

resources to conduct professional activities. Although some sections of the code such as Section 2-11.1(g) (exploitation of official position) and 2-11.1(h) (prohibition on use of confidential information) might apply in some contexts, those sections are inapplicable here.

County Administrative Order 6-7 which concerns employees access and use of the internet and e-mail might apply here but does not directly address the use of the e-mail system for such purposes. The administrative order does restrict personal use that violates personnel or departmental rules. However, the creation and enforcement of such policies would be a departmental matter rather than a legal matter under the Conflict of Interest and Code of Ethics ordinance.

Therefore, the issues raised by this request are outside of the Commission's jurisdiction. This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,



ROBERT MEYERS

Executive Director



January 10, 2002

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MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

Irene Nowosad
Chief
Human Resources Division
Department of Water and Sewer
3575 S. LeJeune Road
Coral Gables, FL 33146

RE: REQUEST FOR ADVISORY OPINION 01-136

Dear Ms. Nowosad:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on January 9, 2002 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any possible violations of the Conflict of Interest ordinance created by the use of county resources and equipment for the activities of the Miami-Dade Women's Association.

In your letter, you advised the Commission that the Miami-Dade Women's Association is a networking and advocacy group on equal opportunity issues for county employees. The Association is open to all county employees and conduct seminars and monthly luncheon meetings for members. Several employees of the Department of Water and Sewer have used the county's e-mail system to transmit messages regarding group activities. You are concerned that such activity may violate the Conflict of Interest and Code of Ethics ordinance.

The Commission found the Conflict of Interest and Code of Ethics ordinance does not address the use of county time, equipment and