**Wrongful Termination Law**

For what reasons can I be fired? It is a common question that we receive from clients and prospective clients. Most jobs in Connecticut are “employment-at-will” which means the employer can fire an employee for any reason. However, the reason cannot be illegal such as discrimination.

An employer cannot fire an “at will” employee under the following circumstances. One, an employer cannot fire a worker because of the person’s race, color, religion, age, disability, national origin, sexual orientation or gender. For example, if you are African-American and you were fired for a problem which white co-workers receive only a verbal warning, the termination was motivated by unlawful race discrimination and therefore was illegal.

Two, an employer cannot fire an employee for a reason that violates state or federal law or regulations. For example, you cannot be fired for taking time off from work as allowed by the Family and Medical Leave Act. You cannot be fired by reporting illegal activities at work such as health and safety violations or acts of discrimination.

Three, if the employee is a member of a union, the collective bargaining agreement usually will list the reasons a person may be fired. Many union contracts state that a person can only be fired for “cause”. Cause is typically defined in the union contract. If you have been fired, contact your union representative and challenge the termination.

Four, if an employee has a contract of employment the contract should spell out the reasons why the employee can be fired. Even if a written contract does not exist, the actions, words or practices by the employer may have created an employment contract. Keep in mind that under Connecticut law, an employment contract must contain a definitive date of expiration of employment. Without a fixed time period of employment, Connecticut courts will not recognize the agreement as an enforceable contract of employment. If you have been terminated in violation of the contract, you have a breach of contract claim against the employer.

If you believe that you may be fired, write down everything that happens at work that appears important. For example, keep a copy of any evaluations you get and of any salary or wage changes, write down any comments your boss makes about your job performance, write down any comments from your boss or co-employees that are discriminatory in nature, document instances where you are treated differently than your co-employees, get a copy of your employer’s handbook, and ask for a copy of your personnel file. Under Connecticut law, an employee has right to obtain a copy of his or her personnel file.

If you believe that your employment termination was unlawful, contact our attorneys. Under Connecticut law, you have 180 days from the date of termination and/or unlawful discrimination in which to file a complaint with the Connecticut Commission on Human Rights and Opportunities (CHRO). For claims involving the FMLA, you have two years from the date of the violation in which to file a lawsuit in federal court. Breaches of contract claims have a statute of limitations of six years if the contract is in writing and three years for oral contracts. For terminations in violation of other laws, there are a variety of time deadlines so contacting our lawyers as soon as possible is in your best interest.

*The information here and elsewhere on this site intended solely as background. You should not take it to be legal advice, nor does it create an attorney-client relationship. If you have a legal question, please consult an attorney directly.*