

OFFICE OF THE INDEPENDENT ADVOCATE
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
REPORT OF INVESTIGATION

K #: 08-049

Date Opened: 5/14/2008

Date Closed: 8/14/2008

Name of investigator: Arthur D. Skinner
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Allegation:

This matter was predicated upon the receipt of an anonymous telephone caller that the City of Miami Fire Chief William Bryson, Sr. violated the state anti-nepotism laws by hiring. His son William Bryson, Jr.

Section 2-11.1of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. g Exploitation of official position prohibited. No person included in the terms defined in Subsections b1 through 6 shall use or attempt to use his official position to secure special privileges or exemptions for himself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

Investigation:

On May 28, 2008, Investigator Arthur Skinner reviewed the personnel file of William W. Bryson at the main personnel office in the City of Miami. The following documents were obtained from Bryson's personnel file:

1. City of Miami Request for Personnel Action, dated March 30, 2006.
2. City of Miami, Request to Fill Position, dated March 27, 2006.

3. City of Miami, Form of Nepotism Clearance. The form is signed by William Bryson, Firefighter, dated March 29, 2006.
4. City Miami, Form of Nepotism Clearance. The form is signed by William Bryson, Assistant Chief, David June 23, 1999.

The Assistant Director of Personnel Julie Harris was interviewed by Investigator Skinner. Ms. Harris gave the following information:

The Firefighter positions are announced by the personnel department, a test is given and for each of the positions announced the top five names on the examination list are selected. The list is sent to be Fire Chief, who gives it to his personnel department to continue. The selection process.

(Investigator note: according to the documents obtained from the personnel file of Firefighter and William Bryson, the request to fill positions was for 30 positions. That would indicate that that 150 names were on eligibility list was submitted to the Fire Department.)

On June 11, 2008, Investigators. Arthur Skinner, and Breno Penichet interviewed City of Miami Fire Chief Shorty Bryson in his office at the City of Miami Fire Garage. Chief Bryson was advised of the purpose of the interview, and he gave the following information:

Bryson stated that we were incorrect. He did not violate the state nepotism laws by hiring his son William Bryson, Jr. Bryson stated prior to hiring his son. He rented an apartment for him within the city limits. Bryson said the reason why he did this was to ensure that his son, who scored well in the fire exam would be assured of being on the first part of the selection list, which gave preference to city residents.

Bryson stated that he was the officer in charge of selecting new hired Firefighters. Human Resources sent Chief Bryson, the Firefighter hiring list with 150 names. Bryson's son's name was on the top section of hiring list. Bryson recused

himself, and gave the list to one of the Assistant Chiefs. Bryson stated he is the reviewing and selecting officer on all other hiring lists.

Bryson e-mailed Investigator Skinner, a copy of the opinion, dated February 8, 2006 from Jorge J. Fernandez, City Attorney.

On June 25, 2008, The City of Miami, Assistant Director for Personnel Elsa Jaramillo sent an e-mail with the opinion from the Miami City Attorney Julie Bru. Discussed this matter with the COE Advocate Michael Murawski.

CONCLUSION:

Miami Fire Chief William Bryson, Sr. was appointed Fire Chief in 2004. The Chief's Son was appointed to his present position as a Firefighter on March 29, 2006. City of Miami Fire Chief William Bryson, Sr.

This matter is closed per the COE Advocate. The COE does not have jurisdiction in this matter. The Miami City Attorney has issued an opinion at the request of the Fire Chief that concludes that it is not a violation of the State "anti-nepotism" statute.