

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Thursday, November 01, 2012 4:49 PM  
**To:** Muñoz, Alex (ASD)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** INQ 12-184 Gifts for Incentive Program

Mr. Muñoz,

Thank you for discussing your employee incentive program with me today.

You stated that you envisioned obtaining gifts to use in the incentive program from two sources—donations from business entities and prizes obtained with grant money from the ASPCA.

**The County Ethics Code at Sec. 2-11.1 (e)(2)(e)** allows County employees to solicit gifts on behalf of the County for use solely by the County in conducting its official business.

One goal of the Animal Services Department, and part of its official business, is to improve animal adoption rates. You stated that you have increased adoption rates by incentivizing employees with internal rewards. You believe that offering gift cards and prizes to employees would enhance the success of the adoption program.

When soliciting gifts from business entities and organizations, the Ethics Commission has held that County vendors may not be targeted. You volunteered that only non-County vendors would be contacted in the solicitation process.

Additionally, the procurement division of the Animal Service Department should not be involved in soliciting gifts from business entities and organizations. Procurement employees and senior staff should not contact business entities and organizations directly, and solicitation requests should not be included when distributing procurement documents during any procurement process.

These criteria were established in an ethics opinion given to Jackson Memorial Hospital (JMH) regarding the solicitation of gifts by JMH employees on behalf of the Jackson Memorial Foundation. *See* RQO 05-06.

Regarding the ASPCA grant, you stated that the sole purpose of the grant is to incentivize employees. Other grant money obtained from the ASPCA has been used to lower the cost of adoptions. Consequently, the facts related to the ASPCA grant are different from those involving gift cards given to the Community Action Agency (CAA) by FPL. In the opinion given to the CAA, the agency was told to distribute discount cards obtained from FPL to randomly chosen low-income residents rather than to County employees as holiday gifts. *See* RQO 07-61.

Finally, **Sec. 2-11.1 (e)(4)** of the County Ethics Code requires County employees who receive gifts totaling more than \$100 from a single entity in any quarter to report the gift on a Quarterly Gift Disclosure form. Gifts obtained from outside entities as well as those obtained directly from the County must all be reported.

If you have additional questions, please feel free to contact me.

Sincerely,

**VICTORIA FRIGO, STAFF ATTORNEY**

Phone: 305 350-0601

Fax: 305 579-0273



19 West Flagler St., Suite 820  
Miami, FL 33130

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**From:** Muñoz, Alex (ASD)  
**Sent:** Thursday, November 01, 2012 1:34 PM  
**To:** Centorino, Joseph (COE)  
**Cc:** Hudak, Alina T. (Office of the Mayor); Crespi, Christina (Office of the Mayor)  
**Subject:** Ethics Opinion on Incentive Program

Good afternoon Mr. Centorino:

The Animal Services Department has implemented a quarterly Employee Incentive Program to recognize employee performance, encourage teamwork, and improve service and morale.

- 1) Increasing the Live Release Rate
- 2) Leadership
- 3) Most Creative Solution
- 4) Attendance

Incentive and Recognition Programs are elements of creating a motivated workforce. These programs can help advance and achieve greater success for the organization and its mission. To create an effective program – the incentives should be interesting for the employees. To that end, the Department is seeking opportunities to fund incentives/prizes given to employees who excel in their respective areas. One such opportunity is through an ASPCA grant that would be utilized to purchase gift certificates, prizes, etc. The ASPCA has expressed an interest in partnering with the department to establish this program. The department is seeking an opinion for the usage of this program and the solicitation of donations from private businesses and organizations to support and fund this program.

Thank you for your assistance,

Alex Muñoz, Director  
Miami-Dade County Animal Services Department  
7401 NW 74th Street, Medley, Florida 33166  
305-418-7127 Phone  
305-805-1619 Fax

[www.miamidade.gov/animals](http://www.miamidade.gov/animals)

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