.
5. Assignments are made by the Support Services XO, Liaison, and Special Events section
6. Special Events Hireback employees will be required to maintain training requirements pursuant to N.C. State Law and all departmental requirements for full-time employees.

**F. Transfer Process for Hirebacks**

1. Prior to a transfer of any hireback within CMPD, a transfer memorandum must be drafted and approved by all involved Chains of Command and approved by the Chief of Police or designee before submission to Human Resources for processing.
2. Hireback transfers and separations will comply with all relevant sections of directive 200-002 Employee Transfers and Separation.

**G. Compensation and Benefits**

1. Rehired retirees may not return to work for a NCLGERS employer in any capacity during the first month of retirement.
2. Rehired retirees are subject to earnings limitations if they are reemployed, or otherwise engaged to perform services, by an employer participating in NCLGERS on a part-time, temporary, interim, or contractual basis.
3. Rehired retirees who are hired in a position with no specific end date must be reenrolled in the Retirement System immediately upon employment if the position regularly requires 1,000 hours or more of service (within a 12-month period).
4. Rehired retirees are solely responsible for keeping track of the amount of hours they work and the total earnings they have received.
5. Retirees, who are receiving retiree health insurance through the City and are reemployed by the City, may continue their retiree health insurance in the event


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their monthly benefit is stopped by the Retirement System due to the earnings limitation.

6. Retirees will be required to make arrangements with the CMPD Human Resources Division to pay their medical premiums for the remainder of the calendar year until the premium deduction is resumed by the Retirement System.
7. The work commitment of a rehired retiree must be less than half-time (20 hours per week and less than 1000 per year).
8. The salary that is paid to a rehired retiree will be commensurate with the most current secondary employment non traffic rate.
  - a. Any change to compensation is at the discretion of the Chief of Police or designee.
  - b. Rehired supervisors/ command staff will not be paid at the secondary employment supervisor's rate unless their hireback status is in a supervisory capacity.
  - c. Any rehired retiree who is hired back in a supervisor's status will have the same roles and responsibilities of a full time supervisory employee.
9. Hirebacks may work secondary employment but will not be jobsite coordinators for any secondary employment assignment/employer.
10. Hirebacks are still subject to Social Security deductions under the Federal Insurance Contributions Act (FICA)
11. Hirebacks are not entitled to receive contributions under the City's retirement plan.
12. Hirebacks are not entitled to step increases, promotions or longevity pay.
13. Regardless of rank held at the time of retirement, CMPD hireback officers assigned to uniformed duties will wear the uniform of and be recognized at the rank of Police Officer. The Chief of Police may override this requirement if deemed necessary.
14. Hirebacks are not entitled to overtime hours that are not specific to their hireback status.

#### H. Equipment

1. A hireback will be provided all required equipment to perform their duties, identical to that of a full time sworn officer.
2. All equipment and uniforms are the property of CMPD and are subject to be returned upon separation from the department or extended leave as outlined in the CMPD 400-003 Equipment.

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3. Retired employees returning as a hireback will not be gifted a CMPD firearm at the time of retirement. Their assigned firearm will be part of their issued equipment upon return from the mandatory 30 day separation from the department. During the mandatory 30 day separation the firearm will be stored in the Property and Evidence Management Division with all other equipment. When the hireback separates from the department in good standing, the firearm may be gifted to him or her at the discretion of the Chief of Police or designee.

I. Annual Performance Evaluation

An annual Performance Evaluation will be completed on all hireback employees.

1. The approved annual Performance Evaluation form will be completed by each hireback employee's assigned chain of command.
2. Completed annual Performance Evaluation forms shall be forwarded to the Human Resources Division for inclusion in the employee's personnel file.

V. REFERENCE

- [200-002 Employee Transfers and Separation](#)
- [300-007 Secondary Employment](#)
- [300-018 Performance Review and Development \(PRD\)](#)
- [400-003 Equipment](#)
- [800-004 Records Retention and Disposition](#)
- [N.C.G.S. 74 C&E](#)