

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, August 21, 2012 3:56 PM
To: Abreu, Maria (OCA); Anderson, Charles (OCA)
Cc: Centorino, Joseph (COE)
Subject: INQ 12-145 Abreu Outside Employment

Ms. Abreu,

This is in response to your request for an ethics opinion regarding outside employment.

You work for the County Office of the Commission Auditor (OCA) as a Budget Analyst 3, and you would like to engage in outside employment as an accountant with the Allapatah Community Center.

The Allapatah Community Center receives County funds as a Head Start Delegate Agency through the Community Action and Human Services Department (CAHS). Your work as a County Budget Analyst does not include any responsibilities related to the CAHS or the Head Start program.

We understand that you have the approval of your supervisor, Charles Anderson, to engage in outside employment, but he has asked you to confirm with the Ethics Commission that your outside employment will not violate the County Ethics Code.

In general, we find no ethics conflicts regarding your outside employment. However, several sections of the County Code govern the facts presented:

- Sec. 2-11.1 (f) requires that a County employee who also works for a County contractor ***file a sworn statement disclosing her employment and interests*** with the contractor to the Clerk of the Circuit Court. (We also recommend filing the statement with the Clerk of the Board of County Commissioners and the Elections Department.)
- Sec. 2-11.1 (g) prohibits a County employee from using her official position to secure special privileges or exemptions for herself or others.
- Sec. 2-11.1 (h) prohibits a County employee from disclosing confidential information acquired by reason of her County position or using this information for personal gain.
- Sec. 2-11.1 (j) prohibits a County employee from accepting outside employment that will impair her independence of judgment in the performance of her public duties. A County employee's primary loyalty must always be to the County.
- Sec. 2-11.1 (k) requires that income from outside employment be disclosed July 1st of every year.
- Sec. 2-11.1 (m) prohibits a County employee from meeting with County staff on behalf of her outside employer or any other third parties.

For further guidance, you may also wish to review other ethics opinions at <http://www.miamidadeethics.com/LefthandBarEthicsOpinions/LibraryOfOpinions.html>.

Finally, we emphasize that the County Ethics Code represents a minimal standard of conduct for County employees. Supervisors and subordinates should carefully consider the totality of the circumstances before approving any action that could possibly erode the public's trust

If you have additional questions, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

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From: Martinez, Angie (OCA)
Sent: Friday, August 17, 2012 4:50 PM
To: Centorino, Joseph (COE)
Cc: Abreu, Maria (OCA); Anderson, Charles (OCA)
Subject: Maria Abreu- Request for an Opinion 8-17 2012

As per your conversation with Mr. Charles Anderson, Commission Auditor. Please find attached the letter from Maria Abreu.

Angie Martinez, Executive Secretary

Office of the Commission Auditor

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