

ETHICS

JNR 24-134

To: Troner / Ricisak
Subject: RE: CITT related questions

Ms Troner,

Before I respond to your inquiry, I need to know whether the seat on the CITT you will be occupying is reserved for County employees. If the answer is yes, then I conclude that the appointment is an extension of your County employment and you should not be required to take leave for CITT meetings and related events. If, on the other hand, your status as a County employee is not the reason why you will be appointed, then I could make the argument that you are a volunteer. Thus, as a volunteer, you should be required to take leave from your County position whenever you are attending to CITT business. However, under the circumstances, it seems reasonable to me that your Department Director ought to grant you Administrative Leave while you are participating in CITT functions and meetings. Please understand that the Ethics Commission doesn't determine who is entitled to receive Administrative Leave -- I'm simply suggesting it might be a good solution in light of the mission of the CITT.

As far as your other questions are concerned (receiving e-mails, phone calls and correspondence when you are on County time), it does not seem unreasonable for you to receive these communications at your place of business -- which in your case happens to be the County. If the volume of calls and communications becomes too overwhelming, it could be a problem. Generally speaking, however, a few phone calls or e-mails about issues not connected to your County position would be permissible, especially given the nature of the duties entrusted to the CITT.

If you wish to discuss the above or if you have any questions, please contact me at your convenience.

Sincerely,

Robert Meyers
 Executive Director

-----Original Message-----

From: Troner / Ricisak [mailto:j.ricisak@worldnet.att.net]
Sent: Monday, November 22, 2004 11:34 PM
To: ethics@miamidade.gov
Subject: CITT related questions

Commissioner Katy Sorenson informed me today that she will be appointing me to the CITT. I know that she recently contacted the Commission on Ethics to make sure that I was allowed to serve on the Trust, since I am a County employee. (My current position at DERM involves environmental education and public outreach and I do not interact with Transit Department staff.) When I recently met with her, Commissioner Sorenson told me that she had been informed by someone at the Commission on Ethics that I would be allowed to serve on the CITT. I am also aware of the fact that there is another County employee who is serving on the Trust (Mr. Henry Lee Givens / WASD).

My question is whether or not I should take official leave (annual or similar) when I attend the Trust meetings and subcommittee meetings (approximately 5 hours a month)? At first, I assumed that I would have to take official leave, but one of my assistant directors told me that she did not think that I would or should have to do so. I would obviously prefer not use up my vacation time if possible, but I don't want to do anything that would be improper or would have the appearance of being inappropriate. I told Commissioner Sorenson that I would find out what to do, and that is why I am writing to you. Along the same lines, would it be improper or have the appearance of impropriety if I received emails or mail at work regarding the Trust? I do not intend to work on Trust matters during work hours (aside from the meetings I had the question about above), but would it be ok for me to receive or respond to meeting notices or similar while at work? Also, the Executive Director called me at work today and mentioned that she wanted to send me over a packet of information. Should this type of information be mailed to my home address or is it ok to use the internal County mail system?

Sorry for all of the questions -- it is just very important to me to do everything in an appropriate manner. I did search your website library of opinions by topic but couldn't find any decisions that I thought were comparable to my questions. So, please let me know what your expert opinion is.....

Thanks so much!

/24/04

Susannah Troner
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