

Ethics (COE)

JNQ 06-157

From: Ethics (COE)
Sent: Tuesday, November 07, 2006 1:46 PM
To: Fajardo, Max (Airport)
Subject: RE: Ethics opinion

Mr. Fajardo,

Yes, you can use this e-mail address to request an opinion. I believe you have given me sufficient facts to render an opinion. The first issue which needs to be addressed is for you obtain permission from the Aviation Department before you engage in outside employment. Without permission, you would in violation of the ethics ordinance. Additionally, you need to report the income you generate from your outside employment for 2006 by July 1, 2007.

As far as the specific facts are concerned, you and your band have been hired by a supervisor of one of the band members to perform at a private party and you will be compensated for your performance. The facts that this supervisor is married to one of your employees and this employee's father is a union president are not relevant to my opinion. As long as the band is receiving fair compensation for its services, then I see no conflict of interest that would necessitate either of you finding alternates to perform in your place. I could envision a problem if your band mate agreed to offer the band's services at a discount in order to curry favor with his supervisor.

If you wish to discuss the above with me in more detail, 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: Max Fajardo [mailto:MFAJARDO@miami-airport.com]
Sent: Monday, November 06, 2006 7:59 PM
To: Ethics (COE)
Cc: Lee, Anne Syrcle (Airport); Fernandez-Morin, Marcia (Airport)
Subject: Ethics opinion

Please advise if I can send a request for an opinion using this email address?

Here is the situation I need a quick read on please:

I play in a musical band on the weekends and am quite cautious who we perform for due to even the thought of impropriety. One of my band mates works for the county as well and has informed me that we have been hired by one of his co-workers (supervisor) to play at a private party they are throwing. In that conversation I found out that this supervisor is married to one of my employees, not a direct report of mine, but I am in his chain of command. I am also told that my employee's father is the GSA Supervisors Union President, though I have no confirmation of this. I am somewhat uncomfortable with this arrangement however my band mate feels this is not a conflict because we are performing a service and getting paid. I would like an ethics ruling quickly to determine if this is a conflict of interest for either of us as the party is scheduled for early December and we would need to make alternate arrangements so as to not leave these folks in a bad way. Your prompt response would be appreciated.

Max Fajardo, E.I.
 Assistant Aviation Director
 Facilities Management
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11/7/2006

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