

Meyers, Robert (COE)

JNQ 09-06

From: Meyers, Robert (COE)
Sent: Thursday, January 15, 2009 2:45 PM
To: 'Lizette Marti'
Subject: RE: Request for Opinion

Ms. Marti:

If your employer's labor law attorney is of the opinion that a conflict of interest would exist for you to sit on the county's Equal Opportunity Board, then our office would have to respect that opinion. However, under the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, there would be no conflict of interest per se if you sat on the board. Generally speaking, an advisory board member has a conflict only if the matter presented to the board affects the member's employer and the board member was directly affected by the action. Based on your description of the facts, I do not believe that you would be directly affected by a complaint against your employer – assuming such cases could be presented to the EOB.

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

Sincerely,

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

From: Lizette Marti [mailto:LizetteMarti@MiamiSAO.com]
Sent: Wednesday, January 14, 2009 1:27 PM
To: Meyers, Robert (COE)
Cc: lizettemarti@yahoo.com
Subject: Request for Opinion

Dear Mr. Meyers:

I am requesting an opinion from your office as to whether a conflict exists with respect to my participation on the County's Equal Opportunity Board (EOB). I work for the State Attorney's Office, Criminal Intake Division. I was appointed as a board member to the Equal Opportunity Board by Commissioner Sorenson, but I was informed by my employer's labor law attorney that my participation on the EOB constitutes a conflict because there may be pending cases against my employer with the U.S. EEOC. I explained that although the EOB has a work sharing agreement with the EEOC to process discrimination cases under the federal statutes, the County ordinance (Sec. 11A-25 of the Code) expressly exempts the State of Florida from the jurisdiction of the County. Therefore no case against a State agency is referred to the EOB staff or is heard on appeal by the board.

Thank you for your attention to this matter. I appreciate any guidance you can offer me. You may respond to my personal e-mail address at Lizettemarti@yahoo.com

Lizette Marti
305-970-2049

1/15/2009