

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, August 31, 2017 10:08 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: Shawntia Kirkland, Personnel Specialist 2, Miami-Dade Corrections and Rehabilitation Department (Outside Employment) INQ 218

[INQ 17-218 Kirkland](#)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, August 31, 2017 10:07 AM
To: Kirkland, Tina (MDCR) <Tina.Kirkland@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Shawntia Kirkland, Personnel Specialist 2, Miami-Dade Corrections and Rehabilitation Department (Outside Employment) INQ 218

Dear Ms. Kirkland:

You inquired whether the Corrections Department can approve an employee's request for outside employment with conditions on the approval.

The requirement that County employees request permission to engage in outside employment is found in Miami-Dade Code Section 2-11.1, a separate ordinance from the County Ethics Code which only prohibits conflicting employment and requires financial disclosure of income earned in outside employment. Miami-Dade Code Sections 2-11.1(J) and K). The rationale for requiring permission for outside employment is precisely for departments to monitor these outside activities of County employees to ensure that no problems are being created by that outside employment.

If a question exists as to whether an employee's proposed outside employment creates a conflict of interest under the County Ethics Code, the department should request an ethics opinion from the Ethics Commission. However, assuming no conflict of ethics exists under the Ethics code, each department has final authority to decide whether to grant an employee permission to engage in outside employment based on departmental staffing needs, departmental policies, collective bargaining agreements, personnel issues, etc. Departments can set limitations and conditions on outside employment that comply with local, state, and federal laws and with County HR procedures.

I hope this helps. Please do not hesitate to call me if I can be of further assistance.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Kirkland, Tina (MDCR)
Sent: Thursday, August 31, 2017 9:24 AM
To: Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Bofill, Carmen (Elections) <Carmen.Bofill@miamidade.gov>
Subject: Question refernce Outside Employment
Importance: High

Good morning,

Can we approve an employee Outside Employment with a condition of the approval?
For example: Supervisor approves Outside Employment form with an statement at bottom of request, "Provisional approval with the condition the immediate supervisor monitors attendance and ensure compliance."

Please advise.

Thanks

Shawntia Kirkland, Personnel Specialist 2
Personnel Management Bureau, Employee Relations
Miami-Dade Corrections & Rehabilitation Department
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