

James W. Herman
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INV
01-31

facsimile transmittal

To: Mr Ron Myers **Fax:** (305) 579-2656

From: James W. Herman **Date:** 08/10/01

Re: Ethics **Pages:** 2

CC: [Click here and type name]

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Per our telephone conversation this morning please find attached my letter explaining my situation. I look forward to your response.

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August 10, 2001

Mr. Robert Myers, Executive Director
Commission on Ethics and Public Trust
19 W. Flagler St. Suite 220
Miami, FL 33130

Re: Ethics

Dear Mr. Myers:

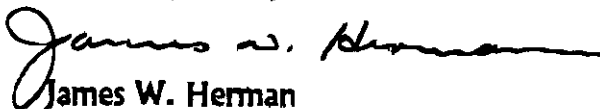
I am an Airport Property Manager 3; I supervise three Airport Property Managers 2 who administer the leases with the various airlines here at Miami International Airport.

During the recent Ethics Recurrent Training Course it occurred to me that receiving any passes from an airline that I deal with here at the airport, could be construed as unethical.

My situation is that my daughter is a Reservation Sales Agent for Delta Airlines. Part of her benefits includes the receipt of free flight passes for herself and parents on Delta. Since this is a benefit that is given to my daughter by Delta and does not come directly from Delta to me, I don't feel that it can be considered a conflict of interest.

However, because of my working relationship with the airlines here at the airport, I felt it would be prudent to advise you of this situation and get your opinion. Should you have any questions, please contact me at 876-0367.

Very truly yours,



James W. Herman
Airport Property Manager, III
Miami International Airport

cc B. Phillips
Personnel file

Memo

To: James W. Herman, Airport Manager 3
Aviation Department

From: Robert Meyers, Executive Director
Miami-Dade Commission on Ethics

Date: 8/21/01

Re: Request for Opinion

On August 10, 2001, you sent me a fax seeking an ethics opinion. You state in your fax that you are an Airport Property Manager 3, who supervises others who administer leases with various airlines at Miami International Airport. You state further that your daughter works for Delta Airlines and receives free flight passes for herself and parents. You wish to know whether your position at MIA would prohibit you from using the flight passes your daughter receives from Delta by virtue of her employment with the company.

Based on the facts you have provided me, I see no conflict of interest that would preclude you from accepting the free passes your daughter receives from Delta Airlines. Furthermore, there would be no requirement that you report these passes as gifts as part of the County's gift disclosure policy for two reasons. One, the tickets are really not a gift at all but an employment benefit to your daughter. Secondly, even if you classified the tickets as gifts, they are given to all Delta employees. Clearly, the tickets are not being given to you on account of your position at MIA.

If you have any additional questions, feel free to contact me at your convenience.

*** TX REPORT ***

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Miami-Dade County
Commission on Ethics
and Public Trust

Fax

To: James W. Herman From: Robert Meyers

Fax: (305) 876-7615 Pages: 2, including cover sheet

Phone: Date: 8/21/01

Re: Request for opinion-CC:

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Per our request.

Robert Meyers