

## Outside Employment FAQs

- **I am a County or Municipal employee. May I engage in outside employment in addition to my County/Municipal job?**
  - It depends. Some County or Municipal departments have a blanket policy to deny outside employment. In departments that allow outside employment in certain circumstances, County or Municipal procedures to request permission to engage in outside employment must be followed.
  - Pursuant to the Miami-Dade Code at Section 2-11, [Administrative Order 7-1](#), and [Procedure 403](#) (effective 2-2016), all full-time and part-time **Miami-Dade County** employees who engage in any outside employment must request permission from their department before engaging in outside employment. Permission for outside employment must be requested and granted on an annual basis, even in cases where the type of outside employment has not changed. **Municipal employees** should follow Municipal ordinances and procedures regarding permission to engage in outside employment.
  - All **full-time County and Municipal employees** who engaged in any outside employment during the preceding year for any person, firm, corporation, or entity other than Miami-Dade County or their respective Municipality must file a statement regarding their outside employment **income** (Miami-Dade Code at Section 2-11.1(k)(2)). Full-time County employees file the [Outside Employment Statement](#) with County Elections Department by July 1st of each year. **Full-time Municipal employees** must file the [Outside Employment Statement](#) annually with their respective Municipal Clerks. This filing is in addition to any other financial disclosure requirements.
  - **For additional information on outside employment, please visit the Miami-Dade Commission on Ethics' website at: <http://ethics.miamidade.gov/outside-employment.asp>.**
  
- **What activities are strictly forbidden when engaged in outside employment?**
  - Employees engaged in outside employment cannot work for their outside employer during County or Municipal time, cannot use County or Municipal equipment or materials in the performance of outside employment, and cannot be engaged in outside employment that is contrary, detrimental, or adverse to the interest of the County or Municipality.
  
- **I am a full-time or part-time County employee engaged in outside employment. I obtained permission from my department director last year. Do I have to request permission and file the permission form again this year?**
  - Yes, the permission form must be completed and filed every year.
  
- **I was denied permission to engage in outside employment. May I still work occasionally for that company or entity?**
  - No, if the department director denies approval for outside employment, the employee cannot engage in outside employment, either incidental, occasional, or otherwise.
  
- **I am a part-time County employee. Do I have to obtain permission from my department director for outside employment?**
  - Yes, [Procedure 403](#) (effective 2/2016) requires all County employees to obtain permission to engage in outside employment on a yearly basis.
  - **Municipal employees** follow the procedures and ordinances of their respective Municipalities.

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- **I am a department director or supervisor. What are some guidelines with respect to granting or denying requests for outside employment?**
  - The Commission on Ethics has prepared a memorandum outlining guidelines for supervisors and directors on this topic. It can be found on the COE Website at <http://ethics.miamidade.gov/outside-employment.asp>. Some general provisions are also discussed below.
  
- **Which Code of Ethics sections, County Code Sections and County Administrative orders address the issue of outside employment?**
  - County Ethics Code Sections 2-11.1 (j) and (k)
    - Section (j) prohibits conflicting outside employment that would impair an employee's independence and judgment in the performance of that employee's public duties.
    - Section (k) addresses the general prohibition on outside employment except as permitted in Section 2.11 of the County Code and describes the disclosure requirements and deadlines.
  - Section 2-11 County Code
    - Strictly prohibits full-time employees from accepting outside employment, where County time, equipment, or materials are to be used or where outside employment is performed on County time.
    - Outside employment cannot be contrary, detrimental, or adverse to the interest of the County.
    - Any outside employment by full-time employee must first be approved in writing by employee's department director.
    - Department director is required to maintain record of such employment.
  - Administrative Order 7-1
    - Defines County policy on outside employment.
  - Procedure 403
    - Specifies that all full-time and part-time Miami-Dade County employees who engage in any outside employment must request permission from their department before engaging in outside employment.
  
- **What are the disclosure requirements and deadlines for outside employment?**
  - Request for Outside Employment
    - Miami-Dade County employees must submit a [Request for Outside Employment](#) to the employee's Department Director for his/her approval before accepting outside employment. Approval must be obtained every year thereafter while engaged in outside employment. Guidelines on what constitutes Outside Employment are outlined in the [Outside Employment Guidelines](#). Department Directors may request an opinion from the County Ethics Commission regarding conflicts of interest in outside employment.
    - If written approval is granted by the County Department Director, the employee may engage in outside employment.
    - Copies of all outside employment approvals shall be maintained in the centralized personnel files of the County Human Resources Department. Each department shall also maintain appropriate

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records regarding outside employment requests.

- If the Department Director denies approval for the requested outside employment, the employee cannot engage in that outside employment.
- Failure to disclose the precise amount of income earned from one's outside employment is a violation of the ordinance. Failure to disclose the precise amount of income earned from one's outside employment is a violation of the ordinance.
- **Municipal employees** should follow Municipal ordinances and procedures regarding permission to engage in outside employment.

- **Outside Employment Statement**

- Once permission is obtained in accordance with County and Municipal ordinances and procedures, **full time** Miami-Dade County and Municipal employees with outside employment must **also** file an [Outside Employment Statement](#) for (Miami-Dade Code at Section 2-11.1(k)(2)). The [Outside Employment Statement](#) must be filed **no later than 12:00 noon, July 1st of each year**, and must list the source of outside employment, the nature of the work, and the compensation received from such activity. Part-time County and Municipal employees are not required to file this Statement.
- **Full-time County employees** must file the [Outside Employment Statement](#) annually with the County Supervisor of Elections at:
  - Miami-Dade County Elections Department
    - 2700 NW 87th Ave. **or** P.O. Box 521550  
Miami, FL 33172                      Miami, FL 33152-1550
    - **Or** email to: [financial.disclosure@miamidade.gov](mailto:financial.disclosure@miamidade.gov)
- **Full-time Municipal employees** must file the [Outside Employment Statement](#) annually with their respective **Municipal Clerks**.
- Failure to disclose the precise amount of income earned from one's outside employment is a violation of the County Ethics Code.
- For additional information on disclosure requirements and deadlines for outside employment, the Ethics, Commission website also contains a document outlining disclosure requirements and deadlines. It can be found at: [http://ethics.miamidade.gov/library/2016-publications/who\\_must\\_file\\_2016.pdf](http://ethics.miamidade.gov/library/2016-publications/who_must_file_2016.pdf)

- **What are some examples of outside employment that may present a conflict of interest with my County or Municipal job?**

- The outside employment is with a governmental vendor that currently transacts business with the employee's department.
- The outside employment is with the employee's privately owned entity and that entity is seeking to transact business with the governmental entity that employs him or her.
- The outside employment is related to the employee's County or Municipal position.

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- The outside employment consists of work that is similar to work the employee does for the County or Municipality.
  - The County or Municipal employee will come in contact with the same or similar people or entities in both his/her outside employment and in his/her County or Municipal job, e.g., similar clients, suppliers, or subcontractors.
  - The County or Municipal employee uses the same or similar resources in his/her outside employment as he/she uses in his County or Municipal work, e.g., similar tools, similar materials, or similar databases.
  - All or some of the outside employment can only be accomplished during the same business hours in which the employee is required to work for the County or Municipality.
  - The County or Municipal employee works in a public position in which he/she has the opportunity to refer County or Municipal vendors, contractors, bidders, or the public to a private sector entity with which his/her outside employer does business.
  - The County or Municipal employee works in a public position in which he/she has the opportunity to recruit County or Municipal vendors, contractors, bidders, or the public to use his/her outside employment products or services.
  - The outside employment requires that the County or Municipal employee interact with County or Municipal employees or County or Municipal boards, even for routine matters.
  - The County or Municipal employee has access to County or Municipal information that is not available to the public and that information is relevant to his/her outside employment.
  - The County or Municipal employee works in a County or Municipal department that funds or has a contract with his/her outside employer.
  - The outside employment is likely to place the County or Municipal employee in situations in which private economic considerations may override the faithful discharge of his/her public responsibilities.
- **I am a County or Municipal employee and I own and manage three or more rental properties. Is this considered outside employment?**
    - Yes, ownership of three or more rental properties is considered outside employment.
  - **What if the rental properties are managed by a real estate management company?**
    - Where the employee is not involved in the day-to-day management of the rental properties, drawing income from such an activity would not create outside employment unless the employee plays an active role in the management company. However, employees that file a [Source of Income Statement](#) or a [State Form 1](#) will be required to report this business in his or her financial disclosure forms.
  - **Where can I obtain more information on what activities are considered outside employment?**
    - The Commission on Ethics has prepared a memorandum outlining guidelines for outside employment. It can be found on the COE Website at <http://ethics.miamidade.gov/outside-employment.asp>.