

Meyers, Robert (COE)

JNO 05-05

From: Lopez, Silvia (GSA)
Sent: Monday, January 10, 2005 2:28 PM
To: Meyers, Robert (COE)
Subject: RE: Outside Employment

Thanks for your thorough response.
I will forward to our GSA personnel manager for consideration.

Silvia M. Lopez, AIA
Manager, GSA/CMRS Architecture & Engineering
111 NW 1st Street, Suite 2420
Miami, FL 33128
Tel. (305) 375-4862 Fax (305) 375-1125
slopez@miamidade.gov

-----Original Message-----

From: Meyers, Robert (COE)
Sent: Monday, January 10, 2005 1:26 PM
To: Lopez, Silvia (GSA)
Subject: RE: Outside Employment

Ms. Lopez,

Thank you for your inquiries. The Ethics Commission interprets these matters as follows: 1) Signing and sealing plans and responding to questions pertaining to information contained in the plans is permissible. Anything of a routine administrative nature does not violate the "appearances" section of the Code of Ethics and Conflict of Interest Ordinance. However, efforts to influence County staff or appearing before a County board on behalf of client is not permitted; 2) Outside employment where the activities involve interacting with municipalities are not held to the same standard. As long as the department director approves the outside employment request pertaining to engaging clients who may do business with the municipalities, then the requirements under the County's Code of Ethics would be satisfied, provided there are no conflicts between the outside employment and the County employee's county job functions; 3) Work commenced prior to June 2004 will be reviewed in the same manner as work commenced after June 2004.

Please understand outside employment is a privilege that does not have to be granted. No County employee has a right to such employment. Also, we are concerned with County employees who use County resources to furtherance of their outside employment.

Please feel free to contact me if you have any other questions.

Sincerely,

Robert Meyers

-----Original Message-----

From: Lopez, Silvia (GSA)
Sent: Thursday, January 06, 2005 11:37 AM
To: Meyers, Robert (COE)
Cc: Hall, Beverly (GSA); Perez, Jose (GSA); Jardine, Etta A. (GSA)
Subject: FW: Outside Employment

Mr. Meyers,

What has been the outcome of these discussions?

My section is staffed by professional architects and engineers who wish to be able to perform outside employment. These professionals would be signing and sealing plans and responding to building department questions pertaining to the information contained on the plans. They would also on occasion need to respond to questions in the field regarding construction details. While Miami-Dade County would like to forbid them from performing these activities within County

government, what is the interpretation regarding all the other municipalities where these professionals can perform duties? Also, what is the interpretation regarding design/construction jobs which commenced prior to the June 2004 meeting of the Ethics Commission?

Thanks,

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-----Original Message-----

From: Hall, Beverly (GSA)
Sent: Tuesday, June 29, 2004 9:58 AM
To: Jardine, Etta A. (GSA)
Cc: Lopez, Silvia (GSA)
Subject: RE: Outside Employment

A memo or email will be going out to all those who have outside employment explaining the process for review. A preliminary conversation with Mr. Meyers states that pulling permits, signing off on plans, etc. is prohibited by County employees under the new interpretation.

-----Original Message-----

From: Jardine, Etta A. (GSA)
Sent: Tuesday, June 29, 2004 9:10 AM
To: Hall, Beverly (GSA)
Cc: Lopez, Silvia (GSA)
Subject: FW: Outside Employment

Beverly;

Per your memo on the subject below, Silvia brings up an interesting point that may need clarification by Robert Meyers. Please advise, thanks.

Etta A. Jardine
Administrative Coordinator
GSA/CMRS Division
Phone: 305 375-1128

-----Original Message-----

From: Lopez, Silvia (GSA)
Sent: Friday, June 25, 2004 10:39 AM
To: Jardine, Etta A. (GSA)
Subject: FW: Outside Employment

Etta,
Is there any opportunity to request a review of this policy? For Architects and Engineers, not being able to appear before a plans reviewer or field inspector is the equivalent of not being able to perform outside employment. Thanks, Silvia

-----Original Message-----

From: McGriff, Bernard (GSA)
Sent: Friday, June 25, 2004 9:36 AM
To: (GSA) All Staff
Cc: Brody, Corinne L. (CMO); Piper, Howard H. (CMO); Meyers, Robert (COE)
Subject: FW: Outside Employment

Please review the subject e-mail message below from Robert Meyers, Director, Commission of Ethics, regarding the above subject.

In summary, pursuant to Miami-Dade County Code, Section 2-11.1(m)(1), the Ethics Commission concluded that County employees are not permitted to appear before County Boards or department on behalf of their third party clients. The policy is being broadly applied to include any meeting or activity that could benefit the third party client. As an example, filing of documents, seeking a permit or requesting information from the County on behalf of a third party is prohibited by County employees as noted in Mr. Meyer's memo.

Please ensure your compliance with this policy. Thanks in advance for your cooperation.

-----Original Message-----

From: Brody, Corinne L. (CMO)
Sent: Wednesday, June 23, 2004 6:09 PM
To: Baum, Rachel (FIN); Glazer-Moon, Jennifer (OSBM); Holder, Dan (GSA); McGriff, Bernard (GSA); Gutierrez, Ana B. (GOB)
Cc: Piper, Howard H. (CMO)
Subject: FW: Outside Employment

Please make sure you have shared this with your employees

-----Original Message-----

From: Meyers, Robert (COE)
Sent: Monday, June 14, 2004 10:24 AM
To: (MetroNet) Department Directors
Cc: Carey-Shuler, Dr. Barbara (DIST 3); Burgess, George M.(CMO)
Subject: Outside Employment

As you are aware, the County Code authorizes department directors to grant outside employment at their discretion. No employee is permitted to engage in outside employment without permission from the department director or the director's designee. In cases where an employee is considering outside employment that would impair the employee's independence of judgment in performance of his or her public duties, then outside employment should be denied. Over the years, the Ethics Commission has received numerous requests from employees who are seeking approval to engage in outside employment. In many of these cases, the outside activities might require the County employee to interact with the County -- not in the individual's professional capacity as a County employee but as a consultant representing a third party. At its June 2004 meeting and pursuant to Code Section 2-11.1(m)(1), the Ethics Commission concluded that County employees will no longer be permitted to appear before County boards or department on behalf of their third party clients. The term "appearance" was broadly defined to include any meeting or activity that could benefit the third party client. Therefore, filing of documents, seeking a permit or requesting information from the County on behalf of a third party will be prohibited by County employees under this interpretation.

The underlying concern is a fairly obvious one; that is, County employees foster relationships throughout the County and some may on occasion attempt to capitalize on these relationships to benefit their third party clients. These situations may create conflicts of interests for all affected parties. One way of avoiding potential conflicts is simply preventing County employees from conducting business with the County when they want to engage in outside employment.

I would appreciate it if you would circulate this information to those employees who have been granted outside employment. The goal, of course, is to ensure that employees are aware of this policy and that they comply with it. Finally, please inform employees with questions to contact me by e-mail or telephonically at (305) 350-0613.

Thank you for your attention to this important matter.

Robert Meyers