

Meyers, Robert (COE)

ING 07-89

From: Meyers, Robert (COE)
Sent: Wednesday, June 13, 2007 1:42 PM
To: 'Horton, Kathy'
Subject: RE: Follow-up to our Conversation

Dear Ms. Horton:

I reviewed the attached letter and I am answering your four questions as follows:

- 1) Generally speaking, there is no prohibition against an employee sitting on the Board of Directors of a non-profit agency while employed with the Public Health Trust. If the non-profit agency seeks funding from the Public Health Trust, the employee cannot be involved in evaluating the funding request or the oversight of the grant. Assuming this is not the case, this type of volunteering is permissible.
- 2) An employee who owns a business and is actively involved in its operations is engaged in outside employment. Failure to receive permission and failure to disclose income generated from this business is a violation of the county ethics ordinance. If the employee is simply an officer of the business and does nothing in furtherance of the business, it would not be considered outside employment.
- 3) I am not clear what you asking me, but if you want to know whether an employee who receives compensation for services he provides colleagues or friends has outside employment, then my answer is "yes." The rule is that if you generate income from any third party source, you are engaged in outside employment. It doesn't matter whether the individuals who pay you are colleagues or friends. Those colleagues who work for the PHT have nothing to report, as they are not the individuals with outside employment.
- 4) Assuming the employee is not required to file a financial disclosure form, it is doubtful that the employee violated the ethics ordinance for not disclosing an interest in a company which is inactive. By definition, outside employee exists only when the employee is actively involved in some income-generating activities.

I hope I answered the four questions to your satisfaction. If you wish to follow-up, please 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: Horton, Kathy [mailto:KHorton@jhsMiami.org]
Sent: Monday, June 11, 2007 5:52 PM
To: Meyers, Robert (COE)
Cc: Curry, Danny L.; Shy, Eugene; Horton, Kathy
Subject: Follow-up to our Conversation

Hi Mr. Myers,

As a follow up to our conversation I have compiled the questions we spoke about verbally on last Wednesday, June 6th, 2007. Please provide us with your interpretation of the request (see attachment).

Thank you in advance.

Kathy L. Horton
 Labor Relations Manager
 Employee/Labor Relations & Workforce
 Compliance Department
 Jackson Memorial Hospital

6/13/2007

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June 6, 2007

Robert Myers
Executive Director
Miami-Dade County
County Commission on Ethics & Public Trust
Biscayne Building
19 West Flagler Street – Suite 209
Miami, Florida 33130

Re: Questions regarding Ethical practices

Dear Mr. Myers:

The Public Health Trust is seeking your advisement regarding the ethical ramifications of an employees involvement in the following capacities; and if this involvement serves as a conflict with their primary duties and responsibilities

1. Can an employee sit on the Board of Directors for a non-profit organization while employed with the Public Health Trust?
2. If an employee owns a business or is self-employed is this considered outside employment and is the employee required to complete outside employment forms?
3. If an employee is receiving remuneration from any outside sources does from external business relationships with colleagues or friends are they required to report this information to the Public Health Trust?
4. If an employee had interest in a company which has not been active for the prior three years be held accountable for not disclosing his/her interest during the period of time the company was inactive?.

Thank you in advance for your assistance with this request and I await your response.

Sincerely,

(ORIGINAL SIGNED)
Kathy L. Horton
Labor Relations Manager

Letter to Robert Myers, 060607