

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, February 02, 2017 3:45 PM
To: Sanchez, Rodzandra (COE)
Subject: John Prats, Human Resources Commander, Miami-Dade Corrections and Rehabilitation (outside employment) INQ 17-32

FW: INQ 17-32 Prats

From: Turay, Radia (COE)
Sent: Thursday, February 02, 2017 3:42 PM
To: Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>
Cc: Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>
Subject: FW: INQ 17-32, John Prats, Human Resources Commander, Miami-Dade Corrections and Rehabilitation (outside employment)

From: Turay, Radia (COE)
Sent: Thursday, February 02, 2017 3:30 PM
To: Prats, John (MDCR) <John.Prats@miamidade.gov>; Kirkland, Tina (MDCR) <Tina.Kirkland@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: RE: Ethics Opinion for John Prats

Dear Commander Prats,

You have inquired whether a conflict of interest would exist where you, an employee working for the Miami-Dade Corrections and Rehabilitation Bureau (MDCR), have requested permission to engage in outside employment as a choir director for Our Lady of the Lakes Catholic Church.

Background

You are a Human Resources Commander in the Personnel Management Bureau for the Miami-Dade Corrections and Rehabilitation Department (MDCR). Your current job responsibilities include supervising, directing, and controlling all human resources functions and activities for the Miami-Dade Corrections and Rehabilitation Department.

You are seeking to engage in outside employment a choir director for Our Lady of the Lakes Catholic Church, a County vendor. In your role as choir director, you will direct the adult Spanish Choir for approximately 4-6 hours on Sundays.

In your County position, you do not have the authority to approve or disapprove any agreements for services between the County and Our Lady of the Lakes Catholic Church; and you have no involvement in the selection, oversight, or administration of the County contract with Our Lady of the Lakes Catholic Church.

Legal Analysis

The Ethics Code at Section 2-11.1(j) states that a government employee may not accept outside employment that impairs his or her independence of judgment in the performance of public duties. Based on the information that you have provided to us at this time, it appears to be unlikely that the type of outside employment that you are seeking to engage

in would impair your independence of judgement in the performance of your County duties as a Human Resources Commander for MDCR.

As a reminder, pursuant to 2-11 of the County Code, County employees are required to request permission to engage in outside employment from their supervisor on a yearly basis. In addition, Section 2-11.1(k)(2) of the County's Ethics Code requires filing a financial disclosure form on a yearly basis. County employees are cautioned that they may not engage in any activity which would require them to disclose confidential information acquired by reason of their official position, nor use such information directly or indirectly for their personal gain or benefit. See Section 2-11.1(h), County Ethics Code. Lastly, a County employee may not use his or her official County position to secure privileges or exemptions for themselves or others. See Section 2-11.1(g), County Ethics Code.

This opinion is based on the facts presented. If any of these facts change, please contact us.

Sincerely,

RADIA TURAY

Staff Attorney
Miami-Dade Commission on Ethics and Public Trust
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From: Kirkland, Tina (MDCR)
Sent: Friday, January 20, 2017 12:33 PM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Ethics Opinion for John Prats

Greetings,

The attached is being submitted on behalf of John Prats for a Ethics Opinion.

Should you require additional information, please feel free to contact me at the number below.

Thanks

Shawntia Kirkland, Personnel Specialist 2
Personnel Management Bureau, Employee Relations
Miami-Dade Corrections & Rehabilitation Department
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Miami, Florida 33147
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