

**Frigo, Victoria (COE)**

---

**From:** Frigo, Victoria (COE)  
**Sent:** Tuesday, April 19, 2011 1:41 PM  
**To:** Bofill, Carmen (Elections)  
**Subject:** Outside Employment  
**Attachments:** AO7-1 Outs Emp Gratuities.pdf

Hello Carmen,

You asked if the County imposes any limits on the amount of money an employee may earn from outside employment.

The Ethics Commission has repeatedly stated that an employee's department director has ultimate authority to approve or reject an employee's request to engage in outside employment. The director may impose any limits reasonable and necessary to insure that engaging in outside employment will not impair the employee's "independence of judgment in the performance of his or her public duties." See County Code at Sec. 2-11.1 (j).

A County employee owes a primary duty of loyalty to Miami-Dade County. To quote Administrative Order 07-1, attached—

[County affairs and business \[must\] be conducted free of the influence of employees' personal and private financial interests, both in appearance and in fact. It is essential, therefore, that public employees avoid any and all situations that represent, or appear to represent, conflicts between their personal interests and their public duties.](#)

Conceivably, a County employee's loyalties could be divided if income earned from outside employment exceeded income from County employment. However, without knowing the particular details in this case, the Ethics Commission cannot opine. To obtain ethics guidance, County employees are encouraged to contact the Ethics Commission directly to request legal opinions based on their specific facts.

Sincerely,

**VICTORIA FRIGO, STAFF ATTORNEY**  
MIAMI-DADE COUNTY COMMISSION ON ETHICS  
DIRECT PHONE: 305 350-0601  
FAX: 305 579-0273



19 WEST FLAGLER ST., SUITE 820  
MIAMI, FL 33130

*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.*