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MIAMI-DADE
COMMISSION ON ETHICS & PUBLIC TRUST

In re:

C 14-52

Mauriello and Fernandez

PUBLIC REPORT AND FINAL ORDER

County employee, Rolando Valdes (Valdes), is a sanitation truck driver for the Miami-Dade County Public Works and Waste Management Department (PWWM). He filed this complaint alleging that his performance evaluation was deliberately delayed as retaliation for his informing the Miami-Dade County Inspector General's Office (OIG) that managers at PWWM were permitting trash trucks to operate at a weight capacity that exceeded the department's policy and federal law.

Investigation revealed that Valdes was out on a Leave of Absence earlier in the year and experienced "out-of-pay status," causing his rating period to shift. The adjustment was not captured by the Human Resource Department's internal system, thus causing the notification for Valdes' performance evaluation not to be generated.

The Ethics Commission determined that there were insufficient grounds to conclude that the delay in Valdes' evaluation was deliberate or done as retaliation for his whistle-blowing activity.

On January 14, 2015, in open session, the Ethics Commission found that there was No Probable Cause to sustain the complaint and dismissed it.

Therefore it is:

ORDERED AND ADJUDGED that COMPLAINT C14-52 against Respondents Michael Fernandez and Paul Mauriello is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on this 14th day of January, 2015.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:

Nelson C. Bellido
Chair

Signed on : 1/15/2015