



— Informational Release —

March 6, 2018

Summary of Settlement Decision

The following is a summary of the Iowa Communities Assurance Pool and its decision to settle a lawsuit filed by a former city employee. This information was shared with the City Council on March 5, 2018 by Doug Fulton, Indianola's City Attorney.

During its regular meeting on March 5, 2018, the Indianola City Council was briefed on a decision made by the Iowa Communities Assurance Pool (ICAP), the city's insurance carrier, to settle a lawsuit filed last year by Edwin Yando for \$92,000.

Yando, who is the city's former street department director, was terminated in May 2017 for not following appropriate safety protocols and environmental disposal procedures. Yando also previously filed an age discrimination complaint with the Iowa Civil Rights Commission, but that case was dismissed by the commission.

"Given the facts supported by the positive outcome of the earlier Iowa Civil Rights Commission decision, the city feels strongly it was justified in terminating Mr. Yando last May," explains Douglas Fulton, the city attorney. "However, jury trials can present a number of unknowns and expose the city to additional risk, so ICAP's decision to settle the case is understandable."

Ryan Waller, Indianola's city manager, stresses the decision to settle the lawsuit was a business decision made by ICAP and not a reflection of the city, or its workforce.

"We have dedicated, hardworking employees, whom we hold to a high standard, especially when it comes to following safety procedures and environmental guidelines," says Waller. "This is what our residents deserve and expect."

Both Fulton and Waller say the ICAP's decision to settle the lawsuit is an effort to resolve the case and protect the city.

"The funds to settle this lawsuit will be paid by the insurance carrier, so no taxpayer dollars will be used," says Waller.