



July 27, 1999

**ETHICS COMMISSIONERS**

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 INSPECTOR GENERAL

**ARDYTH WALKER**  
 STAFF GENERAL COUNSEL

[REDACTED]  
 Project Manager  
 Standards and Compliance  
 Miami-Dade Aviation Department  
 P.O. Box 592075  
 Miami, FL 33159

Dear Mr. [REDACTED]:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on July 27, 1999 and rendered its decision based on the facts stated in your letter.

You requested an opinion regarding participation by employees in promotional programs targeted to government employees.

In your letter, you advised the Commission that Mexicana Airlines is offering one hundred (\$100) dollar standby tickets to all persons who work at the airport including employees of the Aviation Department and its vendors, tenants, lessees and associated businesses as well as employees of the airlines and support companies performing work at the airport. You want to know if employees are prohibited from accepting this offer or any other similar offers targeted to government employees. You also want to know if employees are prohibited from inquiring as to whether there is an employee discount.

The Commission found that the Conflict of Interest and Code of Ethics Ordinance does not prohibit employees from participating in discount programs targeted to government employees. Discounts are gifts as defined in

the code because they have economic value and are received without consideration and do not fall under any of the exceptions enumerated in the Code. However, pursuant to 2-11.1 (e) (3), employees are only prohibited from accepting gifts if they are in exchange for a specific official act or performance of a legal duty. Therefore, the employees may accept the discounts offered by the airline or any other program targeted to all government employees. Employees may also inquire about government discounts without violating the prohibition against soliciting gifts.

Therefore, the Conflict of Interest and Code of Ethics ordinance does not prohibit airport employees from participating in discount programs for government employees or inquiring about the existence of government discounts.

If you have any questions regarding the opinion, please call Robert Meyers, Executive Director at (305) 579-2954 or Ardyth Walker at (305) 579-2653.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", followed by a horizontal line extending to the right.

ROBERT MEYERS  
Executive Director