
From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, April 09, 2014 10:08 AM
To: Sanchez, Rodzandra (COE)
Subject: Clarification on Administrative Order 7-1 and Outside Employment INQ 14-90

INQ 14-90

From: Ramos, Miriam S. (COE)
Sent: Tuesday, April 08, 2014 3:00 PM
To: Haage, Oriol (RER)
Cc: Diaz-Greco, Gilma M. (COE); Centorino, Joseph (COE)
Subject: RE: Clarification on Administrative Order 7-1

Good afternoon Oriol -

You are right that A.O. 7-1 does not address this particular issue. The Ethics Commission has opined under Sec. 2-11.1, however, that certain activities constitute outside employment. Obviously, compensated employment for an outside entity is considered outside employment, however, a number of other activities are considered outside employment as well. These include: providing services (whether paid or unpaid) to a firms or business owned by an immediate family member; management of three or more rental properties; compensated board membership; running a web based business; and others. In the context of rental properties, it is established that owning and renting 3 or more units is considered outside employment unless the employee has a management company to manage the properties.

If you own 3 or more rental units and do not have a management company in place, all it means is that you need to ask for permission and file a Source of Income statement each July 1st disclosing what was earning during the preceding calendar year. Alternatively, you may hire a management company in which case neither is required.

Let me know if you have any further questions.

Best,

Miriam S. Ramos, Esq.
Deputy General Counsel



Miami-Dade Commission on Ethics and Public Trust
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From: Haage, Oriol (RER)
Sent: Tuesday, April 08, 2014 11:06 AM
To: Ramos, Miriam S. (COE)
Subject: Clarification on Administrative Order 7-1

Good morning Ms. Ramos, I have read the Administrative Order 7-1 several times and cannot find a relationship between the action of working for an employer and the investment of property, may it be stock or others (holding several mortgages etc) or real-estate.

I have owned a triplex rental property for several years. The form which is required to be completed by me will have **not applicable** on the majority of the questions as it applies to my property. I believe this form was for those applying for true outside employment and not for rental property in my opinion. I have direct deposit for the renters to make payments and have lawn service twice a month, these action do not affect my job or create an actual, potential, or apparent conflicts of interest. I understand the Ethic board made a ruling but I was wandering if this was reconsidered. Thank you



REQUEST FOR OUTSIDE EMPLOYMENT

Section 2-11 of the Miami-Dade County Code provides 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 material is used. Miami-Dade County Administrative Order 7-1 states that any full-time 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. 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 Section 2-11.1(k)(2) of the Miami-Dade County Code.

Employee's Name: _____

Employee ID Number: _____

Present County Classification: _____

Name of Company/Organization for Proposed Outside Employment: _____

Job Title/Responsibilities for Proposed Outside Employment: _____

Location of Proposed Outside Employment: _____

Work Schedule for Proposed Outside Employment: _____

Total Hours Per Week for Proposed Outside Employment: _____

Will your proposed outside employer release you if and when your services are needed by the County? Yes No

Administrative Order No.: 7-1
Title: Outside Employment and Gratuities
Ordered: 5/03/05
Effective: 5/13/05
AUTHORITY:
Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter and Sections 2-11 and 2-11.1 of the Code of Miami-Dade County.

SUPERSEDES:

Previous Administrative Order No. 7-1, ordered and effective August 2, 2002.

POLICY:

Employees of the County are stewards of an important public trust, one that is central to the very foundations of our concept of government. To uphold that trust, it is of the highest importance that County affairs and business 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**. Furthermore, it is incumbent upon them to refrain from taking any official action themselves with reference to such situations, and to make known to their superiors any actual, potential, or apparent conflicts of interest.

OUTSIDE EMPLOYMENT:

County employees must receive written approval from their department director prior to engaging in outside employment. These approvals must be renewed on an annual basis. The department director shall be responsible for ensuring that internal procedures are in place to maintain compliance with this Administrative Order. Copies of all outside employment approvals shall be maintained in the centralized personnel files of the Employee Relations Department. Each department shall also maintain appropriate records regarding outside employment requests. Under no circumstances shall a County employee accept outside employment or render other than official services to a private interest where County time, equipment or material is to be used, or where a real or apparent conflict of interest with one's official or public duties is possible.

TIPS AND GRATUITIES:

No County employee **shall accept any tip or gratuity in the discharge of his/her public duties**.

PENALTIES:

Failure on the part of a County employee to comply with the provisions of this Administrative Order shall be grounds for dismissal.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

George M. Burgess
County Manager

Oriol Torres Haage, Training and Certification Officer
Miami-Dade County Department of Regulatory and Economic Resources
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