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October 16, 2014

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Claudia Llado  
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State of Florida  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

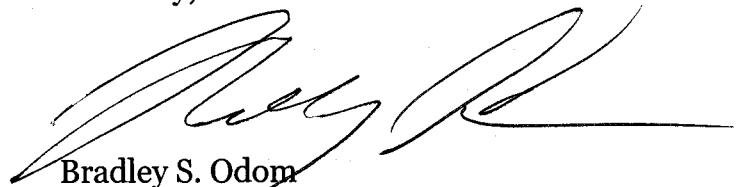
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DIVISION OF  
ADMINISTRATIVE  
HEARINGS

Re: *Emerald Coast Utilities Authority v. Christopher L. Pryor*  
*DOAH Case Number: 14-1461*

Dear Ms. Llado:

Administrative Law Judge James H. Peterson, III rendered a Recommended Order in the above-referenced matter on September 24, 2014. Subsequent thereto, the Emerald Coast Utilities Authority (ECUA) entered a Final Order on October 14, 2014. Pursuant to Section 120.57(1)(m) you are hereby being provided a copy of that Final Order. Should you have any questions please do not hesitate to contact me.

Sincerely,

  
Bradley S. Odom  
ECUA General Counsel

BSO:cab

Enclosure

cc: Linda Iversen (w/encl.)

COPY

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

FILED

EMERALD COAST UTILITIES  
AUTHORITY,

2014 OCT 20 AM 11 57

Petitioner,

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

v.

DOAH Case No.: 14-1461

CHRISTOPHER L. PRYOR,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

Petitioner, Emerald Coast Utilities Authority (hereinafter "ECUA"), terminated Respondent, Christopher L. Pryor (hereinafter "Pryor"), from his employment with ECUA effective March 13, 2014 by way of a letter dated March 17, 2014. Pryor timely requested a hearing, and the case was forwarded to the Florida Division of Administrative Hearings. A formal hearing was conducted in this cause on August 27, 2014 in Pensacola, Florida, before James H. Peterson, III, Administrative Law Judge with the Florida Division of Administrative Hearings.

On August 27, 2014 Judge Peterson submitted a Recommended Order, which included Findings of Fact and Conclusions of Law. In his Recommended Order, Judge Peterson found that ECUA had proven by a preponderance of the evidence that Pryor (1) left a continuing education course entitled "Focus on Change" held on February 18, 2014 over an hour before it was over and never returned; (2) cut in line to sign the afternoon roster for that course on February 18, 2014; (3) failed to properly secure a ground penetrating radar device on the back of his work truck on February 25, 2014; (4) left the

workplace on the afternoon of February 25, 2014 for an alleged doctor's appointment without prior notice or permission and also failed to complete an accident report or submit to a drug test as instructed on that date. Accordingly, Judge Peterson concluded that Pryor's conduct was violative of Sections B-13 A(2), B-13 A(4), B-13 A(12), B-13 A(16), B-13 A(17), B-13 A(21), B-13 A(22), B-13 A(33), B-16 G(2), and Section D-9 of ECUA's Human Resources Policy Manual as well as paragraph 5 of ECUA's South Region's written procedures. Judge Peterson therefore recommended that I find Pryor to have violated those provisions of the ECUA Human Resources Policy Manual and ECUA's South Regional written procedures for operating crew trucks, and impose such discipline on him as deemed appropriate.

The parties were subsequently afforded the opportunity to present written submissions prior to the rendering of this Final Order. The time-frame within which to submit any submissions has expired, and none have been received.

BASED ON THE FOREGOING, it is ORDERED:

1. That the September 24, 2014 Recommended Order submitted to the Emerald Coast Utilities Authority by the Administrative Law Judge be, and is hereby, made a part of and incorporated in this Order, with the following correction: By operation of Chapter 2004-422, Laws of Florida, ECUA employees no longer fall under the guidelines of the Escambia County Civil Service Rules; accordingly, the following language in the first numbered paragraph under Findings of Fact is stricken: "within the guidelines of Escambia County Civil Service Rules". Otherwise, the Recommended Order is adopted in its entirety.

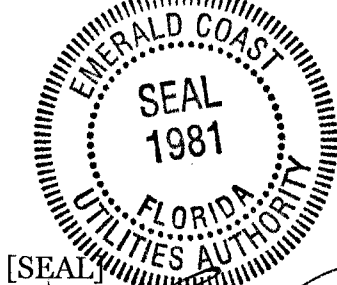
2. I expressly adopt the Administrative Law Judge's findings that Respondent violated Sections B-13 A(2), B-13 A(4), B-13 A(12), B-13 A(16), B-13 A(17),

B-13 A(21), B-13 A(22), B-13 A(33), B-16 G(2), and Section D-9 of ECUA's Human Resources Policy Manual, as well as paragraph 5 of ECUA's South Region written procedures, as those findings were supported by competent and substantial evidence.

3. In light of those findings, I further find that the termination of Respondent, Christopher L. Pryor, is appropriate and warranted.

4. Accordingly, the termination of the employment of Christopher L. Pryor is hereby upheld and Affirmed, and he shall go forth without day.

DONE AND ENTERED this 14<sup>th</sup> day of October, 2014.



Stephen E. Sorrell, P.E., M.P.A.  
Executive Director  
Emerald Coast Utilities Authority

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO A JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF ECUA, AND A SECOND COPY ALONG WITH FILING FEE AS PRESCRIBED BY LAW, WITH THE CIRCUIT COURT OF ESCAMBIA COUNTY. REVIEW PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE FLORIDA APPELLATE RULES. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

COPIES FURNISHED:

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