

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2024-114

Introducer/Sponsor(s): Council President at the request of the Sheriff

Date of Introduction: February 13, 2024

Committee(s) of Reference: R, F

Date of Analysis: February 15, 2024

Type of Action: Approval of legal settlement agreement

Bill Summary: The bill approves settlement of a case pending before the Jacksonville Civil Service Board involving a Sheriff's Office police officer's challenge to his termination by the department.

Background Information: JSO officer Jason Weathington was employed by JSO from May 2004 to November 2020. Beginning in June 2019 he was the subject of an Internal Affairs investigation on a charge of violating JSO policy. In May 2020, Mr. Weathington was notified of his immediate suspension and pending termination for the policy violation, which he appealed to the Civil Service Board. Following a delay due to the COVID pandemic, the Civil Service Board held a hearing and upheld the termination. That action was appealed to the Fourth Judicial Circuit Court on the grounds that proof that the violation was intentional was not provided to the CSB in the hearing as required. The circuit court agreed with Mr. Weathington and quashed the termination. The City appealed to the Fifth District Court of Appeals which declined to hear the case, sending it back to the CSB for resolution. The parties then reached the settlement agreement presented here for City Council approval.

Under the terms of the settlement, if approved, Mr. Weathington will be temporarily reinstated as a police officer from November 20, 2020 until his retirement date of September 1, 2024. Until that time, he will be required to maintain his certification as a police officer but will be placed on administrative leave and have no assigned duties, reporting requirements or law enforcement powers or authority. He will be issued a written reprimand for disciplinary charges of Incompetence and Improper Action and will serve a suspension equal to the number of days and hours of personal leave he would have accumulated from November 2020 through the date he is placed on administrative leave. He will be paid back-pay from November 2020 through August 2022 at a rate of Florida's minimum hourly wage in effect at the time for 40 hours per week, along with Service Incentives, State and City Education Incentives and a State Career Incentive. He will be paid full back-pay from September 1, 2022 to the date he is placed on administrative leave. Mr. Weathington's retirement date will be non-revocable, he agrees not to seek reemployment with the City or JSO, and will forfeit all leave and holidays he would accrue from the time he is placed on administrative leave until his retirement.

Policy Impact Area: Personnel action settlement

Fiscal Impact: The settlement avoids the uncertainty involved in a proceeding before the Civil Service Board and the possibility that Mr. Weathington could be awarded full back pay from May 2020 to the present.

Analyst: Clements