

**Meyers, Robert (COE)**

ING 07-20

**From:** Meyers, Robert (COE)  
**Sent:** Thursday, February 08, 2007 2:24 PM  
**To:** Hime, George W. (ME) (305) 547-5746  
**Subject:** RE: Ethics question from Medical Examiner Dept.

Mr. Hime.

Thank you for you request for opinion. As you have described below, Miami-Dade County contracts with the University of Miami Forensic Toxicology Laboratory to analyze blood and/or urine sample submitted by local law enforcement agencies investigating DUI cases. In your e-mail you state there is a shortage of trained individuals working at the University of Miami laboratory and at least one individual from the county's Medical Examiner Department is interested in working for the lab in the evenings and/or weekends. You wish to know whether such outside employment violates any of the County's ethics laws/rules.

Based on the facts you have provided, I see no conflict of interest that would bar the employee(s) in question from working for the University of Miami in the evenings and/or weekends. Please be advised that your employee(s) must receive written permission from the department director. Moreover, any income earned from the outside employment must be reported as well. For income earned in 2007, the reporting deadline is July 1, 2008.

If you wish to discuss, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
 Miami-Dade Commission on Ethics and Public Trust  
 (305) 350-0613

**From:** Hime, George W. (ME) (305) 547-5746  
**Sent:** Monday, February 05, 2007 3:28 PM  
**To:** Meyers, Robert (COE)  
**Subject:** Ethics question from Medical Examiner Dept.

Mr. Meyers;

Background:

The County contracts with the University of Miami Forensic Toxicology Laboratory to provide laboratory services to local law enforcement investigating driving-under-the-influence (DUI) cases. The laboratory performs toxicological analyses on blood and/or urine samples submitted. The Medical Examiner Department administers that contract as well as provides expertise to DPM when the contract is being negotiated. The individuals in the Department that are involved in this contract are our procurement specialist in the business office, the Laboratory Director Dr. Lee Hearn, and me.

The UM laboratory is in need of trained individuals to help in the analyses of these cases. They are unable to fill all their positions with qualified scientists. They have inquired as to whether any of our toxicologists would be interested in working part-time in the evenings and/or weekends to provide this assistance for reasonable pay. We have at least one individual and maybe two on my staff who are interested. This will help them augment their salary with the County. Higher taxes and insurance has taken its toll on these employees. The interested employees are not involved in any way with the contract administration or negotiations.

Would this be a violation of any ethics rules? As their supervisor I do not have a problem with their taking outside

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employment as long as it does not impact on their service to the County. They understand their primary employment obligation to our Department and I feel confident they would not let it become a problem. The Division Director (Dr. Hearn) and our Department Director (Dr. Hyma) concur.

I would appreciate your guidance and opinion.

Thank you

***George W. Hime***

Assistant Director; Toxicology Laboratory

Miami Dade Medical Examiner Dept

Number One on Bob Hope Road

Miami, FL 33136

305-547-5746

305-547-3768 fax

***gwh@miamidade.gov***