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INQ 15-272 Hernandez

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, December 08, 2015 2:56 PM  
**To:** Hernandez, Javier D. (DIST7)  
**Cc:** Centorino, Joseph (COE); Murawski, Michael P. (COE); Perez, Martha D. (COE)  
**Subject:** Javier Hernandez, Commission Aide, Commissioner Xavier Suarez, Dist. 7 ( Nepotism) INQ 15-272

Dear Javier:

It was a pleasure to speak with you this morning. You inquired about the County's Nepotism Policy.

The County Code of Ethics Ordinance, over which the Commission on Ethics has jurisdiction, does not contain a Nepotism provision. The County's Nepotism Policy and Nepotism Manual (attached to this email) are based upon the State law that deals with nepotism. See § 112.3135, Fla. Stat. To the best of our knowledge, the documents attached are the most current versions available. The Nepotism Policy is an administrative matter that should be addressed through the Mayor and appropriate county administrators, in consultation with the County Attorney's Office.

As general guidance, it is our understanding that the policy prohibits appointment, employment, promotion or advancement, of specified relatives by any public official who is vested with or delegated the authority to appoint, employ, promote or advance, or is in a position to recommend an individual for appointment, employment, promotion or advancement. Although it prohibits public officials from employing or promoting their relatives, it does not prevent relatives from working together in the same department. However, the policy also provides that, "Department directors are strongly encouraged to refrain from placing relatives within another relative's chain of command or placing or maintaining relatives in close proximity in a departmental subunit."

I hope this information is useful. Please contact us if you have any further questions.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



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