

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

#K13-064

Date Opened: 05/02/13

Date Closed: 05/07/13

Investigator: Sylvia Batista

The COE received a letter dated 04/24/13 setting forth allegations regarding Louis Foster (Foster), Budget Coordinator at the Office of Commission Auditor (OCA). Source alleges that Foster is an illegal immigrant from Jamaica who recently traveled to his country of origin and was denied re-entry into the United States (US). Additionally, source alleges that Foster has been kept on the county payroll during his two month absence.

The COE's issue relates to a possible violation of Section 2-11.1(g) *prohibition on exploitation of official position* of the Conflict of Interest and Code of Ethics Ordinance.

**5/2/13 – Charles Anderson, Chief Auditor, Office of the Commission Auditor-
(305) 375-5716**

Charles Anderson (Anderson) is Foster's immediate supervisor. Anderson was advised as to the basis of the inquiry. Anderson explained that Foster returned from Jamaica 5/1/13, where he had been for about 4 weeks. Anderson advised that Foster was not allowed to re-enter the US after visiting his critically ill father in Jamaica because he did not have his green card

with him. While in Jamaica, Foster applied for a new green card which took 4 weeks to arrive. Once he received the card, he was able to re-enter the US.

Anderson said that Foster left to Jamaica on short notice due to his father's illness and forgot to take his green card with him. Foster used his Florida driver's license as identification upon his departure from the US. Anderson said that most of the leave time taken by Foster has been reported. Foster had approximately 600 hours of annual leave which he used to cover his absence.

Anderson said that Foster was a legal resident when he was hired by the county approximately ten (10) years ago. Foster has been working at OCA for about two years.

05/06/13 – Public Records Review –

The COE received copies of Foster's employment eligibility verification which reflects that Foster was a legal resident alien when he began employment with Miami-Dade County on 05/27/03.

A review of Foster's attendance records reflects that Foster had 481 hours of annual leave when he left on his trip to Jamaica. Records produced reflect that Foster used annual leave time on 03/28/13 and from 04/01/13 – 04/26/13 (21 days). Foster applied administrative leave on 03/29/13. The additional two days taken by Foster (04/29/13 and 04/30/13) will be reflected in the next "time and leave system report."

05/07/13 – Louis Foster, Budget Coordinator, Office of the Commission Auditor –

Foster was advised as to the basis for the inquiry. Foster said that he left for Jamaica on Friday, 03/29/13. Foster explained that the reason he used administrative leave on 03/29/13 is because the Chair of the BCC gave him and others in his department that day as an

administrative leave day. Foster confirmed that he used his annual leave to cover his stay in Jamaica. Foster confirmed that he was back at his job on Wednesday, 05/01/13.

Conclusion:

There is no evidence that Foster is an illegal alien or that he was improperly paid by the County while on leave, therefore this investigation is closed without further action.