

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, January 03, 2017 1:17 PM
To: Sanchez, Rodzandra (COE)
Subject: Jonathan Fried, Executive Director, We Count! (Conflicting Employment) INQ 17-01

INQ 17-01 Fried

From: Ethics (COE)
Sent: Tuesday, January 03, 2017 12:51 PM
To: Jonathan Fried <jonathan@we-count.org>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 17-01 Jonathan Fried, Executive Director, We Count! (Conflicting Employment)

Mr. Fried:

You have inquired concerning whether there is a conflict of interest where your employer, a non-profit agency, is applying for a grant from the Office of Miami-Dade County Commissioner Daniella Cava Levine, while you are a sitting member of the County's Living Wage Commission. You serve as Executive Director for WeCount!, a 501(c)(3) organization whose mission is to build the power and improve the wellbeing of the Latin American immigrant community. You receive a salary from the agency for your work. WeCount! receives a CBO grant from the County to support its educational activities, and, in the past, has advocated before the County Commission and Mayor about issues of public policy of concern to its members.

The Living Wage Commission is a County advisory board formed under County ordinance to make recommendations to the County Mayor, Commission or relevant County department concerning issues raised under the County's Living Wage Ordinance.

You have indicated that your employer, WeCount! has had no interaction with the Living Wage Commission.

As a member of a County advisory board, you are covered by the provisions of the County's Conflict of Interest and Code of Ethics Ordinance. Section 2-11.1(j) of the ordinance prohibits you from having other employment which would impair your independence of judgment in the performance of your public duties. Inasmuch as there appears to be no interaction at the present between your agency and the board of which you are a member, I do not see any likelihood that your employment could be considered to create a conflict under this section. Obviously, if your organization should have an issue that comes before your board, you should seek another opinion.

Please be aware that Section 2-11.1(m)(2) of the Code prohibits you from appearing before the board of which you are a member to advocate on behalf of any third party, which would include your employer. Further, you would have a voting conflict under Section 2-11.1(v) if a matter should come The Living Wage Commission involving your employer which directly affects you. In any situation involving some direct or indirect interaction between your employer and The Living Wage Commission, you should contact us for an opinion.

Sincerely,

Joseph M. Centorino
Executive Director and General Counsel

Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
ethics.miamidade.gov



From: Jonathan Fried [<mailto:jonathan@we-count.org>]
Sent: Tuesday, January 03, 2017 11:17 AM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Re: Request for Opinion

1) WeCount!, Inc. is a 501(c)(3) tax exempt organization. **Mission:**To build the power of Latin American immigrants and farm workers in Homestead, Florida to fulfill their aspirations of justice and equality through education, developing leaders, organizing, cultural work, building coalitions, and collective action. Our programmatic activities include evening ESOL, Computer Literacy and Literacy in Spanish classes; workshops in occupational safety and health, worker rights, immigrant rights, leadership development and the arts; campaigns to change government policy and improve the well-being of the Latin American immigrant community; and assistance to individual workers and families with immediate issues, particularly in the area of immigration and the workplace, including orientation, advocacy and referrals to legal resources. WeCount! receives a CBO grant from the County to support its educational activities - the classes and workshops. We have in the past advocated before the County Commission and Mayor about issues of public policy of concern to our members, and will continue to do so.

2) I receive a salary from WeCount!

3) The County's Living Wage Ordinance established a 15-member Living Wage Commission, "the purpose of which shall be to review the effectiveness of this Chapter, review certifications submitted by covered employers to the County to include reviewing complaints filed by employees and to make recommendations to the Applicable Department, County Mayor and the County Commission regarding same."

4) WeCount! has had no interactions with the Living Wage Commission.

Please let me know if you need further information.

Jonathan Fried
Executive Director
WeCount!
Office: 201 N. Krome Ave., 2nd Floor, Homestead, FL 33030
Mailing: PO Box 344116, Florida City, FL 33034
Phone: (305) 508-0788 (new cell #); (305) 247-2202 (of)
www.we-count.org

On Tue, Jan 3, 2017 at 10:30 AM, Ethics (COE) <ethics@miamidade.gov> wrote:

Mr. Fried:

In order for us to properly answer the questions you have posed, please provide the following information:

- 1) A description of your non-profit agency, what its mission and work involve, and what, if any, relationship, other than as a potential grant recipient, that it has to the County as a vendor, contractor, service provider, lobbyist or policy-advisor.
- 2) Any financial interest you have in WeCount1 in the form of salary or financial remuneration of any kind.
- 3) A description of the Living Wage Commission and its scope of policy making or recommendation-making in the County.
- 4) The nature of any interactions, if any, between WeCount! And the Living Wage Commission.

Joseph M. Centorino

Executive Director and General Counsel

Miami-Dade Commission on Ethics and Public Trust

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From: Jonathan Fried [mailto:jonathan@we-count.org]

Sent: Tuesday, January 03, 2017 10:05 AM

To: Ethics (COE) <ethics@miamidade.gov>

Subject: Request for Opinion

WeCount! is applying for a capacity-building grant from the Office of Commissioner Daniella Levine Cava for non-profit organizations that have successfully completed the District 8 Nonprofit Academy.

I am writing to inquire as to whether a conflict of interest exists, as I am a government board appointee - a member of the Living Wage Commission, appointed by District 9 Commissioner, Dennis Moss.

The Living Wage Commission has nothing to do with this grant process. It is not awarding or recommending the award of these grants.

Thank you for your consideration of this request for an opinion.

Sincerely,

Jonathan Fried

Executive Director

WeCount!

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