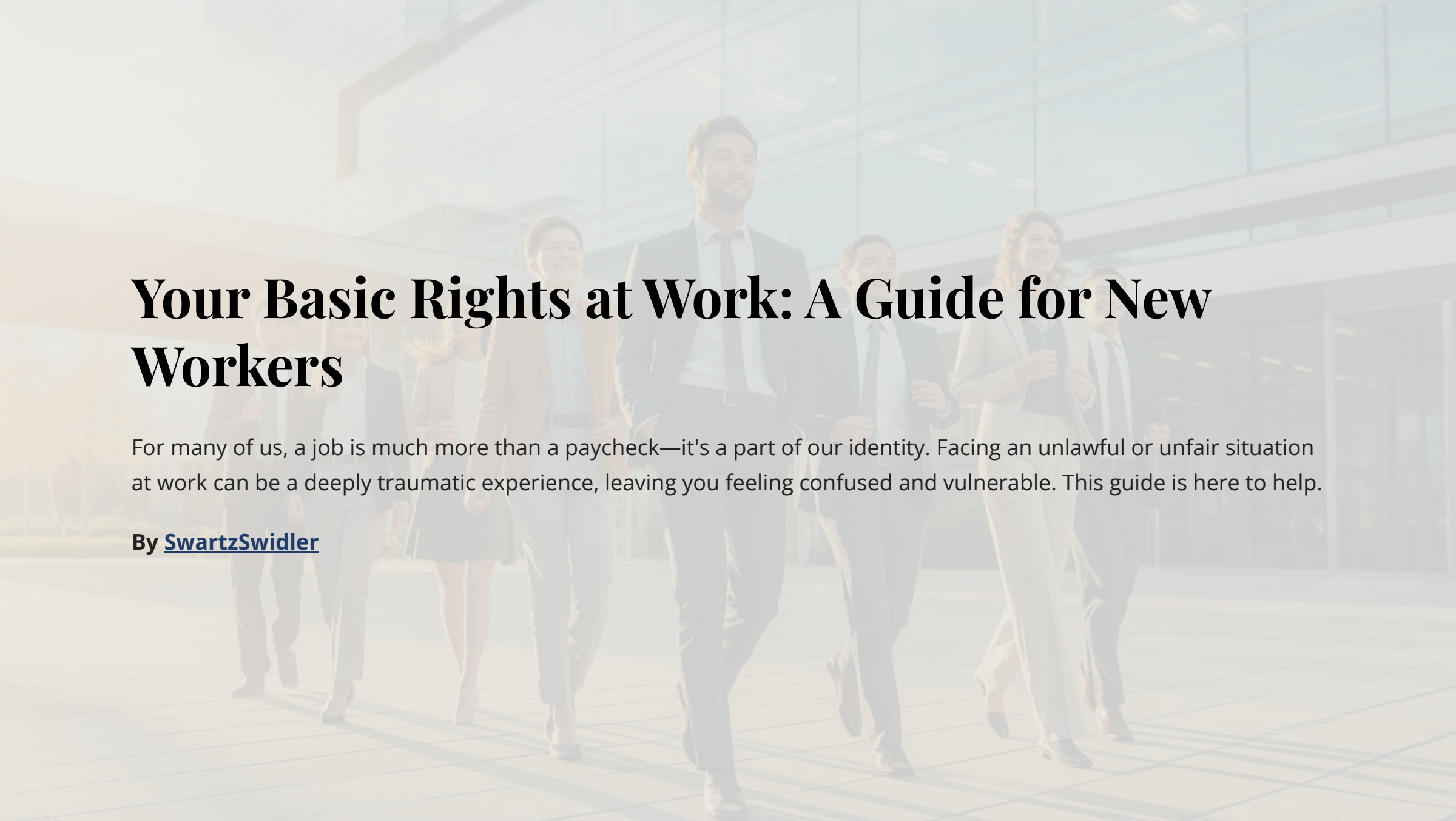




Your Basic Rights at Work: A Guide for New Workers

For many of us, a job is much more than a paycheck—it's a part of our identity. Facing an unlawful or unfair situation at work can be a deeply traumatic experience, leaving you feeling confused and vulnerable. This guide is here to help.

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Your Job Is More Than a Paycheck



Starting your career should be an exciting time, but navigating workplace challenges can feel overwhelming. When you face discrimination, unfair treatment, or retaliation, it's natural to feel vulnerable and unsure of what to do next.

This guide exists to empower you with knowledge. Understanding your fundamental workplace rights is your shield against unfair treatment. We'll walk you through the protections that exist at both federal and state levels, with special attention to New Jersey's strong worker protections as a key example.

You deserve to work in an environment where you're treated with dignity and respect. Knowledge is power, and this guide will help you recognize when your rights are being violated and what steps you can take to protect yourself.

Understanding Your Core Protections

While employers have the right to run their businesses, they do not have the right to violate federal and state laws designed to protect you. Understanding the line between a tough job and an illegal work environment is your first line of defense.



Wrongful Termination

You cannot be fired for discriminatory reasons, reporting illegal activity, or taking legally protected leave.



Discrimination Protection

Laws protect you from unfair treatment based on race, sex, age, disability, and other protected characteristics.



Wage Rights

You must be paid correctly for all hours worked, including overtime and minimum wage protections.



Retaliation Defense

It's illegal for employers to punish you for reporting wrongdoing or illegal activity.

Wrongful Termination: Understanding Illegal Firing

What Is Wrongful Termination?

Getting fired is a difficult experience, and it's natural to question why it happened. Employers sometimes give untruthful reasons for a termination to hide an illegal motive.

Wrongful termination isn't a standalone category—it's what happens when an employer fires you for an illegal reason, such as discrimination or retaliation for whistleblowing.



- ❏ **Important:** An employer cannot legally fire you for a discriminatory reason, for reporting illegal activity, or for taking legally protected leave. If you believe you were fired for any of these reasons, document everything and contact an employment attorney immediately.

Workplace Discrimination and Harassment

Workplace discrimination occurs when you are treated unfairly or terminated because of a personal characteristic that is protected by law. Millions of employees face this reality every day. Understanding what constitutes illegal discrimination is essential to protecting yourself.

Race Discrimination

Being fired or treated unfairly because of your race or ethnicity is illegal under federal and state law.

Sex & Gender Discrimination

Treatment based on your sex, gender identity, or pregnancy status violates equal employment laws.

Age Discrimination

Workers over 40 are protected from unfair treatment or termination based on their age.

Sexual Orientation

Discrimination based on sexual orientation or gender identity is prohibited by federal law.

Disability Discrimination

Employers must provide reasonable accommodations and cannot discriminate based on disability.

Color Discrimination

Unfair treatment based on skin color or complexion is a form of illegal discrimination.

No person should be forced to endure discrimination and harassment just to earn a living. Discriminatory harassment that creates a "hostile work environment" is also illegal—this happens when harassment based on a protected category is so severe or pervasive that it makes the job unbearable.

Wage & Hour Violations: Your Right to Fair Pay

Federal and state laws exist to ensure you are paid correctly for all the work you do. When employers fail to follow these rules, it is often called "wage theft." This is more common than many workers realize, and it can take many forms.

Common wage violations include being denied wages you have earned, not being paid correctly for overtime hours (typically time-and-a-half after 40 hours per week), and violations of minimum wage laws. Some employers also illegally classify workers as independent contractors to avoid paying benefits and overtime.

If you suspect you're not being paid fairly, keep detailed records of all hours worked, including start and end times, breaks, and any overtime. Save all pay stubs, timesheets, and written communications about your wages. This documentation is critical if you need to file a wage claim.



Unpaid Wages

Being denied earned wages, including final paychecks, commissions, or bonuses you're entitled to receive.



Overtime Violations

Not receiving proper overtime pay (1.5x regular rate) for hours worked beyond 40 in a workweek.



Minimum Wage Issues

Being paid below federal or state minimum wage, or improper tip credit calculations for service workers.

Retaliation: Protection for Speaking Up

Retaliation, sometimes known as "whistleblowing," is when an employer punishes you for reporting, disclosing, or refusing to participate in something you reasonably believe is illegal, fraudulent, or in violation of law or public policy. This is one of the most common workplace violations, yet many workers don't realize they're protected.

In New Jersey, the **Conscientious Employee Protection Act (CEPA)** is a powerful law that protects employees who speak up. CEPA is considered one of the strongest whistleblower protection laws in the nation. Importantly, you are protected even if your report turns out to be inaccurate, as long as you made it in "good faith" with a reasonable belief that something was wrong.

 **Critical Deadline:** You only have **one year** from the date of the retaliatory action to file a claim under CEPA. Don't wait—contact an attorney as soon as you suspect retaliation.



Protected Actions

Reporting illegal conduct to HR, management, or regulatory agencies. Refusing to participate in illegal practices.



Employer Retaliation

Sudden negative performance reviews, exclusion from meetings, demotion, pay cuts, or termination following your report.



Legal Protection

CEPA and federal laws protect you from punishment for doing the right thing, even if your concerns were ultimately incorrect.

What to Do If Your Rights Are Violated

The actions you take immediately after a potential workplace violation are critical. Following these steps can help protect your job and build a strong foundation for a potential legal claim. Many workers make the mistake of waiting too long or failing to document what happened, which can seriously weaken their case later.

01

Document Everything

Legal claims succeed when we show patterns. Your notes equal evidence. Save emails, text messages, memos, and HR complaints. Keep a personal record of dates when retaliatory actions occurred and create a timeline of what you reported and what happened afterward.

02

Communicate in Writing

Emails and written communications are traceable evidence—verbal complaints are not. If you have an important conversation with a manager or HR, follow up with a brief, professional email summarizing what was discussed.

03

Avoid Resigning Without Legal Advice

Even if the situation feels unbearable, quitting can hurt a future legal claim. An attorney can determine if your situation might qualify as "constructive discharge"—being forced to quit due to a hostile work environment—and help you understand all your options.

"Your documentation is your best defense. Start keeping records from day one of any concerning behavior—you never know when you'll need them."

Recognizing Subtle Signs of Retaliation

Retaliation isn't always as obvious as being fired. It is often subtle, designed to make you feel isolated and pushed out. Employers may use tactics that seem like normal business decisions but are actually punishment for protected activity. Knowing what to look for is your best defense.

Trust your instincts—if a pattern of behavior feels wrong, it probably is. Retaliation often follows a clear timeline: you report something or exercise a legal right, and suddenly your work experience changes dramatically. These changes might seem small individually, but together they create a hostile pattern designed to force you out.

Document every incident, no matter how minor it seems. Note the date, time, who was involved, and what happened. Look for patterns that emerge after you engaged in protected activity. This timeline can be crucial evidence if you need to file a claim.



Schedule Changes

Sudden changes to your shift, hours reduced, or being assigned less desirable times without explanation.

Performance Issues

Unwarranted poor reviews or "write-ups" that don't match your actual work quality or previous evaluations.

Social Exclusion

Being excluded from emails, team projects, meetings, or social events you should be included in.

Hostile Treatment

Cold, dismissive, or hostile behavior from management or supervisors who were previously supportive.

Role Changes

Reassignment to less favorable positions, undesirable tasks, or removal of responsibilities you previously held.

Blocked Advancement

Promised promotions or raises suddenly disappear, or you're passed over for opportunities without clear reason.

Getting Professional Help: What to Expect

When your gut tells you that something at work is wrong, an employment attorney can provide the confidential advice and powerful advocacy that your company's HR department may not. Remember this crucial fact: **your company's HR department exists to protect the company**. An employment attorney's only job is to protect you.

Contacting a lawyer for the first time can be intimidating, but the process is designed to be supportive and risk-free. Most employment lawyers understand that you're in a vulnerable position and work hard to make the process as comfortable as possible.



Free Consultations

Your first call or meeting is almost always free and 100% confidential. Your employer won't know you contacted a lawyer.



No Upfront Costs

Many employment lawyers work on contingency—you don't pay any fees unless they successfully recover money for you.



Expert Evaluation

An experienced attorney will listen to your story, evaluate your claims, and advise you on all legal options.

Key Takeaways to Remember

- **You Have Strong Legal Protections**
Federal and state laws establish clear rules protecting you from discrimination, retaliation, and wage theft.
- **Documentation Is Your Most Powerful Tool**
A clear, written record of dates, events, and communications is the best evidence to support your claim.
- **Free Legal Consultation Is Available**
Speaking with an employment lawyer costs nothing and can provide the clarity and confidence you need to move forward.



Ready to Discuss Your Situation?

Our team is always happy to discuss a potential claim with you free of charge. To speak with a member of our staff, please call our office at **(856) 685-7420**. We will have one of our experienced employment law attorneys review your submission and call you back as soon as possible.

Knowing your rights is the first step toward ensuring you are treated with the dignity and respect you deserve at work. You don't have to face workplace violations alone—help is available, and taking that first step to reach out can make all the difference.