

POLICY NUMBER:

APM- 1 - 90

DATE:

11/2/18

ISSUED BY:

Emilio T. Gonzalez
City Manager/Designee


SIGNATURE

CITY OF MIAMI



ADMINISTRATIVE POLICY

REVISIONS

REVISED SECTION	DATE OF REVISION
Created	07/16/90
Revised	04/16/99
Revised	11/30/07
Revised	11/2/18

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SUBJECT: OUTSIDE EMPLOYMENT REQUEST

PURPOSE: To establish a uniform procedure and official guidelines relating to an employee's request to engage in outside employment.

This Administrative Policy supersedes all previous directives on this subject.

The Policy will be as Follows:

I Definition of Outside Employment

- A** "Outside Employment" - means any employment/work to be performed other than as a City of Miami employee.
- B** In accordance with the Miami-Dade County Commission on Ethics, the following constitutes "Outside Employment" and must be reported by government employees:
 - 1. Employees who own and manage three (3) or more rental units, regardless of whether the units are individual properties or part of a single property.
 - 2. Employees who engage in ongoing, regular involvement in sales through online auctions. (Occasional sales are not considered outside employment.)
 - 3. Employees who own and operate a business or entity, regardless of where the business or entity is incorporated
 - 4. Employees who are named as officers or directors of a corporation and are compensated for services as officers or directors, regardless of whether the officers or directors perform any duties for the corporation.
 - 5. Employees who are named as officers or directors of a corporation that are co-owned or operated by an immediate family member, regardless of whether the employees receive compensation from the corporation.
 - 6. Employees who are also part-time employees of a private corporation and are eligible to receive a salary from the private corporation, even if the employees do not earn a salary from the corporation in a particular year.

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II General Prohibitions

- A Outside employment shall not constitute a conflict of interest with one's City employment. The employee's foremost responsibility is to his/her primary employer, the City of Miami.
- B Under no circumstances shall outside employment be performed during an employee's regular working hours.
- C Under no circumstances shall outside employment be performed on City premises.
- D Under no circumstances shall City property/equipment be used for outside employment.
- E All requests for outside employment must be in conformance with all limitations of Section 2-11 of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance. Please consult the website for further information
<http://www.miamidade.gov/advocacy/Library/code-ethics-conflict.pdf> or
<http://miamidade.fl.elaws.us/code/coor/2-11.1/>

III Penalties

- A Failure on the part of a City employee to comply with the provisions of this Administrative Policy shall be grounds for dismissal.

IV Forms to be Completed

- A "Outside Employment Request" Form
 - 1. Prior to commencing any outside employment, employees shall complete and submit the "Outside Employment Request" form to his/her respective Department Director for approval. Following the respective Department Director approval, the Outside Employment Request form shall be submitted to the Department of Human Resources Division for approval. The Department of Human Resources will submit the Outside Employment Request form to the City Manager for final review and approval. A copy of the approved form shall be kept in the Department of Human Resources' employee personnel file.

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2. Employees are required to renew their requests for approval on an annual basis.

B Annual Submittal of the "Outside Employment Statement" Form

1. All employees engaged in outside employment as outlined above shall file by July 1st of each year the Outside Employment Statement Form with the City of Miami Clerk. Other financial disclosure forms may need to be completed as well; please see the City Clerk's Office for additional requirement.



City of Miami
OUTSIDE EMPLOYMENT REQUEST

REFERENCE: City of Miami Administrative Policy No. 1-90 and Resolution No. 73-390.

EMPLOYEE DATA	1. Name:						2. Title:										
	3. Department:							4. Division:					5. Social Security No:				
	6. City Work Schedule (complete a or b):		a. Regular work schedule (circle applicable days): S M T W T F S Begin: _____ a.m./p.m. End: _____ a.m./p.m.														
b. Irregular work schedule (Explain and indicate shift, if appropriate): 																	
OUTSIDE EMPLOYER	7. Name of Employer/Business:									8. Telephone No:							
	9. Business Address: 																
	10. Type of Business: 																
	11. Do you, your spouse, relative or another City employee own or manage this business? <input type="checkbox"/> No <input type="checkbox"/> Yes, explain:								12. Does the City of Miami transact business with this employer? <input type="checkbox"/> No <input type="checkbox"/> Yes, explain:								
	13. Does this business sell or handle alcoholic beverages in any manner? <input type="checkbox"/> No <input type="checkbox"/> Yes, explain:																
OUTSIDE JOB DATA	14. Date employment is to begin:								15. Anticipated duration of employment:								
	16. Description of duties: 																
	17. Will you be required to sell or handle alcoholic beverages in any manner? <input type="checkbox"/> No <input type="checkbox"/> Yes, explain:																
	18. At any time will you be performing your job duties on City-owned property? <input type="checkbox"/> No <input type="checkbox"/> Yes, explain:								19. At any time will you be using City-issued equipment to perform your job duties? <input type="checkbox"/> No <input type="checkbox"/> Yes, explain:								
	20. Will you be covered by: (a) Worker's Compensation? <input type="checkbox"/> No <input type="checkbox"/> Yes (b) Liability Insurance? <input type="checkbox"/> No <input type="checkbox"/> Yes Note: Attach written statement of proof from employer for either or both coverages.																
	21. Outside Employment Work Schedule (complete a or b):		a. Regular Schedule: Sunday _____ : _____ a.m./p.m. _____ : _____ a.m./p.m. Monday _____ : _____ a.m./p.m. _____ : _____ a.m./p.m. Tuesday _____ : _____ a.m./p.m. _____ : _____ a.m./p.m. Wednesday _____ : _____ a.m./p.m. _____ : _____ a.m./p.m. Thursday _____ : _____ a.m./p.m. _____ : _____ a.m./p.m. Friday _____ : _____ a.m./p.m. _____ : _____ a.m./p.m. Saturday _____ : _____ a.m./p.m. _____ : _____ a.m./p.m.														
			b. Irregular schedule (explain): 														
OTHER	22. State any other information that will assist in evaluating this request: 																
	23. I agree to comply with all established rules, regulations, and restrictions now in effect, or hereafter adopted, governing employees engaged in part-time work by an employer other than the City of Miami. <div style="text-align: center;"><div>_____ Employee Signature</div><div>_____ ___ ___ Date</div></div>																
APPROVALS	24. <input type="checkbox"/> Approval <input type="checkbox"/> Disapproval _____ Department Director/Designee (please print) _____ ___ ___ Department Director/Designee - Signature Date								25. <input type="checkbox"/> Approval <input type="checkbox"/> Disapproval _____ City Manager/Designee _____ ___ ___ City Manager/Designee Date								



OUTSIDE EMPLOYMENT STATEMENT

For Full-time County and Municipal Employees

Full-time County (including Public Health Trust) and municipal employees engaging in outside employment must file an annual disclosure report by July 1st of each year, in accordance with Section 2-11.1(k)(2) of the Miami-Dade County Code.

Disclosure for Tax Year Ending 2017	Last Name	First Name	Middle Name/Initial
Mailing Address – Street Number, Street Name, or P.O. Box			
City, State, Zip			

If your home address is exempt from public records pursuant to Florida Statutes §119.07, please see note on the following page and check here. ☐

Filing as an Employee (check one)

<input type="checkbox"/> County <input type="checkbox"/> Public Health Trust <input type="checkbox"/> Municipal _____ (Municipality)		
Department	Division	
Position or Title	Employee ID Number	Work telephone

Please list the sources of outside employment (including self-employment), the nature of the work, and the total amounts of money or other compensation you received for each source of outside employment. If no income or compensation was received from a particular outside employment, enter zero (0) for that organization in the section below. If continued on a separate sheet, check here. ☐

Name and Address of the Source of Outside Income	Nature of the Work Performed	Total Amount of Money or Compensation Received

I hereby swear (or affirm) that the information above is a true and correct statement.

RECEIVED BY ELECTIONS DEPARTMENT:

- ☐ Hardcopy
☐ Electronic Copy

Signature of Person Disclosing

Date signed

OUTSIDE EMPLOYMENT INFORMATION

Required by the Miami-Dade County Code, Section 2-11.1(k)(2)

OUTSIDE EMPLOYMENT means providing personal services, other than to Miami-Dade County, or to the respective municipality, that are compensated or traditionally compensated, including but not limited to, being an employee, an independent contractor, an agent, or by self-employment. Please note that this form is to be used only to report Outside Employment; it is separate from the Source of Income Statement. If you are required to file a Source of Income Statement and you also engage in outside employment, you must complete both the Outside Employment Statement and the Source of Income Statement.

FILING INSTRUCTIONS

This form must be filed by July 1st of each year.

The form should only be filed by employees who have outside employment to disclose.

Miami-Dade County full-time personnel (including Public Health Trust personnel) shall file completed forms with:

**Miami-Dade Elections Department
Attn: Financial Disclosure Section
2700 NW 87th Avenue
Miami, FL 33172**

or

**P.O. Box 521550
Doral, FL 33152-1550**

or

through email:
financial.disclosures@miamidade.gov

Municipal full-time personnel shall file completed forms with their **respective Municipal Clerk**.

For further information, Miami-Dade County and Public Health Trust employees may contact the Miami-Dade Elections Department Financial Disclosure Section via telephone at **305-499-8413** or via email at financial.disclosures@miamidade.gov. Municipal employees may contact their respective Municipal Clerk's Office.

Note RE Florida Statutes § 119.07: The role of our office is to receive and maintain forms filed as public records. If your home address is exempt from disclosure and you do not wish your home address to be made public, please use your office or other address for your mailing address. The following persons are exempt from disclosing their home addresses: active or former law enforcement personnel, including correctional and correctional probation officers, personnel of the Department of Children and Family Services whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; firefighters; justices and judges; current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; county and municipal code inspectors and code enforcement officers.