

MEMORANDUM



Date: May 4, 2021

To: Arleene Cuellar, Director
Human Resources Department

From: Erin A. New, Division Director *Erin A. New*
Human Rights & Fair Employment Practices

Subject: John Labriola (BCC) - Complaint Investigative Findings

On March 5, 2021, the Human Rights & Fair Employment Practices Division (HRFEP) of the Human Resources Department received a written complaint from Orlando Gonzales, Executive Director of SAVE Inc., in which he alleged that John Labriola, Media Aide, Board of County Commissioners (BCC), engaged in discriminatory and harassing conduct based on sexual orientation, gender identity and gender expression in an online article he wrote for a section called "UNCensored" in the March 2021 edition of "Sophie's Voice," a newsletter published by Sophie's Publishing House Inc. Specifically, Mr. Gonzales alleged that Mr. Labriola used offensive and derogatory slurs toward the LGBTQ+ community in the article, in violation of the County's Human Rights Ordinance and Implementing Order 7-45. Mr. Gonzales included a link to an article published in the Miami Herald on March 5, 2021, titled, "A Miami-Dade government employee wrote a slur-laden tirade against transgender people."

On March 15, 2021, HRFEP received another complaint against Mr. Labriola from a resident named Jacob Joseph, which was submitted on the Human Resources Department's Facebook page. Mr. Joseph's complaint included a screenshot of a public Facebook post Mr. Labriola made on his personal Facebook page, in which he criticized the Miami Herald's depiction of his "Sophie's Voice" article and stated, among other things, that "there is no such thing as transgender."

As part of HRFEP's review of this complaint and in order to ensure that Mr. Labriola was not engaging in this type of conduct in the workplace, all of the employees that work with Mr. Labriola in BCC Media Division were interviewed. Overall, our review did not find any evidence to establish that Mr. Labriola engaged in any harassing or discriminatory behavior based on any protected characteristic ***within the workplace***. However, the findings revealed that Mr. Labriola's use of extremely inappropriate and offensive language in the newsletter article did constitute a violation of County policies, including Implementing Order 7-45.

Records show that on March 5, 2021, Mr. Labriola was issued a Disciplinary Action Report and a 3 day suspension in connection with this incident. In addition to the suspension, the DAR directed Mr. Labriola to register for diversity training within 7 days of receipt. Due to his failure to register for the required training, Mr. Labriola's employment with the County was terminated on April 13, 2021.

Accordingly, HRFEP has determined that the BCC has taken appropriate action to address Mr. Labriola's violation of County policies and no further action is warranted.

Please feel free to contact me if you have any questions.