

400.18 Removal, discharge, demotion, or suspension.

1. A person holding civil service rights as provided in [this chapter](#) shall not be removed, discharged, demoted, or suspended arbitrarily, but may be removed, discharged, demoted, or suspended due to any act or failure to act by the employee that is in contravention of law, city policies, or standard operating procedures, or that in the judgment of the person having the appointing power as provided in [this chapter](#), or the chief of police or chief of the fire department, is sufficient to show that the employee is unsuitable or unfit for employment.

2. An employee who is removed, discharged, demoted, or suspended may request a hearing before the civil service commission to review the appointing authority's, police chief's, or fire chief's decision to remove, discharge, demote, or suspend the employee.

3. The city shall have the burden to prove that the act or failure to act by the employee was in contravention of law, city policies, or standard operating procedures, or is sufficient to show that the employee is unsuitable or unfit for employment.

4. A person subject to a hearing has the right to be represented by counsel at the person's expense or by the person's authorized collective bargaining representative.

5. A collective bargaining agreement to which a bargaining unit that has at least thirty percent of members who are public safety employees as defined in [section 20.3](#) is a party shall provide additional procedures not inconsistent with [this section](#) for the implementation of [this section](#).

[SS15, §1056-a32; C24, 27, 31, 35, 39, §5702; C46, 50, 54, 58, 62, 66, 71, 73, §365.18; C75, 77, 79, 81, §400.18]

[2009 Acts, ch 111, §6; 2017 Acts, ch 2, §57, 64](#)

Referred to in [§411.1](#)