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INQ 16-173 Hire Miller

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**From:** Perez, Martha D. (COE)  
**Sent:** Tuesday, June 28, 2016 10:57 AM  
**To:** Hire Miller, Arletha (ITD) <Arletha.HireMiller@miamidade.gov>  
**Cc:** Centorino, Joseph (COE) <CENTORI@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Camner, Sue (ITD) <Sue.Camner@miamidade.gov>  
**Subject:** Arletha Hire Miller on behalf of Rosario Fiallos; Gift; INQ 16-173

Dear Ms. Hire Miller,

You have inquired whether Rosario Fiallos, a Sr. Administrator with the County's Information & Technology Department (ITD), may accept a gift of a free training course she won in a drawing.

#### Background

Ms. Fiallos participated in a survey sponsored by Informatica University (IU). IU is a company that provides in-class or online training, certification, products and other services focusing on data management for business needs. The survey was open to many customers of Informatica University and attendees at Informatica World (conference) as well. All survey participants were entered into a drawing for a free course of their choice (free seat, online course or learning subscription), valued from \$240.00 to \$3,200.00, depending on the course chosen. IU will run the course regardless of the prize awarded in the drawing. I have been informed that Ms. Fiallos is not a "procurement employee". I have also been informed that IU intends to transact business with the County in the next month by providing product training to ITD.

#### Analysis

It is permissible for a County employee to participate in a survey where the County employee's name was entered in a drawing for a free course, provided the drawing was open to all customers, not just County employees. *See* INQ 11-04; INQ 11-163. The drawing in this case was open to all customers of the company, not just County employees, hence, Ms. Fiallos was permitted to participate.

Section 2-11.1(e) of the County Ethics Code prohibits the acceptance of gifts in consideration of some official action by a public servant. A gift won by chance and not obtained through the performance of an official duty does not present a conflict of interest. *See* INQ 12-162. (State law at Section 112.3148, prohibits public servants who are "reporting individuals" or "procurement employees" from accepting gifts from vendors or lobbyists in excess of \$100.00. Ms. Fiallo's position does not fall within this provision.)

Consequently, the prize won in the drawing conducted by IU is considered a gift which may be accepted by Ms. Fiallos because it was won by chance and not awarded in exchange for any duty or act she might be involved with in her County position. *See* INQ 15-151; INQ 12-162; INQ 11-04. However, given that the value of the prize exceeds the \$100.00 threshold, Ms. Fiallo must file a gift disclosure form pursuant to Section 2-11.1(e)(4) of the County Ethics Code. *See* INQ 08-63; INQ 09-124; INQ 13-127; INQ 15-151. Information on the gift disclosure form and filing deadlines may be found at <http://ethics.miamidade.gov>.

This opinion is based on the facts as you have presented them, predicated on the fact that the prize awarded will not involve traveling and/or travel expenses. Please contact us if these facts change. Inquiries regarding possible conflicts

with departmental directives should be addressed with your Department Supervisor. Inquiries regarding possible conflicts under State law should be directed to the Florida Commission on Ethics.

**Martha D. Perez**

Staff Attorney

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

19 West Flagler St. Suite 820

Miami, FL 33130

(305)350-0656

[PEREZMD@miamidade.gov](mailto:PEREZMD@miamidade.gov)

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**From:** Camner, Sue (ITD)  
**Sent:** Tuesday, June 28, 2016 9:14 AM  
**To:** Perez, Martha D. (COE)  
**Subject:** RE: Raffle Information - Informatica University

Thank YOU!

**Sue Camner**, Database Manager  
Enterprise Architecture Services Division  
**Miami-Dade County Information Technology Department**  
5680 SW 87th Avenue, Miami, Florida 33173  
305-596-8322 Phone 305-275-7696 Fax  
305-276-0599 Pager for Production Emergencies  
[www.miamidade.gov](http://www.miamidade.gov)

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**From:** Perez, Martha D. (COE)  
**Sent:** Tuesday, June 28, 2016 9:13 AM  
**To:** Camner, Sue (ITD) <[Sue.Camner@miamidade.gov](mailto:Sue.Camner@miamidade.gov)>  
**Subject:** RE: Raffle Information - Informatica University

Thanks

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**From:** Camner, Sue (ITD)  
**Sent:** Tuesday, June 28, 2016 9:12 AM  
**To:** 'Denison, Debra'  
**Cc:** Perez, Martha D. (COE)  
**Subject:** RE: Raffle Information - Informatica University

Ok thank you

**Sue Camner**, Database Manager  
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**From:** Denison, Debra [<mailto:ddenison@informatica.com>]  
**Sent:** Tuesday, June 28, 2016 9:12 AM  
**To:** Camner, Sue (ITD) <[Sue.Camner@miamidade.gov](mailto:Sue.Camner@miamidade.gov)>  
**Cc:** Perez, Martha D. (COE) <[perezmd@miamidade.gov](mailto:perezmd@miamidade.gov)>  
**Subject:** RE: Raffle Information - Informatica University

It was open to many customers of Informatica University, and attendees at Informatica World as well. I believe it was either emailed or posted on our web page.

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**From:** Camner, Sue (ITD) [<mailto:Sue.Camner@miamidade.gov>]  
**Sent:** Tuesday, June 28, 2016 9:11 AM  
**To:** Denison, Debra  
**Cc:** Perez, Martha D. (COE)  
**Subject:** RE: Raffle Information - Informatica University

Hi Debra-

A question, was the raffle for just Miami Dade County Employees or did it include others as well?

Thank you

**Sue Camner**, Database Manager  
Enterprise Architecture Services Division  
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**From:** Hire Miller, Arletha (ITD)  
**Sent:** Monday, June 27, 2016 2:29 PM  
**To:** Ethics (COE) <[ethics@miamidade.gov](mailto:ethics@miamidade.gov)>  
**Cc:** Camner, Sue (ITD) <[Sue.Camner@miamidade.gov](mailto:Sue.Camner@miamidade.gov)>; Mazzorana, Shanda (ITD) <[Shanda.Mazzorana@miamidade.gov](mailto:Shanda.Mazzorana@miamidade.gov)>  
**Subject:** FW: Raffle Information - Informatica University  
**Importance:** High

Good afternoon,

Please advise re: the email below.

Thank you.

**From:** Camner, Sue (ITD)  
**Sent:** Monday, June 27, 2016 11:57 AM  
**To:** Hire Miller, Arletha (ITD) <[Arletha.HireMiller@miamidade.gov](mailto:Arletha.HireMiller@miamidade.gov)>  
**Subject:** FW: Raffle Information - Informatica University  
**Importance:** High

See below – this is regarding the prize Rosario won....

**Sue Camner**, Database Manager  
Enterprise Architecture Services Division  
**Miami-Dade County Information Technology Department**  
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**From:** Denison, Debra [<mailto:ddenison@informatica.com>]  
**Sent:** Monday, June 27, 2016 11:55 AM  
**To:** Camner, Sue (ITD) <[Sue.Camner@miamidade.gov](mailto:Sue.Camner@miamidade.gov)>  
**Subject:** Raffle Information - Informatica University  
**Importance:** High

Hi Sue,

Here are the raffle details to see if your person can accept the prize.

Informatica University was asking for survey responses to help direct our training offering strategy, determine what types of training our clients prefer and receive the most value from, and solicit general feedback on what we do well – what we can do better.

All participants who submitted a survey were entered into a drawing with the 'prize' being one free course of their choice. The course can be a free seat in an instructor-led scheduled class or an onDemand (online learning) course or learning subscription.

The value ranges from \$240 on up to approx. \$3200 list price depending on what course is chosen. The cost to us to deliver this can be considered \$0 – we will run the class regardless of whether the free seat awarded is occupied, and it doesn't cost us anything for that one additional person, above the fixed cost it takes us to deliver a public or online class.

Please let me know if this supplies the information you need to make a decision – we hope Rosario Fiallos is allowed to accept, but do need to know this week if possible, they are needing to close out the raffle before month-end. (We don't need the choice of class, just whether she can be awarded the course.)

Thanks very much,  
Debra

**Debra Denison**

Informatica University – Education Sales Specialist

Email: [ddenison@informatica.com](mailto:ddenison@informatica.com) | Phone: (770) 861-8968 | Education Services: (866) 311-5338

