

From: Seff, Flora (MDFR)
Sent: Monday, February 27, 2012 4:06 PM
To: Ethics (COE)
Subject: Nepotism

A MDFR dispatcher has been working in Communications on the same shift with his mother, who is his supervisor. This has gone on for almost 5 years. On Feb. 2, 2012, he was moved to the night shift from the afternoon shift, even though he bid into the afternoon shift. His Union has filed a Grievance claiming that the County Nepotism Policy does not state that it is prohibited for a son to be supervised by his mother. The Policy merely says "it strongly suggests". Your opinion is greatly appreciated.

Thank you

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Centorino, Joseph (COE)

From: Centorino, Joseph (COE)
Sent: Wednesday, February 29, 2012 4:53 PM
To: Seff, Flora (MDFR)
Subject: Nepotism question

Flora,

The County policy on nepotism essentially follows the state law (F.S. 112.3135), which prohibits a public official from appointing, employing, promoting, advancing or advocating for advancement, a relative. It does not prevent supervision of the relative, although, obviously, the county policy strongly discouraging such supervision is a sound one. This matter does not fall within the parameters of the county ethics ordinance, and, therefore, is a purely administrative issue. I hope this answers your question.

Joe

Joseph M. Centorino

Executive Director and General Counsel
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Centorino, Joseph (COE)

From: Frigo, Victoria (COE)
Sent: Wednesday, February 29, 2012 12:21 PM
To: Centorino, Joseph (COE)
Subject: RE: Nepotism
Attachments: County nepotism_manual.pdf

Joe,

The County's policy on nepotism follows State law. Attached is the County's policy manual, dated 2007, which is still in effect.

Notice page 6 of the manual—

While Florida law prohibits public officials from employing or promoting their relatives, it does not prevent relatives from working together in the same department. ***The statute also does not prohibit one relative from supervising another.*** However, to avoid all appearance of favoritism and any potential for violation of State law, as well as operational challenges that may arise, ***department directors are strongly encouraged to refrain from placing relatives within another relative's chain of command*** or placing or maintaining relatives in close proximity in a departmental subunit.

I agree that this issue is not one that the Ethics Commission is empowered to resolve.

Victoria

From: Ethics (COE)
Sent: Tuesday, February 28, 2012 5:12 PM
To: Frigo, Victoria (COE)
Subject: FW: Nepotism

I think this is interesting. I don't know that our ordinance even covers nepotism where both relatives are employed within the county. 112.3135 covers such nepotism, but only in terms of appointment, employment, advancement or promotion, and does not include supervision or evaluation of the relative. Seems to me like an administrative issue rather than an ethical one. Let's discuss.

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