

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, July 28, 2017 10:47 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Sara Del Calvo, Aviation Compliance Professional, Miami-Dade Aviation Department ( Outside Employment) INQ 17-185

[INQ 17-185 Del Calvo](#)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, July 28, 2017 10:46 AM  
**To:** Del Calvo, Sara (Aviation) <SDelcalvo@miami-airport.com>  
**Cc:** Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Campos, Evelyn (Aviation) (ECampos@miami-airport.com) <ECampos@miami-airport.com>; Cutie, Ralph (Aviation) <rcutie1@miami-airport.com>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>  
**Subject:** Sara Del Calvo, Aviation Compliance Professional, Miami-Dade Aviation Department ( Outside Employment) INQ 17-185

Dear Ms. Del Calvo:

You have inquired on behalf of Travers Evans, a County employee, about possible conflicts of interest between his County employment and his outside employment.

### Background

Mr. Evans is employed at the Miami-Dade Aviation Department (MDAD) as a Maintenance Repairman ("ACMR") in the Terminal Maintenance Air Conditioning Shop. His job duties as an ACMR include assisting in service calls for repair of air conditioning units, and performing other preventive maintenance and repair functions throughout Miami International Airport terminals and concourses.

Mr. Evans is seeking outside employment, as an Air Conditioning Technician with Cavotec, currently contracted as a service contractor for MDAD. Cavotec's contract is overseen and administered by MDAD's Terminal Maintenance Division, the same division that employs Mr. Evans. Under the terms of its contract with MDAD Cavotec is responsible for providing preventive maintenance and inspection services for air conditioning systems that provide cooling to Airport passenger loading bridges and to aircraft while stationed at Airport gates. As an Air Conditioning Technician for Cavotec the employee indicates his responsibilities would include providing preventive maintenance and repair to the loading bridge air conditioning units.

### Legal Analysis

Sections 2-11.1(j) and (k) of the County Ethics Code prohibit County employees from engaging in outside employment which would impair County employees' independence of judgment in the performance of their official duties or creates a conflict between County employees' public duties and their private interests. The County's Administrative Order AO 7-1 reiterates the general principle that County employees must conduct the public's business without even an appearance of conflicting loyalties. It states that "Under no circumstances shall a County employee accept outside employment ... where a real or apparent conflict of interest with one's official or public duties is possible."

Based on the facts presented here, we concur with Mr. Evan's supervisor that Mr. Evans' outside employment with Cavotec is likely to create conflicts between his public duties and private interests based on the following factors:

- The Ethics Commission has issued opinions holding that an Airport employee was not allowed to engage in outside employment with an Airport contractor. *See* RQO 99-50 and INQ 12-155. The Ethics Commission reasoned that the outside employment might improperly affect the Airport employee's relationships with his County coworkers and might induce him to use confidential information to benefit his private employer. In this case, a conflict would similarly be created because the Terminal Maintenance Division that employs Mr. Evans administers Cavotec's contract with MDAD which could create opportunities to for the employee to benefit the vendor to the detriment of the County.
- The Commission on Ethics has previously held that conflicting employment would likely occur where the County employee is employed by a County vendor that services the facilities where the employee performs his or her County duties. RQO 16-02. Similarly, in this instance, Mr. Evan's County duties require him to perform work throughout the Airport and his outside employment would be with Cavotec, a County vendor, which provides services throughout MDAD.
- The Ethics Commission has determined that an indication of potential conflicts between an employee's duties to the public and duties to his/her outside employer is whether the employee would perform similar duties in his public employment and his outside employment. In this instance, the same potential conflicts could exist where Mr. Evans would be providing air conditioning maintenance services to Cavotec which are similar to those that he provides during her County employment

In conclusion, Mr. Evans, proposed outside employment would be barred by the County Ethics Code. This opinion is based on the facts presented. If these facts change or if you have any further questions, please contact me.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



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**From:** Del Calvo, Sara (Aviation) [<mailto:SDelcalvo@miami-airport.com>]  
**Sent:** Friday, June 30, 2017 3:57 PM  
**To:** Ethics (COE) <[ethics@miamidade.gov](mailto:ethics@miamidade.gov)>  
**Cc:** Jimenez, Barbara S. (Aviation) <[BJimenez@miami-airport.com](mailto:BJimenez@miami-airport.com)>; Cutie, Ralph (Aviation) <[rcutie1@miami-airport.com](mailto:rcutie1@miami-airport.com)>; Campos, Evelyn (Aviation) <[ECampos@miami-airport.com](mailto:ECampos@miami-airport.com)>  
**Subject:** Request for an Opinion

I am seeking an Ethics Opinion from the Commission concerning a potential conflict of interest arising from a Request for Outside Employment. The request was filed by a new hire to the Miami-Dade Aviation Department (the Department). The employee is seeking to retain part-time employment with his previous employer.

The employee was hired by the Department for the position of Maintenance Repairman in the Terminal Maintenance Air Conditioning Shop. As a Maintenance Repairman for the Department, this employee is charged with assisting in service calls for repair of air conditioning units, cleaning air conditioning coils, changing filters and performing other preventive maintenance and repair functions throughout the Miami International Airport terminal and its concourses.

The employee is seeking authorization to continue his employment, on a part-time basis, as an Air Conditioning Technician with Cavotec Inet US Inc (Cavotec). This entity is a service contractor for the Department and, under the terms of its contract, is responsible for providing preventive maintenance and inspection services for pre-conditioned air systems that provide cooling to the aircraft while stationed at the gate as well as systems that provide cooling to the passenger loading bridges. As an Air Conditioning Technician for this firm, the employee indicates his responsibilities include providing preventive maintenance and repair to the loading bridge pre-conditioned air units. These systems and therefore duties to be carried out by the employee will be performed in the aircraft ramp, outside of the terminal and concourses.

Although the service contract for Cavotec is administered by the Terminal Maintenance Division, direct oversight is under the Loading Bridge Shop which is separate and distinct from the Terminal Air Conditioning Shop where the employee is stationed.

If further information or clarification is needed in responding to this inquiry, please contact me at 305-876-7534 or by email [sdelcalvo@miami-airport.com](mailto:sdelcalvo@miami-airport.com).

Thank you.

*Sara Del Calvo, CPA*

Aviation Professional Compliance  
Miami-Dade Aviation Department  
Ph: 305-876-7534



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