

Bond Case Briefs

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EMPLOYMENT - ALABAMA

Wright v. City of Mobile

Court of Civil Appeals of Alabama - October 24, 2014 - So.3d - 2014 WL 5394526

Police dispatcher sought judicial review of city's decision to terminate her for disciplinary reasons. The Circuit Court upheld city's decision to discipline dispatcher, but determined that she should only have been suspended. Dispatcher appealed.

The Court of Civil Appeals held that:

- Trial court did not have jurisdiction to consider dispatcher's constitutional arguments, and
- Failure of mayor to attend hearing did not void dispatcher's discipline.

County personnel board rule authorizing pre-disciplinary hearings did not require official with decision-making power to attend city police dispatcher's pre-disciplinary hearing and thus, failure of mayor to attend hearing did not void dispatcher's discipline. Rule, in referring to the official, or the designated representative of the official charged with responsibility of making disciplinary decision, specifically authorized pre-disciplinary hearings to be conducted by either the official charged with making the disciplinary decision or designated representative of that official, and fact that mayor was identified as designated appointing authority did not amount to declaration that he was designated representative.