



# All You Need To Know About Wrongful Termination In California

It's never easy to deal with unemployment, especially if you're fired from your job unjustly. Wrongful termination is often the result of a violation of rights, which gives you a rightful opportunity to take legal action against your former employer. However, if you expect to win such a case, you'll need the help of a Los Angeles employment agreement lawyer and also understand what wrongful termination means in California.

## **An explanation**

California is an at-will state, which means an employee can leave their job whenever they want. Similarly, an employer can terminate someone whenever they want, but this doesn't mean you have zero legal rights.

The statutes, regulations, and policies regarding employment in California are meant to protect the employees. Therefore, "wrongful termination" becomes applicable only when an employer violates the rules. The Labor Code safeguards employees against various types of discrimination, including age, gender, sexual orientation, race, marital status, and disability.

The bottom line is that an employer violates one or more public policies if they terminate someone for a reason not associated with on-the-job performance.



## **Defining wrongful termination**

The state and the federal government protect employees from wrongful termination through different laws. Now, if you need a [Los Angeles employment agreement lawyer](#) to take your case, there must be a violation of at least one of the laws described below.

### **1. The Civil Rights Act of 1964**

This law shelters employees at the point of hiring, promotion, and firing. Employers can't discriminate against existing or potential employees because of skin color, race, sex, religion, or national origin.

### **2. California Family Rights Act**

This law protects workers by providing unpaid but job-protected leave for up to three months to cater to themselves and/or family members with serious illnesses. It includes bonding with newborn children.

### **3. The Federal Age Discrimination Act**

Just like the last two, this law protects employees aged 40 or above from age-related discrimination based on age for discharge, hiring, promotion, compensation, or other circumstances, terms, or employment privileges.

#### 4. Family and Medical Leave Act

This rule gives employees up to four months of leave every year. Despite being unpaid, the worker's job will remain protected. It even protects against job loss due to medical conditions.

#### The types

Wrongful termination may belong to one of many classifications. That's why it's difficult to recognize. In certain instances, termination can be lawful but wrongful – a situation that reduces an employee's options. These are the two types of wrongful termination.

- **Mixed motive termination**– It's a situation where an employer has both lawful and wrongful reasons to terminate someone. The termination will be considered wrongful if the unlawful aspect is substantial, though.
- **Constructive discharge**– It's a scenario created by the employer where an employee is forced to leave. To that end, the employer poisons the working conditions to such an extent that the targeted employee leaves. Indeed, a worker remains protected from intolerable working conditions, but they don't receive any support to deal with job-related stress. If you're going to bring this against your employer, you must prove that they did everything intentionally to drive you away.

#### Your options

The first thing you can do is gather evidence against your employer. This means collecting emails, paper-based documents, text messages, videos, eyewitnesses, and anything else you can use to prove your claim. Then, take everything to your Los Angeles employment agreement lawyer and create a case with your attorney's aid.