



DISMISSAL OF FIRE CHIEF

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JUST CAUSE

State law does not define "just cause." The State Supreme Court provided the following definition in a frequently cited 1980 opinion: "Just cause substantially limits employer discretion to terminate, by requiring the employer, in all instances, to proffer a proper reason for dismissal, by forbidding the employer to act arbitrarily or capriciously" (*Sheets v. Teddy's Frosted Foods*, (179 Conn. 471, 475 (1980))).

ISSUE

Does state law include a "just cause" finding for dismissing a fire chief?

SUMMARY

State law does not require employers to show just cause for dismissing fire chiefs. Notwithstanding the absence of such a requirement, if a fire chief's employment contract contains a just cause dismissal clause, his or her dismissal is governed by the terms of the contract.

FIRE CHIEF DISMISSAL

By law, when terminating a fire chief, the employer must notify the fire chief, in writing, of the specific grounds for dismissal and give him or her opportunity to be heard, personally or by counsel, at a public hearing. The hearing, unless otherwise specified by charter, must be held not less than five or more than 10 days after the notice is provided.

A dismissed fire chief may appeal to the Superior Court, which must review the public hearing record and may take additional testimony. The court may affirm the dismissal or set it aside if it finds that the employer acted (1) illegally, (2) arbitrarily, (3) maliciously, (4) in abuse of his or her discretion, or (5) in bad faith ([CGS § 7-302](#)).

If the fire chief loses in Superior Court, he or she may appeal to the Appellate Court ([CGS § 51-197b](#)).

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