

## **EMPLOYMENT LAW**

### **Who hires and fires non-department head employees?**

State law is silent on this issue. As noted above, department heads are the exclusive purview of the mayor, with the council's having the ability to override either a hiring or firing decision by a two-thirds (2/3) vote. *Id.* There is no such statute with regard to non-department head employees, so presumably this is a matter of local option. It may be that your city has an ordinance, resolution, or handbook that delineates who has the authority to hire and fire non-department head employees. Without such a writing, one could look at your previous history to determine who has this authority. It could be that the council has the authority, the mayor does, the department head does, or some combination of the three. Further, the council would have the authority to draft policy on this issue, regardless of how it may have been handled in the past.