

## **WRONGFUL TERMINATION**

California is an "at will" employment state. That means that your employment can be terminated at the will of your employer at any time, with or without cause. There are certain exceptions to this "at will" law which courts have held to be wrongful terminations. Those exceptions are as follows:

1) Contract. If you and your employer have a written employment contract stating a specified term or length of employment, any termination prior to the expiration of that term may be unlawful.

2) Discrimination. As stated above, if you were terminated from your employment because of your age, race, religion, disability, gender, marital status, medical condition, national origin or sexual orientation that may constitute unlawful discrimination and wrongful termination. It will depend upon the specific facts of your situation as each of those claims has certain restrictions.

3) Retaliation/Whistleblower. If you have been terminated from your employment in retaliation for opposing or reporting certain discriminatory practices of your employer, or for reporting certain unlawful or abusive acts or unsafe conditions occurring in the workplace, such termination may be unlawful.

4) Public Policy. Under limited special circumstances, an employment termination may be so contrary to public policy that it may be considered wrongful.

Some examples of wrongful termination are as follows:

1. Your employer terminates your employment because of your age which is over 40 years old.
2. Your employer terminates your employment because of your national origin, disability, sex, religion, race, or sexual orientation.

3. Your employer terminates your employment because you complained to them about discrimination or harassment based upon your age, national origin, sex, religion, disability, race or sexual orientation.
4. Your employer terminates your employment because you reported to your employer or a governmental agency what you believed were unlawful acts occurring in your workplace.
5. Your employer terminates your employment in violation of a contract or other agreement you have with your employer.

If you believe that one of the reasons your employment has been terminated was due to discrimination or retaliation as stated above and you would like to speak to me about it in confidence and receive an assessment of your situation no charge, please contact Law Offices of Joel C. Golden at 619-246-8449.

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