

Meyers, Robert (COE)

JNG 07-56

From: Meyers, Robert (COE)
Sent: Thursday, March 29, 2007 3:00 PM
To: Armas, Juan (MDPR)
Subject: RE: Conflict of Interest Opinion

Mr. Armas:

Thank you for your request for opinion. Based on the information you have provided me, I find the critical facts are that you are employed by the Park and Recreation Department as the Training Manager and from time-to-time you have taught courses in human resources at Barry University and Florida International University. You state further that many of the students who enrolled in your courses in the past worked for the Park and Recreation Department. You mention that you have been asked by FIU to teach a course in the summer semester in the Certificate in Park and Recreation Management program, and whether it now poses of conflict for you as the Training Manager for the Department.

It isn't up to me to determine whether this teaching assignment creates the perception of a conflict, but I can offer an opinion about whether it creates an actual conflict of interest. There is no conflict per se that should prevent you from teaching this course. In order for a conflict to exist, the outside employment would have to impair your independence of judgment as a County employee. As long as you draw a distinction between your duties as the Training Manager (when you are on County time) and when you are teaching as an adjunct faculty member, it does not present a conflict. Obviously, all students must be evaluated in the same manner and held to the same standards in the class, and their performance in the class should have no bearing on your relationship with them as County employees.

If you have any additional questions, feel free to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust
 (305) 350-0613

From: Armas, Juan (MDPR)
Sent: Wednesday, March 28, 2007 12:14 PM
To: Meyers, Robert (COE)
Cc: Fuentes-Johns, Yolanda (MDPR)
Subject: Conflict of Interest Opinion

Hello Mr. Meyers,

My supervisor, Yolanda Fuentes-Johns recommended that I send you an e-mail to seek an opinion. I have been a County employee for 16 years, and in June of 2006, I came to the Miami-Dade Park and Recreation Department (MDPR) to serve in the position of Training Manager. For many years, I have completed outside employment forms, as required by the County, to work as adjunct faculty at both Barry University and more recently FIU. One of the classes that I taught for FIU was a human resources class for their certificate program in parks management. This certificate is not limited to MDPR employees, but the great majority of the students who participate are MDPR employees. In addition, MDPR's involvement is so important to FIU's certificate program that the classes are held at MDPR facilities, and FIU works with our training section for scheduling classes.

Since I started with MDPR, I have not taught in the certificate program, however, FIU staff have inquired if am available during the summer semester to teach the Human Resources class for their Certificate in Park & Recreation Management program. In all honesty, I would very much like to continue teaching in that program, but now that I am an MDPR employee, and more specifically, the Training Manager, I do not know if this would create a conflict of interest. Consequently, I would like your opinion. If I accept this teaching assignment, will it

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constitute a conflict of interest or a perception thereof?

Thank you for your attention to this matter, and I look forward to hearing from you.

Sincerely,

Juan Armas, Manager, Training & Development
Miami-Dade Park & Recreation Department
(305) 755-7956
(305) 755-7962 <fax>
jayc@miamidade.gov

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