

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, June 28, 2018 10:05 AM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-149, Gary Gonzalez, Personnel/HR WASD/ RE: Outside Employment Request for Javier Reinis, Outside employment (j), (k), INQ 18-149
Attachments: Outside employment Memo 2014 amended (3).pdf; Gonzalez,Gary request.pdf

INQ 18-149 Gonzalez

From: Perez, Martha D. (COE)
Sent: Monday, June 25, 2018 1:40 PM
To: Gonzalez, Gary (WASD) <Gary.Gonzalez@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Reinis, Javier (WASD) <Javier.Reinis@miamidade.gov>; Cotarelo, Antonio (WASD) <Antonio.Cotarelo@miamidade.gov>
Subject: Gary Gonzalez, Personnel/HR WASD/ RE: Outside Employment Request for Javier Reinis, Outside employment (j), (k), INQ 18-149

Dear Mr. Gonzalez,

You have inquired whether a conflict of interest would exist where Javier Reinis, an employee of the Miami-Dade County Water & Sewer Department (WASD), has requested permission to engage in outside employment providing maintenance/handyman services at two private dental offices.

Background

Mr. Reinis is employed as a GIS Field Technician in the Water Transmission & Distribution Division of WASD. The Division operates and maintains water infrastructures for the County. His job responsibilities include performing technical and field work in the area of water and wastewater infrastructure.

He is seeking to engage in outside employment in his private business as a handyman, specifically, performing the following services: checking and/or replacing air conditioner filters, light bulbs; and, repairing locks, water faucets or lamps, as needed, at two dental offices- Phanord & Associates and its affiliate, Sabal Palm Dental. These offices are not County vendors. His work hours would occur outside his WASD hours or on the weekends and is not on an "on call" basis. Mr. Reinis estimates that he would work approximately 4 hours a month on his outside employment. Additionally, this work is not related to the type of work he performs at WASD.

Analysis

Sections 2-11.1(j) and (k) of the County Ethics Code prohibit County employees from engaging in outside employment which would impair a County employee's independence of judgment in the performance of his official duties thereby creating a conflict between the employee's public duties and private interests.

Inquiries concerning conflicting employment require consideration of a myriad of factors. See Outside Employment Memo /Guidelines (attached). Based on the facts presented here, **it is unlikely that Mr. Reinis's outside employment would impair his independence of judgment in the performance of his County duties at WASD as Field Technician:** Mr. Reinis's work is not closely related to his work at WASD; the hours of employment for the dental offices would not conflict with Mr. Reinis's hours of employment at WASD; his work does not involve work with a County vendor. See Section 2-11.1(j) and (k), County Ethics Code; A.O. 7-1

As a reminder, pursuant to Section 2-11, Miami-Dade County Code, County employees are required to request permission for outside employment from their supervisor on a yearly basis. In addition, Section 2-11.1(k)(2) requires filing a financial disclosure form on a yearly basis. County employees are also cautioned that they may not engage in any activity which would require them to disclose confidential information acquired by reason of their official position, nor use such information directly or indirectly for their personal gain or benefit. See Section 2-11.1(h), County Ethics Code.

This opinion is based on the facts as presented. If any of these facts change, or if you have further questions, please contact us.

Sincerely,

Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
19 West Flagler St. Suite 820
Miami, FL 33130
(305)350-0656
PEREZMD@miamidade.gov

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From: Ethics (COE)
Sent: Monday, June 18, 2018 11:58 AM
To: Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>
Subject: FW: Outside Employment Request for Javier Reinis

Please handle.

From: Gonzalez, Gary (WASD)
Sent: Monday, June 18, 2018 11:43 AM
To: Ethics (COE) <ethics@miamidade.gov>
Cc: Saller, Timothy R. (WASD) <Timothy.Saller@miamidade.gov>
Subject: Outside Employment Request for Javier Reinis

This communication is to request an Opinion for an Outside Employment request for Javier Reinis.

Javier Reinis is a GIS Field Technician in our Water Transmission & Distribution Division. He is self-employed through his private business but is not incorporated. Mr. Reinis does not plan to do any business with Miami-Dade County. According to the employee, he performs all his work at Phanord & Associates Dental office and Sabal Pam Dental offices. His work consists of light maintenance of the two offices for approximately 2 hours per month per visit. These jobs are performed after hours or weekends. Our Deputy director feels there could be a possible conflict and is requesting an opinion from your office.

Attached are other pertinent documents for your review.

Gary Gonzalez, Personnel Technician
Human Resources Division
Miami-Dade Water and Sewer Department
786-552-8402

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Gonzalez, Gary (WASD)

From: Reinis, Javier (WASD)
Sent: Monday, June 18, 2018 10:14 AM
To: Gonzalez, Gary (WASD); Prieto, Demi (WASD)
Subject: Request for outside employment

Good morning Gary,

As you requested I am sending you a brief explanation of my work responsibilities with my outside employment at Phanord & Associates Dental office, let me start by saying that Phanord & Associates is the main office and Sabal Palm Dental is secondary smaller office that I also visit to do this work.

I do two visits per month one visit to each office for approximately 2 hours per visit, in each visit I check the air conditioning filters and all light bulbs and replace them as needed also if needed I fix or replace door locks, water faucets, or ceiling lamps this like handy man work, I do it on my spare time or weekends, it does not interfere with my WASD schedule and it is not related with my WASD position at all.

If any additional information is needed please do not hesitate to contact me.

Thank you

Javier Reinis,
WS GIS Field Technician.
Water Transmission & Distribution Division
Miami-Dade Water and Sewer Department
786-268-5428

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REQUEST FOR OUTSIDE EMPLOYMENT

Sections 2-11.1(j) and (k) of the Miami-Dade County Code provide that County employees may accept incidental or occasional outside employment as long as the employment is not contrary, detrimental or adverse to the interests of the County and as long as **no County time, equipment, or other resources are used**. Miami-Dade County **Administrative Order 7-1** and **Procedure 403** require that any County employee intending to engage in outside employment must first obtain approval from his/her Department Director using this **Request for Outside Employment** form. These approvals must be renewed on an annual basis. Copies of all outside employment approvals shall be maintained in the centralized personnel files of the Human Resources Department. Each County department shall also maintain appropriate records regarding outside employment requests. Full-time County employees engaging in outside employment must also file an **Outside Employment Statement** form with the Elections Department by July 1st of each year, in accordance with §2-11.1(k)(2) of the Miami-Dade County Code. More detailed information on outside employment is available on the **Miami-Dade Commission on Ethics website**.

Employee's Name	Javier Reinis	Employee ID Number	00304014
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Present County Employment (check one)

<input checked="" type="checkbox"/> County	<input type="checkbox"/> Public Health Trust		
Department	Water & Sewer	Position or Title	GIS Field Technician
Job Responsibilities (Please also include your work hours/days off and advise if you are on-call) My work hours are from 7:AM to 3:30 PM not on-call. Locate and mark underground water infrastructure, inventory and reference water & sewer assets using GPS devices to input recovered data. Field research and assistance to other departmental sections with tests and missing assets			

Proposed Outside Employment

Name of Company/ Organization	Phanord & associates Dental
Job Title	Maintenance
Responsibilities	Check and replace A/C filters and light bulbs as needed, basic maintenance of office. Not on call.
Location	1245 NW 119TH ST, Miami FL 33167
Work Schedule	2 visits per month, no specific schedule, done after hours on weekends or some time.
Total hours per week	4
Will your proposed outside employer release you if and when your services are needed by the County? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

In my outside employment, I am employed by one of the following types of organizations:

- Company or organization that is not a County vendor.
- Company or organization that is a County vendor. (An Ethics Opinion should be requested to ensure that no conflict of interest exists and the County employee is required to file a sworn **affidavit** disclosing such employment with the County Clerk of the Board.)
- Self-employed through my private business, whether incorporated or not. (If your privately-owned business is seeking to contract with Miami-Dade County, you are required to request an **ethics opinion**.) *I do not plan to do business with Miami Dade Co*
- Company or organization owned by an immediate family member; defined as a spouse, domestic partner, parents, stepparents, children, and stepchildren of employee. (If the company owned by your immediate family member is seeking to contract with Miami-Dade County, **ethics opinion** is required.)

I affirm that the information I have provided is true and I pledge to abide by the requirements listed here.

WASH MAY 9 5 PM 11 22
 Human Resources
 Received
 WASH

Employee's Signature		Date	5/09/2018
Immediate Supervisor's Signature	Alcidés Betancourt	Date	5-9-18
Division Chief's Signature		Date	5/9/18
Deputy Director/Assistant Director (As Needed)		Date	5/14/18
Department Director's Approval		Date	