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EMPLOYMENT - FLORIDA

City of Miami v. Martinez-Esteve

District Court of Appeal of Florida, Third District - September 18, 2013 - So.3d - 2013 WL 5226097

Employee filed a complaint for declaratory judgment, injunctive relief, and monetary damages against the city, which had treated his project manager position as if it was unclassified and had never created an eligibility list for the position.

The District Court of Appeal held that, because city charter did not list the position of project manager as an unclassified position, it was a classified position, and having failed to amend city charter to include project manager position in the list of unclassified positions, city could not refuse to afford employee, who was project manager, the benefits of the classified position because of the city's lapses. Thus, city was estopped from claiming any advantage based on its own acts and omissions.

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