

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO: 16-2024-AP-0000013
DIVISION: AP-A

BRADLEY CLAYTON,
Petitioner,

v.

CITY OF JACKSONVILLE,
Respondent.

_____/

March 24, 2025

PER CURIAM

Petitioner challenges a decision of the Jacksonville Civil Service Board (“Board”) dismissing his appeal after the City of Jacksonville (“City”) terminated his employment. On certiorari review of a decision from the Board, this Court must apply the following three-part standard of review: (1) whether procedural due process is accorded; (2) whether the essential requirements of law have been observed; and (3) whether the administrative findings and judgment are supported by competent substantial evidence. Haines City Cmty. Dev. v. Heggs, 658 So. 2d 523, 530 (Fla. 1995) (citing City of Deerfield Beach v. Vaillant, 419 So. 2d 624, 625-26 (Fla. 1982)).

The central issue in this case is if Petitioner maintained permanent status after leaving one position with the City to take another position in a separate City department. In dismissing his appeal, the Board found as follows:

The Employee was a probationary employee when he was terminated because he was externally hired in a completely separate City department, despite having previously obtained permanent status, as opposed to being promoted or

applying internally within the same department. Moreover, the Employee knew he was being hired from an external eligibility list and would be a probationary employee when he signed his acceptance letter from the City. As a probationary employee, the Employee is not entitled to appeal his termination to the Board.

Having reviewed the City of Jacksonville Civil Service and Personnel Rules and Regulations (“Rules”), this Court finds that the Board did not depart from the essential requirements of the law by finding Petitioner was on probationary status when the City terminated his employment. Rule 6.03(1)(a) states that an employee appointed from an external eligibility list shall be given probationary status. Petitioner argues that he was continuously employed because he was transferred from one department to another, but the Rules define a “transfer” as the moving of an employee from one department agency to another. Petitioner was not “moved” from one department to another, he applied for one position with the City while working in a different position with the City. Because Petitioner was on probationary status when he was terminated, the Board correctly dismissed his appeal, even if he had previously obtained permanent status in a separate position with the City. See generally Delong v. Florida Fish & Wildlife Conservation Comm’n, 145 So. 3d 123, 126 (Fla. 3d DCA 2014). Accordingly, the Petition is **DENIED**.

COOPER, DEARING, AND ROBERSON, JJ., concur.

T.A. “Tad” Delegal, III, counsel for Petitioner.

Laura Boeckman, Assistant General Counsel for the City of Jacksonville.