

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, August 02, 2018 11:36 AM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-189, Evelyn Campos, Professional Compliance Director, Miami-Dade County Aviation Department (Outside employment (j) and (K))
Attachments: DSOP_17_03_MDAD_Outside_Employment_Guidelines_FINAL_26JUN18.pdf

INQ 18-189 Campos

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, August 02, 2018 11:33 AM
To: Campos, Evelyn (Aviation) (ECampos@miami-airport.com) <ECampos@miami-airport.com>
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: INQ 18-189, Evelyn Campos, Professional Compliance Director, Miami-Dade County Aviation Department (Outside employment (j) and (K))

Dear Ms. Campos:

It's been a pleasure working with you to discuss the Miami-Dade Aviation Department's (MDAD) proposed revisions to its Outside Employment Policy. The COE appreciates the diligence by MDAD to create an outside employment policy for the department that both complies with the County Ethics Code and addresses some of the department's unique needs.

After review of the proposed changes and our conversations, we are recommending the following additions to MDAD's outside employment policy (highlighted in yellow):

- 1- Purpose and Scope Section: include reference to County Ethics Code Sections 2-11.1(j) and(k) which prohibit employees from engaging in other employment which creates a conflict between the employee's private interest and his or her private duties:
 "PURPOSE and SCOPE: Pursuant to Section 2-11 of the Code of Miami-Dade County and Administrative Order 7-1, Miami-Dade Aviation Department (Department) employees, upon written authorization to do so, may accept incidental or occasional outside employment as long as the employment is not contrary, detrimental, or adverse to the interests of the County. **In addition, pursuant to the County Ethics Code Sections 2-11.1(j) and (k), County employees cannot accept other employment which would impair the employee's independence of judgement in the performance of his or her duties.** The authorization of outside employment is a privilege, not a right. This policy provides guidance and requirements to Department employees seeking to engage in outside employment.
- 2- Definitions Section I(A.): include hyperlink to the Commission on Ethics' Outside Employment guidelines to assist employees in verifying whether their outside activates are considered outside employment:
 - I. **"DEFINITIONS:**
 - A. **Outside Employment:** providing personal services, other than to Miami-Dade County that are compensated or traditionally compensated, including but not limited to, being an employee, and independent contractor, an agent, self-employment, rental property ownership and/or Board

membership. For additional information on what constitutes outside employment please see the County Ethics Commission's [Outside Employment Guidelines](#).

- 3- Policy Section III(B.): include hyperlink to the Commission on Ethics' Outside Employment guidelines to advise employees of limitations of transacting business with the County through their privately-owned businesses:

"B. Employees with an active professional license may use their license to engage in outside employment upon approval to engage in outside employment. Further, they MAY NOT use their license to conduct business with Aviation Department coworkers, vendors, contractors, or tenants of the Department, nor collect any form of compensation (including but not limited to commission or finder's fee, in-kind compensation, or salary) from such activity. Additional information on restrictions in transacting business with the County can be found in the County Ethics Commissions [Outside Employment Guidelines](#). Forms to obtain an ethics opinion on limitations on transacting business with the County can be found at: <http://ethics.miamidade.gov/frequently-used-forms.asp>.

Otherwise, we find that the proposed revisions to MDAD's outside employment policy meet with the requirements set out in the County Ethics Code.

Please contact me if you have any further questions.

Regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney






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From: Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]
Sent: Tuesday, July 10, 2018 12:38 PM
To: Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: RE: Outside employment

Also, here is our executed policy for Outside Employment for our staff.

Evelyn Campos, Professional Compliance Director
Miami-Dade Aviation Department
P.O. Box 025504
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From: Diaz-Greco, Gilma M. (COE) [<mailto:Gilma.Diaz-Greco@miamidade.gov>]
Sent: Tuesday, July 10, 2018 10:31 AM
To: Campos, Evelyn (Aviation)
Subject: RE: Outside employment

Thanks for understanding Evelyn-




Joe want to update online County employee ethics training before he leaves so I am also working on that.

From: Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]
Sent: Tuesday, July 10, 2018 10:22 AM
To: Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: RE: Outside employment

Completely understand, no problem

Evelyn Campos, Professional Compliance Director
Miami-Dade Aviation Department

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From: Diaz-Greco, Gilma M. (COE) [<mailto:Gilma.Diaz-Greco@miamidade.gov>]
Sent: Monday, July 09, 2018 4:22 PM
To: Campos, Evelyn (Aviation)
Subject: Outside employment

Hi Evelyn:

I'm just returning from annual leave. I am going through my 300 emails. I'll call you tomorrow and we can discuss.

Thanks,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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Departmental Standard Operating Procedure (DSOP)

DSOP No. 17-03

Last Amended: August 22, 2017

Effective: 6/26/18

SUBJECT: MIAMI-DADE AVIATION DEPARTMENT OUTSIDE EMPLOYMENT GUIDELINES

PURPOSE and SCOPE: Pursuant to Section 2-11 of the Code of Miami-Dade County and Administrative Order 7-1, Miami-Dade Aviation Department (Department) employees, upon written authorization to do so, may accept incidental or occasional outside employment as long as the employment is not contrary, detrimental, or adverse to the interests of the County. In addition, pursuant to the County Ethics Code Sections 2-11.1(j) and (k), County employees cannot accept other employment which would impair the employee's independence of judgment in the performance of his or her County duties. The authorization of outside employment is a privilege, not a right. This policy provides guidance and requirements to Department employees seeking to engage in outside employment.

I. AUTHORITY:

- A. Administrative Order No. 7-1, Outside Employment and Gratuities
- B. Miami-Dade County Code, Ethics Code Sections 2-11.1 (j) and (k)
- C. Miami-Dade County Procedure 403
- D. Operational Directive No. 99-03, Aviation Department Written Directive System
- E. Departmental Standard Operating Procedure No. 00-01, Departmental Standard Operating Procedures

II. DEFINITIONS:

- A. Outside Employment: providing personal services, other than to Miami-Dade County, that are compensated or traditionally compensated, including but not limited to, being an employee, and independent contractor, an agent, self-employment, multiple rental property ownership and/or Board membership. For additional information on what constitutes outside employment please see the County Ethics Commission [Outside Employment Guidelines](#).
- B. Soliciting: seeking the business of potential customers, generally by asking them to purchase goods or services.

- III. POLICY:** All Miami-Dade Aviation Department employees, whether full-time or part-time, must obtain written approval from the Department Director prior to accepting or engaging in outside employment by completing the Miami-Dade County Request for

Outside Employment (Exhibit I) and the Miami-Dade Aviation Department Supplemental Information for Outside Employment (Exhibit II) Forms. The Forms shall be accurately completed, signed and submitted to his/her immediate supervisor detailing the requisites of the outside employment opportunity and await authorization before accepting outside employment. Miami-Dade County policy permits departments to establish additional restrictions to its employees as deemed operationally necessary. As such, the following provisions are in effect:

- A. Department employees are prohibited from entering into outside employment with business entities operating at Miami International Airport, or any of the General Aviation Airports, if the employee's job responsibilities include oversight, interaction or direct contact with employees of that business entity.
- B. Employees with an active professional license/certification may use it to engage in outside employment upon Department approval to engage in outside employment. Further, all Aviation employees with outside employment are prohibited from conducting such business with Aviation Department coworkers, vendors, contractors, or tenants of the Department, nor collect any form of compensation (including but not limited to commission or finder's fee, in-kind compensation, or salary) from such activity. Additional information on restrictions in transacting business with the County can be found in the County's Ethics Commission [Outside Employment Guidelines](#).
- C. Employees shall not solicit Aviation Department coworkers, vendors, contractors, or tenants of the Department in order to obtain outside employment nor to generate business for their outside employment.
- D. The Department reserves the right to revoke previously authorized outside employment. The employee is required to postpone all outside employment until the Department advises otherwise.
- E. Outside employment hours are not to exceed 16 hours per week.
- F. All violations incurred while performing outside employment job duties may also jeopardize continued employment with the Department.

Authorization to accept outside employment (Exhibit I) must be granted prior to accepting outside employment opportunities. Further, outside employment authorizations must be renewed on an annual basis, by December 31st of each year, even if the conditions of such employment have not changed. Annual re-submission is the responsibility of each employee previously granted outside employment. If annual re-authorization is not sought, the outside employment is considered unapproved. Full-time employees engaging in outside employment must also file an Outside Employment Statement form with the Elections Department by July 1st of each year. Information on this Statement and the form are available on the Miami-Dade Commission on Ethics website.

Effective: 6/26/18

IV. AMENDMENTS:

The Department reserves the right to amend this operating policy at any time based on current law, Miami-Dade County policies and operating needs.

V. REVOCATION:

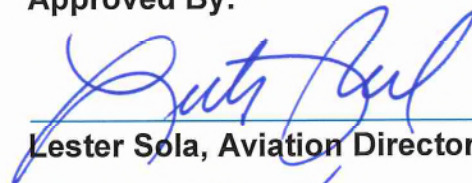
Revocations and removal of established Department policies requires written justification by requesting division management for review and concurrence by the Department's Professional Compliance Division. Upon written concurrence, the revocation request will be submitted, by Professional Compliance, for approval by the Aviation Director. Should the written directive be an Operational Directive, the authorized revocation justification will be sent to the Clerk of the Board for filing with the original Operational Directive under revocation. All approved revocation justification memoranda shall be posted to the Department's Written Directives Log to identify why the directive has been revoked to maintain ongoing operational accountability.

VI. SEVERABILITY:

If any court of competent jurisdiction determines that any provision in this policy is illegal or void, that provision shall be nullified and the remainder of this policy shall continue in full force and effect. If such court rules that any charge, fee, or security deposit requirement is illegal or void, the Aviation Director is authorized and directed to impose a charge, fee, or security deposit requirement that complies with the court order or applicable provisions of law, which shall become effective on the date of imposition and shall continue until modified by the Miami-Dade County Board of County Commissioners.

VII. CROSS REFERENCES: None

Approved By:


Lester Sola, Aviation Director

Date: 6-26-18

Exhibit I – Miami-Dade County Request for Outside Employment

Exhibit II – MDAD Supplemental Form for Outside Employment



REQUEST FOR OUTSIDE EMPLOYMENT

Exhibit I

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	Employee ID Number
-----------------	--------------------

Present County Employment (check one)

<input type="checkbox"/> County <input type="checkbox"/> Public Health Trust	
Department	Position or Title
Job Responsibilities	

Proposed Outside Employment

Name of Company/ Organization	
Job Title	
Responsibilities	
Location	
Work Schedule	
Total hours per week	
Will your proposed outside employer release you if and when your services are needed by the County? <input 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**.)
- ☐ 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.

Employee's Signature

Date

Department Director's Approval

Date



Miami-Dade Aviation Department Supplemental Information for Outside Employment

Employee Information

Employee Name: _____ Employee ID: _____

Division: _____ Job Classification: _____

Employee Status
(Full-time/
Part-time): _____ Hours Worked per
Pay Period: _____

Supervisor/Manager/Chief: _____

List your specific duties/responsibilities under your current job classification:

What area(s) within Miami International Airport and/or the General Aviation Airports are you normally assigned to work?

- ☐ Terminal, specify concourse/location _____
- ☐ Cargo _____
- ☐ Ramp _____
- ☐ GAA, specify airport _____
- ☐ Other, please specify _____

List airlines, tenants, concessionaires, service providers or any other companies that you directly interact with as part of your current job at the Aviation Department:

Proposed Outside Employment

Name of Company/Organization for Outside Employment: _____

Proposed Job Title: _____

Is the Outside Employer a County vendor?

☐ Yes
☐ No

Does the Outside Employer conduct business with the Miami-Dade Aviation Department?

☐ Yes
☐ No

Have you had any direct interaction with the proposed outside employer in your current job classification with the Aviation Department?

☐ Yes if yes, please explain _____
☐ No

Will the requested outside employment be performed at Miami International Airport and/or the General Aviation Airports?

☐ Yes if yes, please indicate specific location (i.e. terminal, concourse, cargo, ramp, etc.):

☐ No if no, state address where the requested outside employment will be performed:

What will be your work schedule for the proposed outside employment?

What will be the proposed hours per week for your outside employment?

List your specific duties/responsibilities under the requested outside employment:

Employee Acknowledgement

I am requesting approval to perform outside employment during off-duty hours. The work will not exceed 16 hours per payroll week. Outside employment does not adversely affect my job performance, does not represent a conflict of interest or ethics violation with Miami-Dade County, and is not contrary, detrimental, or adverse to the interests of Miami-Dade County or the Miami-Dade Aviation Department. I understand that as an essential employee to the Department I am subject to recall to duty at any time when an operational necessity has been designated and that approval is only for the employment listed, and that continued approval is not assured. No County equipment, material, instruments, licenses, designations or facilities will be used and no part of such employment will be conducted on County time.

I certify that the data provided is correct, and that I have read and understand the conditions specified in applicable departmental directives concerning outside employment, and I agree to abide by the contents thereof, including specifically any terms and conditions of such employment. I understand that failure to comply with the stipulations indicated will cause for revocations of approval and could result in possible disciplinary action. I also understand and agree that approval or denial is entirely at the discretion of the approving authority.

Employee Signature: _____

Date: _____

Department Signatures

Supervisor/Manager/Chief
Recommend Approval

Date

Supervisor/Manager/Chief
Recommend Denial

Division Director
Recommend Approval

Date

Division Director
Recommend Denial

Assistant Director
Recommend Approval

Date

Assistant Director
Recommend Denial

Deputy Director or Chief of Staff
Recommend Approval

Date

Deputy Director or Chief of Staff
Recommend Denial