
INQ 16-08 Chao

From: Perez, Martha D. (COE)
Sent: Thursday, January 14, 2016 3:46 PM
To: Chao, Jose (COM) <hao@miamidade.gov>
Cc: Centorino, Joseph (COE) <CENTORI@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Subject: Jose Chao, Sr. Specialist, Communications (Outside employment) INQ 16-08

Dear Mr. Chao,

It was a pleasure speaking with you. Thank you for the additional information you provided. You inquire whether you and your wife need to request permission to engage in outside employment .

As background, you are employed as a Sr. Specialist in the County's 311 Communications Department. Your wife is employed as a Real Estate Evaluator in the Property Appraiser's Office. You own Modern Martial Arts and Fitness, a martial arts school where you teach classes ranging from kickboxing to Krav Maga. Your wife is listed as an officer of the business but she does not perform any work for the business and is not compensated. Although you initially stated you are a County vendor, it was later clarified that you are not a County vendor because you do not transact business with the County; rather, you are considered a County participating merchant. (This means you are a Miami-Dade County Employee Discount member which, among other perks, entitles you to free placement of your business on the County Employee Discount website).

The Miami-Dade County Code at Section 2-11 requires all full-time employees to seek yearly permission before engaging in outside employment. *See also* AO 7-1. Additionally, Section 2-11.1(k) requires the employee to complete a financial disclosure form on a yearly basis. A business owned by a County employee, regardless of whether the business is generating income for the employee, is considered outside employment. Consequently, you are required to obtain written approval from your supervisor. Please refer to our website for additional information: <http://ethics.miamidade.gov> (Click on FAQ's and you'll be directed to links for the approval form for outside employment).

With respect to your wife's responsibilities, the Ethics Commission has opined that being listed as an officer in a spouse's business where the person does not perform any services for that business and receives no compensation is not considered outside employment. RQO 07-24, RQO 08-36, INQ 05-37. Consequently, your wife is not required to obtain written approval to engage in outside employment.

This opinion is based on the facts presented. If any of these facts change, please contact us.

Sincerely,

Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
19 West Flagler St. Suite 820
Miami, FL 33130
(305)350-0656

PEREZMD@miamidade.gov

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From: Chao, Jose (COM)
Sent: Thursday, January 14, 2016 10:25 AM
To: Perez, Martha D. (COE)
Subject: RE: ETHICS OPINION REGARDING COUNTY VENDOR

- 1) Is your wife also a County employee? What department? **She works for the Property Appraiser.**
- 2) What is the name of your business? **Modern Martial Arts & Fitness**
- 3) You stated that you filled out a County form some time ago relating to the business. Could you forward a copy?
According to Sara Vallazo I am not a county vendor but just a partner merchant.

Thanks,

Joe Chao, 311 Senior Specialist
Miami Dade 311 – Communications
“We Answer...to You”
www.miamidade.gov
“Delivering Excellence Every Day”

Hello Martha according to Sara I am not a vendor but a merchant. I imagine that I do not have to register then correct?

Thanks,

Joe Chao, 311 Senior Specialist
Miami Dade 311 – Communications
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“Delivering Excellence Every Day”

From: Vallazza, Sara (COM)
Sent: Thursday, January 14, 2016 9:34 AM
To: Chao, Jose (COM) <hao@miamidade.gov>
Cc: Masson, Theresa (COM) <TMASSON@miamidade.gov>
Subject: FW: New Entry in Employee Discount Program - Modern Martial Arts

Hi, Jose,

You are not considered a vendor on our end. We do have a contract with you as Procurement would.

We call the companies participating merchants.

You do not have a contract for advertising with us either.

Not sure what form you are completing on your end. Below is a copy of the form you submitted originally.

Let me know if you need anything else.

Is your offer on the website current? You will be featured in tomorrow's edition of the Bargain Hunter.

We are on deadline. Please let me know ASAP. Here is a link:
<https://secure.miamidade.gov/enet/wps/portal/fitness#FitnessPrograms>

Sara Vallazza, MPA, PHR
Employee Engagement Coordinator
Communications Department
111 NW 1st Street, 25th floor
305.375.1389
flogom@miamidade.gov
miamidade.gov
Connect With Us on [Twitter](#) | [Facebook](#) | [Instagram](#)

From: The Survey People (GIC) [<mailto:surveys@miamidade.gov>]
Sent: Friday, March 13, 2015 11:03 AM
Subject: New Entry in Employee Discount Program

A new entry has been entered into the employee discount program. Please see the results below:

Contact information

Joe Chao
Modern martial Arts & Fitness
305-542-5549
modernmartial@gmail.com

Description of discount

6 weeks of training for the price of 4 weeks \$41 savings

Does this discount offer expire?

Yes

If yes, provide the expiration date

5/31/2015

Discount URL and/or Promotional Code

www.mma-f.com

List of municipalities, counties or companies where discount is offered

Contact information for up to four entities

What makes this a good offer for County Employees

\$41 savings

Is service ADA compliant?

Yes

I, the undersigned, hereby attest that the above information is true and accurate. I authorize Miami-Dade County Community Information and Outreach to list my company and discount offer(s) on the Miami-Dade County Discount Webpage.

Would you like to receive further information

Yes

From: Perez, Martha D. (COE)
Sent: Thursday, January 14, 2016 10:12 AM
To: Chao, Jose (COM) <hao@miamidade.gov>
Subject: FW: ETHICS OPINION REGARDING COUNTY VENDOR

Dear Mr. Chao,

It was a pleasure speaking with you. In our brief conversation, you clarified that your business, a martial arts school, is not a County vendor but rather offers discounts to County employees. You want to know whether you and your wife are required to seek permission for outside employment. I would appreciate it if you would answer some additional questions:

- 1) Is your wife also a County employee? What department?
- 2) What is the name of your business?
- 3) You stated that you filled out a County form some time ago relating to the business. Could you forward a copy?

Thank you for your anticipated responses. I will respond as soon as I have all the required information. Have a nice day!

Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
19 West Flagler St. Suite 820
Miami, FL 33130
(305)350-0656
PEREZMD@miamidade.gov

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From: Chao, Jose (COM)
Sent: Wednesday, January 13, 2016 9:37 AM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: ETHICS OPINION REGARDING COUNTY VENDOR

Good morning,

I presently own an S Corporation that is also a County Vendor. I have the following questions.

1. Do I need to fill out the Outside Employment Request if I am the owner but not an employee?
2. Does my wife need to fill out the Outside Employment Request if she is an officer but not an employee?

Thanks,

Joe Chao, 311 Senior Specialist
Miami Dade 311 – Communications
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