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MIAMI-DADE COUNTY
MIAMI, FL
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**MIAMI-DADE
COMMISSION ON ETHICS & PUBLIC TRUST**

In re.

C 14-29

Griffen et al.
_____ /

PUBLIC REPORT AND FINAL ORDER

Michael Weissberg (Weissberg) filed the above-referenced complaint against Respondents Jeff Griffen, Jesus Aguiar, John Banzola, Rene Landa, Lisa Morton, Ana Baixauli, Orlando Martinez de Castro, Steve Alexander and Latasha Nickle; all Respondents are members of either the South Miami Police Department command staff or the City of South Miami's administration. The complaint alleged that Respondents retaliated against Weissberg after he filed numerous complaints and grievances.

Pursuant to the Code of Miami-Dade County (the Code) at Sec. 2-56.28.17(4), the Ethics Commission is empowered to conduct an investigation of conduct allegedly prohibited under Division 6¹ of the Code.

Sec. 2-56.28.17(4) requires that a written complaint be filed with the Ethics Commission within 60 days of the prohibited or adverse personnel action. "Adverse personnel action" means the discharge, suspension, transfer or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits,

¹ Division 6 of the Code is entitled, "Protection of Employees Disclosing Specified Information"

or any other adverse action taken against an employee within the terms and conditions of employment by the County." Sec. 2-56.28.12(4). Weissberg's complaint was not filed within 60 days of his demotion and the opening of an Internal Affairs investigation is not considered "adverse personnel action."

Accordingly, on July 10, 2014, in closed session, the Ethics Commission dismissed the instant complaint as legally insufficient.

Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 14-29 against Respondents is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on July 10, 2014.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Nelson Bellido
Chair

Signed on this date: 7/16/2014