

Bond Case Briefs

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EMPLOYMENT - INDIANA

Hauck v. City of Indianapolis

Court of Appeals of Indiana - September 24, 2014 - N.E.3d - 2014 WL 4743406

Two former sheriff's deputies brought action against city, alleging that police department breached their employment contract by passing them over for promotion in violation of city ordinance regarding department's merger with county sheriff's office. The Superior Court granted summary judgment in favor of city. Plaintiffs appealed.

The Court of Appeals held that:

- Ordinance did not require city to promote plaintiffs, and
- Plaintiffs could not establish damages.

Ordinance stating that city "shall endeavor" to promote police department members in a manner to ensure proportional representation of former police officers and sheriff's deputies, following department's merger with sheriff's office, did not require city to promote the two former deputies with the highest scores on promotional assessment to captain. The former deputies only had the tenth and 13th highest assessment scores overall, and the scores were based on several objective criteria that provided equal opportunity for advancement for both the former officers and deputies.