

Workplace Retaliation: Know Your Legal Rights

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

Employers cannot take any adverse action against an employee who complains about discrimination and/or harassment based on a protected class (i.e. race, sex, disability, etc.) or about unsafe, fraudulent or illegal actions in the workplace. An example of retaliatory action would be terminating an employee or cutting his/her hours or pay because of such a complaint.

Employers also cannot take any adverse action against an employee who complains about Wage and Hour issues. (See [Wage and Hour Violations: Protecting Employees from Unpaid Wages and Overtime](#))

Employees also cannot take any adverse action against an employee who is a whistleblower (i.e., complains about “illegal” activity). (See [Whistleblower: New Jersey Conscientious Employee Protection Act](#))

An employee can also bring a retaliation claim regarding events that occurred after he or she was terminated. For example, an employer cannot retroactively cancel an employee’s health insurance or prevent an employee from receiving unemployment benefits to which the employee is legally entitled to retaliate against an employee.

If your employer has retaliated against you for reporting discrimination, harassment, or illegal workplace activity, you may have a valid legal claim. Retaliation is illegal under both New Jersey and federal law—even after your employment ends. The employment law team at Wilentz, Goldman & Spitzer P.A. is ready to stand up for your rights. **Contact us today for a confidential consultation.**

To speak with an attorney about your legal options, please call: 732-352-9858.