
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, January 27, 2015 1:09 PM
To: Sanchez, Rodzandra (COE)
Subject: FW: Carolina Lopez, Deputy Supervisor of Elections, Ethics Opinion (outside employment) INQ 15-14
Attachments: Outside employment Memo 2014 amended (3).doc

INQ 15-14 Lopez

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, January 27, 2015 1:07 PM
To: Lopez, Carolina D. (Elections)
Cc: Centorino, Joseph (COE); Bofill, Carmen (Elections)
Subject: Carolina Lopez, Deputy Supervisor of Elections, Ethics Opinion (outside employment) INQ 15-14

Carolina:

You have inquired whether employees who are compensated for completing marketing surveys for private entities are engaged in outside employment which should be reported in the Outside Employment Statement pursuant to the Miami-Dade County Code at Sections 2-11.1 (j) and (k)(2).

Outside employment is defined as any non-County employment or business relationship in which the County employee provides a personal service to the non-County employer that is compensated or customarily compensated. See INQ 13-34 and INQ 12-131.

An employee who actively seeks to complete marketing surveys in order to earn additional income would be engaging in outside employment. In effect, the employee is being paid for marketing related services which he or she is performing for the private entity. A recently updated memorandum on outside employment (attached) which was ratified by the Commission on Ethics addressed this issue, among others, and provides that:

“either paid or unpaid services to any firm/business including, but not limited to, those owned by an immediate family member is considered outside employment. Examples of providing “services” include, but are not limited to: bookkeeping, legal services, **marketing services**, servicing clients, among others.”

Consequently, these employees should file the Request to Engage in Outside Employment form and the Outside Employment Statement on a yearly basis.

Please contact us if you have any further questions.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
gdiazgr@miamidade.gov
www.facebook.com/MiamiDadeEthics

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, January 26, 2015 1:43 PM
To: Lopez, Carolina D. (Elections)
Subject: RE: Marketing Surveys - Is it OE, do we include in FD?

Hello Carolina,

Generally, I would say yes, because it is a service which would generally be compensated; it is performed for a private entity, and the employee is in fact being compensated. However, I would like to review COE precedent to see if I can find anything on point and I'll get back to you as soon as possible.

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
gdiazgr@miamidade.gov
www.facebook.com/MiamiDadeEthics

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Lopez, Carolina D. (Elections)
Sent: Monday, January 26, 2015 12:34 PM
To: Diaz-Greco, Gilma M. (COE)
Cc: Marlow, Myra (RER)
Subject: Marketing Surveys - Is it OE, do we include in FD?

Hi Mimi,

Quick question, if employees participate in surveys throughout the year and receive some compensation for their time, would this classify as outside employment or would should it be included in a filer's financial disclosure?

Example 1 – On-going family surveys

An employee participates in a one-year marketing review of the family's grocery preferences and their feedback; they are compensated by each review submitted, up to \$300 per year.

Example 2 – One-time survey

An employee participates in a one-time marketing panel to evaluate a new product (i.e. new cleaning products, etc.), and are compensated \$50 -\$150 per survey.

Regards,

Carolina D. Lopez
Deputy Supervisor of Elections
Government Affairs Division
Miami-Dade County Elections Department
2700 NW 87th Avenue
Miami, Florida 33172
305-499-8409 Office
305-495-7557 Mobile
<http://www.miamidade.gov/elections>
"Delivering Excellence Every Day"