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DADE COUNTY, FLA.  
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MIAMI-DADE COUNTY  
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Commander Myriam Kovacs/

Cases No: 07-41  
07-42

**PUBLIC REPORT AND ORDER DISMISSING COMPLAINT**

On November 15, 2007, Susan Root filed the above-captioned complaints against Myriam Kovacs ("Respondent"), Commander of the Training Bureau of the Department of Corrections and Rehabilitation. The complaint alleged the Respondent retaliated against Root for filing a complaint report alleging a security breach.

In April, 2007, Root reported to the Respondent that there were missing departmental badges. Root attempted to resolve the issue by contacting other divisions of the department. According to the complaint, Root was advised by the Respondent to disregard departmental rules regarding the procedure for handling lost or stolen badges.

Subsequently, in May, 2007, Root received a written reprimand from the Respondent for her communication with other divisions regarding the issue. On June 13, 2007, Root

filed a written complaint with the department alleging that the failure to follow procedure constituted a possible security breach. On June 18, 2007, Root received an additional written reprimand from the Respondent. Subsequently, on July 6, 2007, Root received a five-day suspension from the Respondent. The Respondent also recommended demotion.

On December 19, 2007, the Ethics Commission found the complaint legally insufficient for a retaliation violation because the adverse personnel action occurred more than sixty days prior to the filing of the complaint. Section 2-56.28.17(4)(a) provides that "any employee protected under this division who alleged retaliation may, in lieu of or in addition to seeking the relief above set forth above, file a written complaint with the Ethics Commission alleging a prohibited personnel action no later than sixty days after the prohibited personnel action." The complaint was filed on November 15, 2007 which was more than sixty days after the July 6, 2007 suspension.

Thereafter, after reviewing the complaint and being otherwise advised in the premises, the Ethics Commission ordered the complaint dismissed. Therefore it is:

**ORDERED AND ADJUDGED THAT** the Complaint is  
**DISMISSED WITHOUT PREJUDICE.**

**DONE AND ORDERED** by the Miami-Dade Commission on  
Ethics and Public Trust in public session on December 19,  
2007.

**MIAMI-DADE COUNTY COMMISSION  
ON ETHICS AND PUBLIC TRUST**

By: \_\_\_\_\_

  
Kerry Rosenthal  
Chairperson

cc: Commander Myriam Kovacs  
Susan Root