

## **Sanchez, Rodzandra (COE)**

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**From:** Arrojo, Jose (COE)  
**Sent:** Monday, December 03, 2018 9:49 AM  
**To:** Fernandez, Alejandro J. (DIST6)  
**Cc:** Murawski, Michael P. (COE); Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE); Turay, Radia (COE); Ross, Rachelle (COE); Sanchez, Rodzandra (COE)  
**Subject:** INQ 18-256 Voting Conflict - PHT CBA Ratification - Daughter's Employment, 2-11.1(d)  
**Attachments:** INQ 18-256 Voting Conflict - PHT CBA Ratification - Daughter's Employment, 2-11.1(d).docx

Dear Mr. Fernandez:

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust regarding a voting conflict opinion for Commissioner Rebeca Sosa.

Please thank Commissioner Sosa for continuing to seek our guidance on these matters.

Best regards,

### **Jose J. Arrojo**

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Miami-Dade Commission on Ethics and Public Trust  
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## MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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### MEMORANDUM

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**TO:** Honorable Rebeca Sosa  
District 6 Commissioner

**FROM:** Jose Arrojo, Executive Director  
Commission on Ethics

**SUBJECT:** INQ 18-256, Voting Conflict – Authorizing Approval of CBA Between Miami-Dade County, the Public Health Trust and the Committee on Interns and Residents, Section 2-11.1(d)

**DATE:** December 3, 2018

**CC:** All COE Legal Staff

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Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding the following proposed transaction.

Facts: You have advised Item No. 182781 is scheduled to be heard before the Board of County Commissioners (BCC) on Tuesday, December 4, 2018. You inquire whether you would have a voting conflict of interest under Section 2-11.1(d) of the Miami-Dade Ethics Code, in voting or otherwise participating in the discussion of the item.

The item consists of a resolution authorizing and ratifying the 2018-2020 Collective Bargaining Agreement (CBA) between Miami-Dade County, the Public Health Trust and the Committee on Interns and Residents (CIR). The collective bargaining unit is comprised of over eleven hundred (1,100) employees of the Public Health Trust.

Discussion: Your adult daughter is employed by the Public Health Trust as a Registered Nurse Case Manager. She is not an intern or resident nor is she a member of the collective bargaining unit whose terms and conditions of employment are set by the agreement.

The issue of a voting conflict on is narrowly described as whether you might, directly or indirectly, profit or be enhanced by the item in question or in this case, whether some special benefit might flow from your vote to a close family member.

Our review of Item No. 182781 did not present any likelihood that you would, personally or professionally, be affected in any way by the item or that some special benefit might come to your adult daughter who is employed as a nurse case manager not covered by the collective bargaining agreement.

We have previously provided similar opinions in the past when your adult daughter was employed at Miami Children's Hospital in that hospital's emergency room. (See INQ 11-85)

Opinion: Under the details provided to me concerning this item authorizing and ratifying the 2018-2020 Collective Bargaining Agreement between Miami-Dade County, the Public Health Trust and the Committee on Interns and Residents, a collective bargaining unit comprised of over eleven hundred (1,100) employees of the Public Health Trust, and where your daughter is employed outside the bargaining unit as a Registered Nurse Case Manager, I do not believe that you will profit or be enhanced, and, therefore, I do not believe that you are prohibited under Section 2-11.1(d) from participating or voting on this item.

This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.