



Questions & Answers About When You Can Be Fired From Your Job

Q. For what reasons can I be fired?

A. Most jobs are "employment-at-will" which means the employer can fire an employee for any reason, unless there is an exception (see next question). However, the reason cannot be illegal (such as discrimination).

An example of a *legal* firing is: Even though you have received good evaluations, your new supervisor, who has not liked you since day one, decides to fire you. The firing may not be *fair*, but it is *legal*.

Q. What are the exceptions to the employment "at will" rule?

A. An employer cannot fire "at will" in the following important exceptions:

Unlawful discrimination. Employers cannot fire you only because of your race, color, religion, age, disability, national origin, sexual orientation, or gender. *For example, you are Latina and were fired for a problem for which white co-workers only received a verbal warning. (See our flyer: Job Discrimination.)*

State or federal law violation. For example, you cannot be fired if you:

- take time off as allowed by the Family and Medical Leave Act (FMLA)
- report illegal activities at work, such as health and safety violations or discrimination
- apply for worker's compensation
- refuse to work under hazardous conditions
- go to a court hearing if you or a family member are a crime victim or to get a restraining order.

(See our flyers: *Taking Time Off from Work: The FMLA*; *Your Right to Work in a Safe Place*; and *Job Discrimination*).

Union contract violation. Many union contracts say that a person can only be fired for "cause". You may challenge the firing (see your union representative).

Employment contract violation. The contract may be written or implied. A contract may be **implied** by your employer's actions, words or practices (such as an employee handbook or a list of disciplinary rules that the employer always follows). *For example, the employee handbook says this about rule violations:*

- 1st violation: person gets a warning
- 2nd violation: person gets suspended
- 3rd violation: person gets fired.

If you are fired after only *one* violation, it may be an illegal firing.

Q. What can I do if I think I may be fired?

Write down everything that happens at work that may be important.

For example:

- keep a copy of any evaluations you get and of your salary changes
- write down any informal comments your boss makes about your performance
- get a copy of the employee handbook
- ask for a copy of your personnel file (see our flyer Q & A on Your Personnel File).



Q. What if I was fired under one of the exceptions to the "at will" rule?

A. For a review of your case, call a lawyer. If you are a low-income person, call Statewide Legal Services (1-800-453-3320). If you are a union member, contact your union.

If the cause for firing was illegal discrimination, you can file a complaint with the CT Commission on Human Rights & Opportunities. (Call 1-800-477-5737 to find an office near you). Also call the U.S. Equal Employment Opportunity Commission (1-800-669-4000).

If you were fired in violation of the FMLA, you can file a claim with the CT Department of Labor (860-263-6790) or the U.S. Department of Labor (1-866-487-9243).