



# **Retaliation at Work: Know Your Rights & What to Do Next**

A comprehensive legal toolkit designed to help employees in New Jersey and Pennsylvania identify workplace retaliation, understand their rights, and take appropriate action. This guide provides practical tools, checklists, and legal information to empower workers who believe they may be experiencing retaliation from their employers.

# About This Legal Toolkit

This resource is more than just a summary—it's a comprehensive toolkit with practical resources designed to help you navigate the complex world of workplace retaliation. Created by the experienced employment attorneys at Swartz Swidler LLC, this guide serves workers across New Jersey and Pennsylvania.



## Identify Retaliation

Learn to recognize the warning signs of workplace retaliation and understand which employer actions are legally prohibited after you've engaged in protected activities.



## Track Incidents

Access tools to systematically document retaliatory behavior, creating a strong foundation for potential legal action with properly tracked evidence.



## Understand Rights

Gain clarity on the federal and state laws that protect you from workplace retaliation and the critical deadlines that apply to your situation.

# Our Commitment to Workers

## Supporting Resource

This toolkit isn't just information—it provides actionable tools to help you navigate difficult workplace situations with confidence. We've designed this resource based on our extensive experience representing employees facing retaliation.

## Establishing Trust

At Swartz Swidler, we understand the emotional and financial toll workplace retaliation can take. This toolkit demonstrates our commitment to empowering workers with knowledge before they even become clients.

Our mission is to level the playing field between employers and employees by providing accessible legal resources and representation to workers who have been wronged.

We serve clients throughout New Jersey and Pennsylvania who are facing workplace injustice. Our team is dedicated to fighting for employee rights and ensuring fair treatment in the workplace.

# PDF Structure Overview

This comprehensive toolkit contains seven carefully crafted sections, each designed to guide you through understanding, identifying, and responding to workplace retaliation.

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## Cover Page

Introduction to the toolkit with essential contact information for Swartz Swidler LLC.

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## What Is Workplace Retaliation?

Clear definitions and examples of protected activities and prohibited employer responses.

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## Retaliation Checklist

A self-assessment tool to help you determine if you're experiencing workplace retaliation.

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A practical tool for documenting incidents chronologically to establish patterns of behavior.

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What to bring and what to expect during your free consultation with our attorneys.

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## How We Help

Case results, services offered, and next steps for getting the legal support you need.

# Cover Page: Making a Strong First Impression

The cover page establishes credibility and sets expectations for what readers will find inside. It features a bold, professional design that immediately communicates the toolkit's purpose and value.

## Key Elements:

- Bold title: "Retaliation at Work: Know Your Rights & What to Do Next"
- Professional subtitle: "Free Legal Toolkit from the Employment Law Attorneys at Swartz Swidler LLC"
- Prominent contact information: Phone number and website
- "Serving NJ and PA Workers" statement to establish regional expertise



The cover image features compelling visual symbolism—a confident worker juxtaposed with legal imagery—to represent the empowerment this toolkit provides to employees facing workplace retaliation.

# What Is Workplace Retaliation?

Workplace retaliation occurs when an employer takes adverse action against an employee for engaging in legally protected activities. Understanding what constitutes retaliation is the first step in protecting yourself.

## Protected Activities

- Reporting harassment or discrimination
- Filing workers' compensation claims
- Requesting accommodations under ADA
- Participating in workplace investigations
- Whistleblowing about illegal practices

## Illegal Employer Responses

- Termination or demotion
- Reduction in hours or pay
- Unfavorable shift changes
- Harassment or workplace isolation
- Negative performance reviews



**Did you know?** Over 50% of employees fear reporting workplace misconduct due to concerns about retaliation from their employers.

# Retaliation Checklist: Recognizing the Warning Signs

Use this checklist to help determine if what you're experiencing might qualify as workplace retaliation. While not every negative workplace experience constitutes illegal retaliation, these warning signs warrant closer attention.

☐

## **Treatment Changes After Speaking Up**

You reported a workplace issue (harassment, safety concerns, etc.) and noticed your treatment by supervisors or colleagues changed afterward.

☐

## **Economic Impact**

Your hours, pay, or benefits were reduced after engaging in a protected activity, with no legitimate business justification.

☐

## **Exclusion and Isolation**

You've been excluded from meetings, communications, or projects that you would normally be involved with.

☐

## **Sudden Performance Criticism**

Despite previously positive reviews, your performance is now being criticized or you're receiving write-ups for minor issues.



If you've checked two or more items on this list, it's advisable to consult with an employment law attorney to discuss your situation.

# Retaliation Timeline Tracker: Document Your Experience

Detailed documentation is crucial if you believe you're experiencing workplace retaliation. Use this timeline tracker to record incidents as they occur, creating a chronological record that can strengthen your case.

Date	Protected Activity	Employer's Response	Witnesses	Evidence
MM/DD/YYYY	Example: Filed HR complaint about harassment	Removed from team meetings three days later	Jane Smith from Accounting	Email thread, meeting calendar
MM/DD/YYYY	Example: Requested FMLA leave	Negative performance review upon return	John Johnson, Supervisor	Copy of review, previous positive reviews
MM/DD/YYYY				

Establishing a clear timeline helps identify patterns of behavior that may not be obvious when looking at isolated incidents. This documentation can be invaluable when consulting with an attorney or filing a formal complaint.



# Legal Snapshot: Laws That Protect You

Understanding which laws apply to your situation is essential for effectively addressing workplace retaliation. Different laws have different requirements and deadlines that must be followed to preserve your rights.

**1**

## **CEPA (NJ Conscientious Employee Protection Act)**

**Protects:** Employees who report illegal or unethical workplace activities (whistleblowers)

**Deadline:** Lawsuit must be filed within one year of the retaliatory action

**2**

## **Family and Medical Leave Act (FMLA)**

**Protects:** Employees who take or request medical leave for themselves or family members

**Deadline:** Lawsuit must be filed within two years (three years for willful violations)

**3**

## **Americans with Disabilities Act (ADA)**

**Protects:** Employees who request reasonable accommodations for disabilities

**Deadline:** EEOC charge must be filed within 180-300 days, depending on location

**4**

## **Title VII (Civil Rights Act)**

**Protects:** Employees who report discrimination based on protected characteristics

**Deadline:** EEOC charge must be filed within 180 days (300 days in some states)

⊗ Missing a filing deadline can permanently limit your legal options. Consult with an attorney as early as possible to ensure your rights are protected.

# Your Free Consultation: What to Expect

Taking the step to speak with an attorney can feel intimidating, but knowing what to expect can make the process easier. Our free consultations are designed to be informative, confidential, and pressure-free.



## Share Your Story

Explain your situation in a safe, judgment-free environment with an attorney who understands employment law.



## Legal Evaluation

Receive an assessment of your situation under relevant federal and state employment laws.



## Clear Guidance

Get honest feedback about your options and potential next steps, with no obligation to proceed.

## What to Bring (If Available):

- Emails or messages related to the retaliation
- HR complaints or documentation
- Performance reviews (before and after)
- Termination or disciplinary letters
- Pay stubs showing changes in hours/compensation
- Names and contact information for potential witnesses

Even if you don't have all these documents, don't worry. We can still provide valuable guidance based on your verbal account of the situation.

# How Swartz Swidler Helps You Win

At Swartz Swidler LLC, we stand up to workplace retaliation so you don't have to face it alone. Our experienced employment attorneys have a proven track record of helping workers across New Jersey and Pennsylvania achieve justice.

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"They believed me when no one else would. Swartz Swidler helped me prove retaliation and get the compensation I deserved."

— Warehouse Worker

”

“

"After being fired for reporting safety violations, Swartz Swidler took action fast. I got my job back plus a substantial settlement."

— Administrative Assistant

”

“

"I faced constant harassment after requesting medical accommodations. Thanks to Swartz Swidler, my employer was held accountable."

— Retail Employee

”

## Our Comprehensive Services Include:

- Thorough investigation of retaliatory actions
- Filing complaints with EEOC, NJ DCR, or other agencies
- Negotiating settlements with employers
- Litigation in state and federal courts when necessary
- Contingency-fee representation: you pay nothing unless we win

✔ **Ready to take action?** Call (856) 685-7420 or visit [swartz-legal.com](https://www.swartz-legal.com) to schedule your free consultation today. Turn retaliation into resolution with expert legal guidance.