

**400.18 Removal, discharge, demotion, or suspension.**

1. A person holding civil service rights as provided in [this chapter](#) shall only be removed, discharged, demoted, or suspended with just cause and upon a finding by a preponderance of the evidence that an act or failure to act by the employee is in violation of law, city policies, or rules, or that the employee is physically or mentally unfit as determined under guidelines established pursuant to [section 400.8A](#). [This subsection](#) shall not be construed to modify the rights, requirements, or procedures provided in [section 400.8A](#) or other rights, requirements, or procedures provided by law.

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 violation of law, city policies, or department rules not in conflict with any collective bargaining agreement or law. For purposes of [this chapter](#), the city shall establish each element of the charges specified under [section 400.22](#) by a preponderance of the evidence. The city shall have the burden to prove that the punishment imposed upon the employee is proportionate, reasonable, and just in the totality of the circumstances under the factors provided in [section 400.27, subsection 1](#), paragraph "b".

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](#); [2025 Acts, ch 82, §4, 12](#)

Referred to in [§411.1, 411.6](#)

2025 amendment to subsections 1 and 3 effective August 16, 2025; 2025 Acts, ch 82, §12

Subsections 1 and 3 amended