
From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, July 31, 2014 1:11 PM
To: Sanchez, Rodzandra (COE)
Subject: FW: Kathleen Labrada- Ethics Opinion (outside employment) INQ 14- 187
Attachments: INQ 14-185 Munoz.pdf

INQ 14-187

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, July 31, 2014 1:10 PM
To: Labrada, Kathleen R. (ASD)
Cc: Centorino, Joseph (COE)
Subject: Kathleen Labrada- Ethics Opinion (outside employment) INQ 14- 187

Dear Ms. Labrada.

Mr. Centorino requested that I respond to your inquiry. You inquired about possible conflicting employment for Animal Services Department (Animal Services) veterinarians and clinic staff. As background, we understand that Animal Services employs veterinarians as County employees, but also contracts with private veterinary practices as County vendors. Below you will find guidance on the possible conflict of interest issues under the County Ethics Code.

In general, the County Ethics Code at Sec. 2-11.1 (c)(2) does not prohibit a County employee, through his or her privately owned business, from entering into a contract with Miami-Dade County as long as the contract does not interfere with the full and faithful discharge of the employee's duties to the County. This includes the condition that the employee not participate in determining the contract requirements or in awarding the contract. Additionally, none of the employee's job responsibilities and job descriptions may require him or her to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. **Finally the employee may not work, in any County department that will enforce, oversee or administer your contract.** This provision may only be waived by a two-thirds vote of the Board of County Commissioners (BCC). See Section 2-11.1 (c)(6) (waiver may be affected if the services involved in the transaction are unique).

In this instance it would mean that the County Ethics Code would prohibit an Animal Services employee who has a private veterinary practice outside of their County employment, from contracting with the Animal Services Department unless a waiver is granted by a majority vote of the BCC.

Please note that employees who contract with the County are engaged in outside employment and must complete the request to engage in outside employment form and the financial disclosure form on a yearly basis. See 2-11 and 2-11.1(k). These forms can be found at:

<http://www.miamidade.gov/elections/financial-disclosures.asp>

Veterinarians employed in private practice who are County vendors, may provide veterinarian services to Animal Services assuming that all procurement processes have been properly followed. However, as explained above, they would be prohibited from serving both as a County vendor for Animal Services and as a County employee in (full or part time) in that same department.

I am also attaching INQ 14-185 sent to Mr. Munoz, Director of Animal Services which contains an in-depth analysis of this issue.

Please contact us if we may be of further assistance.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Centorino, Joseph (COE)
Sent: Tuesday, July 01, 2014 10:08 AM
To: Diaz-Greco, Gilma M. (COE)
Subject: FW: Outside Employment Guidelines for County Employees

Please respond to Ms. Labrada.

From: Labrada, Kathleen R. (ASD)
Sent: Monday, June 30, 2014 3:48 PM
To: Centorino, Joseph (COE)
Subject: RE: Outside Employment Guidelines for County Employees

Good afternoon,

In response to the memorandum on outside employment guidelines, guidance is requested as it relates to Animal Services veterinarians. Staff and per diem veterinarians provide multiple services, the majority of which take place with no public interaction. An example of this would be administering emergency care to injured animals upon impoundment and throughout the stray holding period, performing sterilization surgery on dogs and cats and conducting health screenings for shelter animals. The veterinarians also rotate through the Department's public clinic where direct interaction with the public occurs daily. The services offered through the public clinic are strictly limited to vaccination and microchipping; treatments for any other condition or services such as nail trimming, or ear cleaning are not offered by the Department. Does it present a conflict of interest for staff or per diem veterinarians rotating through the public clinic to have outside employment as a veterinarian in a private practice?

Thank you for your assistance,

Kathleen R. Labrada
Chief, Shelter Operations and Enforcement
Miami-Dade Animal Services Department
7401 NW 74th Street

Miami, Florida 33166
Phone 305-418-7172
Fax 305-805-1619

www.miamidade.gov/animals

From: Centorino, Joseph (COE)
Sent: Wednesday, June 11, 2014 5:59 PM
To: (MetroNet) All Users
Subject: Outside Employment Guidelines for County Employees

The issue of what is permissible outside employment for county employees under the County Ethics Code has been the subject of numerous requests for opinions and guidance received by the staff at the Commission on Ethics. There are a number of different rules and policies involved that can easily lead to confusion. In general, it is best to seek guidance from a supervisor or from the Commission on Ethics when contemplating any type of employment outside the county government. The attached memorandum, prepared by our Deputy General Counsel, is a good summary of the general guidelines and many of the past opinions we have provided. It should be kept and reviewed by any county employee who is contemplating outside employment. Our staff is always ready to answer any specific question that any employee may have on this subject.

Joseph M. Centorino

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