The Fundamentals of Wrongful Termination

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Employers and employees alike should know and grasp the imperative aspects of wrongful termination for it is one of the predicaments related to employment. Also, it is one of the cases in which lawyers for wrongful termination come to deal with over the years.

As defined, wrongful termination is an act of employer to fire, terminate, or discharge an employee on the basis of unknown or unjust reason. Technically, it can be due to the subsequent factors:

â€¢ Disability

â€¢ Religion

â€¢ Age

â€¢ Religion

â€¢ Race

â€¢ Color

â€¢ National origin

â€¢ Ethnic group

â€¢ Gender

â€¢ Sexual preference

â€¢ Retaliation

However, the above mentioned factors should not be mistaken into something that is discriminatory. Wrongful termination is highly considered if:

â€¢ it violated the Federal or State's discrimination law

â€¢ the act itself violated the discharge policy being enforced by the employer

â€¢ led to infringement of the "covenant of good faith and fair dealing"

â€¢ it violated the rights indicated in the "First Amendment to the U.S. Constitution"

â€¢ led to a breach of implied or explicit contract of employment and/or a collective bargaining agreement between the employer and union

â€¢ employee is not willing to break a rule or law

Furthermore, it might be considered wrongful termination if the employer discharged an employee as retaliation for the following:

â€¢ whistle blowing

â€¢ lawful exercise of employee rights based on the appropriate labor and employment laws

â€¢ taking legitimate leave under the FMLA or Family and Medical Leave Act

â€¢ lawful exercise of union rights

â€¢ served time in the country's military reserve

On the other hand, it may be quite difficult to comprehend every aspects of wrongful termination. This is the reason why there is a strong need to consult and eventually hire one of the expert lawyers for wrongful termination.

How a Lawyer can Help

As mentioned earlier, understanding wrongful termination can be tricky. In addition, it is definitely a hassle. It can cause a lot of trouble and misapprehensions.

As such, asking a lawyer for suggestions and recommendations will be a great help. A lawyerâ€™s legal know-how will surely help the wrongfully terminated employee comprehend the complex nature of the laws and other vital statutes.

As possible clients, wrongfully terminated employees have the duty to make sure that the lawyers they are considering to hire come from reputable law firms. There are those who offer legal services but do not actually have a high-caliber capability to handle such type of case. Hence, it is important to be careful on choosing a legal service provider.

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Jester Maru used to write several articles for a Law Group in Los Angeles, California. He personal loves writing articles on the topic a employment law attorneys and a wrongful termination california.

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