

Update: Still Legal To Fire The ‘Irresistible’ Employee In Iowa

July 15, 2013 | | [Employment Discrimination, Labor And Employment](#)



**William A.
Nolan**

Partner
Columbus
Managing Partner

A few months ago we wrote about [the Iowa Supreme Court decision](#) holding that it was not gender discrimination for a dentist to fire his attractive assistant at his wife's behest because she was deemed a threat to the dentist's marriage. Last week we got to relive this case in the media (social and otherwise) when the court declined the employee's motion asking the court to reconsider its position. While it is certainly the exception for courts to reverse their own decisions (the employee probably hoped, not unreasonably, that the court would be influenced by the public outcry about the decision), this non-decision seems to have gotten at least as much attention as the original version (slow news cycle, perhaps).

One commenter tweeted that the “ruling sets back discrim [sic] & harassment law few decades.” With no disrespect to said commenter, that is probably not the case. And with no disrespect to Iowa, it is our 30th most populous state. So this is not a sweeping precedent and seems unlikely to become one. Further, the outcome for this court was probably dependent on somewhat unique workplace dynamics to be found only in very small workplaces, so its implications are further narrowed. It makes for great headlines (and blog posts!), but we will be very surprised if this makes anybody's list of most significant developments of 2013, and it seems unlikely there will be many situations where we would recommend employers rely on this in termination or other employment decisions.

RELATED PRACTICE AREAS

Arbitration and Grievances
EEO Compliance
Labor and Employment
Workplace Culture 2.0

RELATED TOPICS

Gender Discrimination