

CONFLICT OF INTEREST

SUMMARY

County employees are stewards of public trust. To help preserve this trust, the Conflict of Interest and Code of Ethics Ordinance establishes standards for conducting County business. Generally, County employees must put the interests of the people of Miami-Dade County above their personal and private interests; they must treat all members of the public fairly; and, they must never be influenced with gifts or favors to perform their public duties. Below is a brief outline of these and related ethics requirements for County employees. To fully understand the expectations required of a public servant, County employees are encouraged to review the ethics ordinance in its entirety at <http://ethics.miamidade.gov/>. For complete ethics rules governing County employees, see the Miami-Dade County Code, Sec. 2-11.1.

PROCEDURE

1. Outside Employment Requirements for Full-time Employees
 - a. Outside employment is defined as any employment in which a County employee provides a personal service to a non-County employer that is compensated or customarily eligible to be compensated.
 - b. County employees must receive written approval from their supervisors prior to engaging in outside employment.
 - c. County employees engaging in outside employment must file with the Elections Department, by July 1st of each year, an Outside Employment Statement disclosing the source of outside income, nature of the work, and amount of compensation received from outside employment.
 - d. Under no circumstances may County time, equipment, or materials be used to conduct outside employment.
2. Doing Business with the County
 - a. County employees and their immediate family members may *not* do business with the County department that employs the County employee. Immediate family members include spouse, domestic partner, parents, stepparents, children, and stepchildren.
 - b. County employees and their immediate family members may do business with County departments that do not employ the County employee, but the employee and/or immediate family members must seek an ethics opinion from the Commission on Ethics prior to contracting with the County.
 - c. County employees who work for the Public Housing Department, which administers the Section 8 Housing Voucher Program, may not contract with that department as Section 8 landlords. Other County employees who do not work in the Public Housing Department must first obtain an opinion from the Commission on Ethics before contacting with the County as Section 8 landlords.
 - d. County employees and immediate family members who work for a company that is doing business with the County or is subject to direct regulation by the County must file a sworn statement with the Clerk of the Circuit Court disclosing the employment.

3. Avoiding Financial Conflicts of Interest
 - a. County employees and their immediate family members may not have any personal investments in any enterprise that will create a substantial conflict between their private interests and the public's interests. Immediate family members include: spouse, domestic partner, parents, step-parents, children, and step-children.
 - b. County employees may not take part in any transactions between the County and a company or firm in which the County employees or their immediate family members have any personal or financial interests.
 - c. County employees and their immediate family members may not acquire financial interests in any project, business or property that they have reason to believe may be affected by a County action.
 - d. County employees may not make a presentation or otherwise represent, before any County board or agency, third parties seeking a benefit from the County.
 - e. County employees may not recommend professional services to others who have dealings with the County.
 - f. County employees must protect all confidential information received through employment with the County and may never use confidential information for private gain.
 - g. No County employee who, in the past two years, was employed by a for-profit company may perform County contract-related duties related to that company.

4. GENERAL RULES ABOUT GIFTS
 - a. County employees may never solicit or demand gifts intended to influence an official action. This includes soliciting or accepting payments or gifts given to expedite County processes or procedures.
 - b. County employees may not accept travel expenses from County vendors or bidders. Travel expenses include, but are not limited to, transportation, lodging, meals, registration fees and incidentals.
 - c. Certain County departments have a strict "no gift" policy. Employees working in these departments may not accept any gift of any value from any person or firm doing business with the County or seeking to do business with the County.
 - d. If not prohibited by ethical rules or department policy, County employees may accept gifts, but they must disclose gifts having a value in excess of \$100. Disclosure is made using a Quarterly Gift Disclosure Form filed with the Elections Department. The form is due the last day of the quarter, following the quarter in which the gift was received.

Warning

Failure to abide by these regulations and/or to disclose actual or possible ethics violations can result in dismissal. Questions about the applicability of the ethics ordinance to a particular situation and/or reports of possible ethics violations may be submitted to the Commission on Ethics at <http://ethics.miamidade.gov/>

REFERENCE DOCUMENT(S):

Code of Miami-Dade County, Section 2-11.1

Administrative Order 7-1, Outside Employment and Gratuities

Administrative Order 1-3, Gifts to the County