



For Immediate Release: April 13, 2016
Contact: Joseph Centorino, Executive Director
(305) 350-0613 or centori@miamidade.gov

Ethics Commission calls for restrictions on public employees job hunting with contractors

The Miami-Dade Commission on Ethics and Public Trust (COE) today approved a proposed amendment to the Conflict of Interest and Code of Ethics Ordinance that would prohibit County and municipal employees who perform contract-related duties from seeking jobs with those outside vendors, while employed by the local government. Currently, the only limit on such a “revolving-door” is the so-called two-year rule, which prohibits former public employees from *lobbying* their prior departments on behalf of their new company for two years after leaving public service or from disclosing confidential information, which is difficult to prove.

“There is nothing in the Ethics Code that prevents County or municipal employees involved in the oversight or administration of outside contracts from the disturbing and conflicting behavior of negotiating a new position with the vendor,” COE Executive Director Joseph Centorino told Ethics Commissioners. “We have conducted investigations based on complaints of such personnel moves. At the very least it creates a huge appearance of impropriety,” he said.

If approved by the Board of County Commissioners, the new rule would expressly prohibit department personnel from soliciting, accepting or negotiating a job with a private vendor for themselves or others, and would require them to immediately report any job offer to the department director. The proposal would also prohibit any government contractor or bidder from offering or suggesting an offer of a position to any public employee involved in contract work - or to an immediate family member -- while the outside company has a current or prospective interest in a government contract. The rule would be included in all County and municipal contracts and subcontracts. Violations could result in revocation of the contract and other penalties. The proposal will require a County Commission sponsor and would have to be passed by the full County Commission to go into effect.

In other action today, the Ethics Commission found No Probable Cause to a complaint (**C 16-03**) filed against South Miami officials for violating that city’s ethics ordinance prohibiting influence over a city board. Yvonne Beckman accused Mayor Philip Stoddard and Commissioner Robert Welsh of coercing members of the South Miami Green Task Force (GTF) to support a plan to redevelop South Miami City Hall. An investigation found that the elected officials did attend several GTF meetings in late 2014 and early 2015 and that the mayor did speak in favor of selling the existing city hall. Mayor Stoddard contended that the South Miami ethics code prohibits attempts to influence city boards and that the GTF is not a board. He told Ethics Commissioners today that he is drafting legislation to clarify the intent of the decades-old ordinance and remove the ambiguity regarding the regulations associated with a “board,” “committee” or “task force.”

The COE also found No Probable Cause to a complaint (**C 16-04**) filed against Miami-Dade Transit officials by a Metrorail driver who claimed he was fired in retaliation for being a whistleblower, in reporting dangerous activity. The investigation determined that the driver was disciplined for not following transit policy of making specific

announcements at each train stop (the alleged safety issue), and later terminated due to insubordination and for conduct unbecoming a County employee. The complaint was dismissed.

No Probable Cause was found to a complaint (**C 16-06**) filed against the Miami-Dade County Public Housing and Community Department's Public Information Officer, who was accused of failing to abide by the Public Records access requirement in the County's Citizens' Bill of Rights. A resident in County housing filed the complaint, but the investigation found that the PIO had properly responded to two of his requests and misunderstood the nature of the third. Once clarified, that request was fulfilled and the complaint was dismissed.

A Miami-Dade Police Sergeant who owns an apartment complex was accused of improperly using his position in the Special Investigation Division to evict a tenant. However, the investigation found that the officer followed due process for eviction and No Probable Cause was found to the complaint (**C 16-07**). A different complaint (**C 16-10**) filed against two MDPD majors that alleged racial discrimination and other personal issues outside of the jurisdiction of the Ethics Commission was found Not Legally Sufficient and dismissed.

The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

###