

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Wednesday, October 16, 2013 5:19 PM  
**To:** Rodriguez, Helen (RER)  
**Cc:** Melendez, Marcia (RER); Castillo, Hilda (RER); Armada, Manuel (RER); Woerner, Mark (RER); Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** INQ 13-257 Ethics Opinion

Ms. Rodriguez,

You asked if you would be in violation of the County Ethics Code if you advertised the participation of your private company in a County-sponsored event on Oct. 18, 2013, where you will be donating 20% of the profits you earn at the event to support the United Way and Breast Cancer Awareness.

Although you do not appear to be exploiting your official County position for your personal gain, nor do you appear to be engaged in conflicting outside employment, your activities may create an *appearance* of self-promotion to the detriment of the County.

The County's Administrative Order AO 7-1 states, "County business must be conducted free of the influence of employees' personal and private financial interests, both *in appearance* and in fact." See also Miami-Dade County Code at Secs. 2-11.1 (g) and (j).

You stated that the Mayor's office invited your privately owned company, Healing Hands by Helen, Inc., to offer discounted chair massages at the Oct. 18<sup>th</sup> event. You agreed to donate 20% of your profits that day to the United Way and Breast Cancer Awareness. You have received permission from your department director and supervisors to engage in outside employment, to be absent from your County job on this day, and to use annual leave for your absence.

You personally created a flyer announcing the discounted massages, and the flyers were distributed electronically to all but one of the County's departments through the Mayor's office. The one exception to the distribution from the Mayor's office was in your own department, the Dept. of Regulatory and Economic Resources, where you distributed the flyers as part of your responsibilities as the United Way and Breast Cancer Awareness coordinator.

Going forward, in order to avoid an appearance of impropriety, you may wish to delegate—to another County department or County employee not associated with you—tasks related to developing and distributing flyers that promote your private services and products at County-sponsored events. Information and distribution about your private company should be kept to an absolute minimum.

If you have additional questions, please feel free to contact me or my colleague, Gilma Diaz-Greco, Staff Attorney.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

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**From:** Rodriguez, Helen (RER)  
**Sent:** Wednesday, October 16, 2013 12:16 PM  
**To:** Frigo, Victoria (COE)  
**Cc:** Melendez, Marcia (RER); Castillo, Hilda (RER); Armada, Manuel (RER); Woerner, Mark (RER)  
**Subject:** Conflict of Interest Inquiry

Ms. Frigo:

Good morning. I've been advised by Marcia Melendez to contact you regarding Conflict of Interest/Inquiry as to working to raise funds for the Making Strides Against Breast Cancer/United Way of Miami-Dade through my massage therapy company, Healing Hands by Helen, Inc.

Just so you know, I do have an Outside Employment which has been approved by our Department Director back in April of this year once I opened my company. I've been working helping raise money for the United Way of Miami-Dade County and Making Strides Against Breast Cancer since I started in Miami-Dade County in the year 2000. For instance, last year, I gave chair massages for the Mayor's United Way Kickoff event on County time since it was approved by the Mayor's office and 100% of the proceeds raised went to the United Way. In March 2013, I opened up my own massage therapy company. Recently, I did an event in the SPCC building on October 4, 2013 for the Breast Cancer fundraiser. In order to do this event I was told by the committee that I needed to take an Annual day off from work in order to work this event since I own my own company. I ended up raising funds for the Breast Cancer Awareness campaign and donated 20% of the proceeds.

Now we are approaching the final Breast Cancer campaign and starting the United Way campaign on October 22<sup>nd</sup> through December. Again, I have been asked by the Mayor's office to perform chair massages to raise funds for the United Way as well as the Breast Cancer. The event is scheduled for Friday, October 18, 2013 which is the Mayor's Fall Into Wellness Fair as well as the United Way Kickoff Campaign. I have requested to take 6 hours of Annual on this day in order to do the event and it has been approved by my immediate supervisor, Manuel Armada and Assistant Director, Mark Woerner.

Attached are the flyers for Friday's event. Please let me know if this will be a conflict of interest.

<< File: fall-into-wellness-fair-2013.pdf >>

<< File: Healing Hands by Helen - Fall into Wellness Fair 2013.pdf >>

**Helen M. Rodriguez**, Administrative Secretary  
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RER Department United Way Coordinator  
Planning Research Section  
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