

EMERALD COAST UTILITIES AUTHORITY

EMERALD COAST UTILITIES
AUTHORITY,

Petitioner,

v.

DOAH Case No.: 17-4231

SEAN A. WARD,

Respondent.

FINAL ORDER

Emerald Coast Utilities Authority (hereinafter "ECUA"), terminated Sean A. Ward (hereinafter either "Ward" or "Respondent"), from his employment with ECUA via a letter dated July 17, 2017. Ward timely requested a hearing regarding that termination, and the case was forwarded to the Florida Division of Administrative Hearings. A formal hearing was scheduled to be held on September 21, 2017 in Pensacola, Florida, before Garnett W. Chisenhall, Administrative Law Judge with the Florida Division of Administrative Hearings. At the outset of the hearing, both Ward and his attorney indicated that Respondent desired to withdraw his request for a hearing, as he no longer desired to challenge his termination.

On September 28, 2017 Administrative Law Judge Chisenhall submitted a Recommended Order concluding that Ward's withdrawal of his hearing request had obviated the need for ECUA to call witnesses and prove the underlying alleged misconduct. Accordingly, the Administrative Law Judge recommended that Ward be found to have violated Section B-13A(4) (conduct unbecoming an ECUA employee), Section B-13A(13) (falsification of records), Section B-13A(18) (loafing), Section B-13A(26) (substandard quality or quantity of work), and Section B-13A(33) (violation of

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ECUA rules or guidelines or state or federal law) of the ECUA Human Resources Manual.

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

BASED ON THE FOREGOING, it is ORDERED:

1. That the September 28, 2017 Recommended Order submitted to the Emerald Coast Utilities Authority by the Administrative Law Judge be, and is hereby, adopted and made a part of and incorporated in this Order.

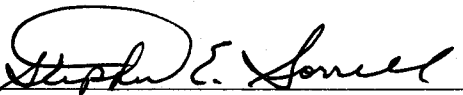
2. Consistent with the Recommended Order, I find that Respondent violated Section B-13A(4) (conduct unbecoming an ECUA employee), Section B-13A(13) (falsification of records), Section B-13A(18) (loafing), Section B-13A(26) (substandard quality or quantity of work), and Section B-13A(33) (violation of ECUA rules or guidelines or state or federal law) of the ECUA Human Resources Manual.

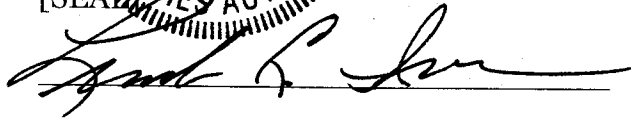
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3. I further find that the termination of Respondent is appropriate and warranted. Accordingly, the termination of the employment of Sean A. Ward is hereby upheld and Affirmed, and he shall go forth without day.

DONE AND ENTERED this 17th day of October, 2017.




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:

Sean A. Ward
4795 Shell Road
Milton, Florida 32583

Cynthia Sutherland, Director
Emerald Coast Utilities Authority
9255 Sturdevant Street
Pensacola, Florida 32514

James Sylvian Owens, Esq.
5240 Willing Street
Milton, Florida 32570

Diane Marie Longoria, Esq.
Quintairos, Prieto, Wood & Boyer, P.A.
114 East Gregory Street
Pensacola, Florida 32502