



**Miami-Dade Commission on Ethics & Public Trust**

**Report of Investigation**

**Investigator:** Larry Lebowitz

<b>Case:</b> PI17-045	<b>Case Name:</b> Suarez (MDFR Whistleblower)	<b>Date Open:</b> Dec. 15, 2017	<b>Date Closed:</b>
<b>Complainant(s):</b> Gerald Trudelle	<b>Subject(s):</b> Jeffrey Suarez	<b>CASE CLOSED</b>	

Date: 3/21/18

**Allegation(s):**

Complainant is a civilian maintenance supervisor for the Air-Rescue unit at Miami-Dade Fire Rescue. The unit maintains a fleet of four Bell 412 helicopters used by MDFR for emergency transport, trauma, search-and-rescue and fighting brush fires. The maintenance crew is part of a collective bargaining unit. In 2016, Complainant and five others filed a complaint with the Federal Aviation Administration alleging abuse of power by MDFR management, pilots flying unsafe, un-airworthy helicopters and related operational issues. Trudelle, anticipating harassment from his supervisors, filed an online tip to an Office of the Inspector General fraud "hotline" in October 2017. OIG forwarded the information to COE in December 2017 for review and assessment. Complainant alleges that his current supervisor, Jeffrey Suarez, Chief of the Special Operations Bureau (and formerly the Officer in Charge as a lieutenant over the Air-Rescue Unit) specifically ordered him not to make any further contacts with FAA, and subsequently started to retaliate against him by creating a new position --- Aviation Maintenance Manager --- that was recently posted by Miami-Dade County. Trudelle alleges that the new position is a duplication of his current job, Aircraft Technician Supervisor, except with an exempt status and a higher salary.

**Relevant Law:**

**Miami-Dade County Whistleblower ordinance, Code of Miami-Dade County, Section 2-56.28.17, (revised to include COE jurisdiction, May 8, 2007)**

**Investigation:**

**Interviews:**

Gerald Trudelle,  
Aircraft Maintenance Technician  
Jan. 26, 2018

Trudelle was interviewed by this investigator. The FAA complaints and related matters, some involving alleged mistreatment of the unionized maintenance workers by MDRF managers, were discussed. Trudelle subsequently sent an email dated Feb. 10, 2018, detailing the anticipated adverse action with the creation of the new job title. This investigator explained that he can't be a Whistleblower under the county law until an adverse action actually occurs; at this stage, any retaliatory acts are purely anticipated on his part. This investigator said COE will continue to monitor the situation.

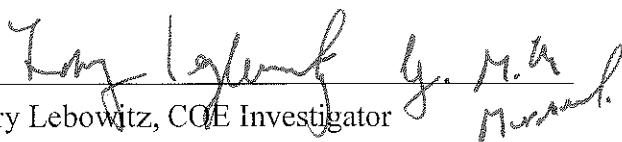
**Document(s):**

Initial Dec. 11, 2017 memorandum from Inspector General Mary Cagle to COE Executive Director Joseph Centorino, regarding the complaint Trudelle filed with OIG. Cagle told Centorino OIG will not be taking any action and is referring the complaint to COE for review and assessment. [OIG Complaint 17-1389-C]

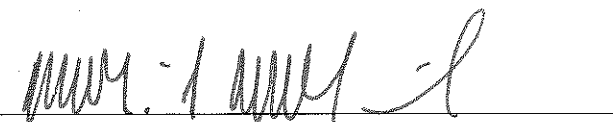
In the complaint form to OIG, Trudelle details several ongoing issues regarding safety of specific MDRF helicopters on specific dates; those details were apparently forwarded to the FAA. He also attached an email from Suarez to Trudelle and cc'd to three additional MDRF Air-Rescue employees – Brian Gelabert, Pablo Canals and Alvin “Rick” Guthery --- advising Trudelle to follow MDRF policy regarding the reporting of complaints, detailing the chain of command at Air-Rescue, and concludes with: “You are not to contact the FAA reference any MDRF equipment or personnel directly. Email me your concerns and I will address in the appropriate manner.

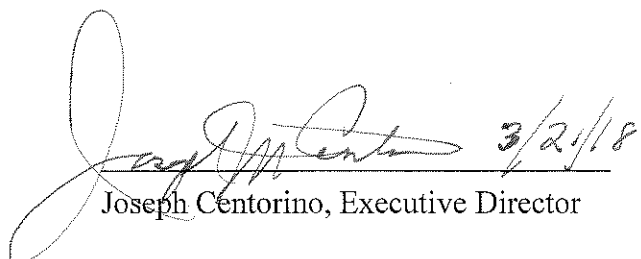
**Conclusion:**

While he created a record by filing the complaints with both the FAA and the OIG, the fear of a future form of retaliation does not constitute a violation of the county's whistleblower statutes. Similarly, MDRF's creation of a new position, by itself, doesn't constitute an “adverse personnel action” against the Complainant. After discussion with the Ethics Advocate it was decided that this case be closed with the possibility of re-opening if/when Trudelle actually becomes the victim of an adverse job action.

  
Larry Lebowitz, COE Investigator

Approved by:

  
Michael Murawski, Advocate

  
Joseph Centorino, Executive Director 3/2/18