

Bond Case Briefs

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Whitwer v. Civil Service Commission of City of Sioux City

Supreme Court of Iowa - June 9, 2017 - N.W.2d - 2017 WL 2491646

Firefighter appealed civil service commission's dismissal of his appeal of city's termination of his employment pursuant to last-chance agreement.

The District Court reinstated firefighter, and commission appealed.

The Supreme Court of Iowa held that last-chance agreement was valid and enforceable.

Last-chance agreement signed by city firefighter after he pled guilty to domestic abuse assault, pursuant to which he was suspended, rather than immediately terminated, but which allowed city to terminate him immediately and without appeal if he violated law again or violated related no-contact order, was valid and enforceable, even though city civil service commission did not give its prior imprimatur, and firefighter's attorney was not present when he signed it, where attorney was informed of last-chance agreement's terms before hearing, no objection was raised to his absence, firefighter's interests were represented by two union officials at hearing, and firefighter was given ample time, outside presence of any city personnel, to review agreement with union officials.