

Employment at Will: What It Really Means in California

News

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Attorney James J. McDonald's article, "Employment at Will: What It Really Means in California," featured in *Society for Human Resource Management*, gives an overview of the policies, expectations, and best practices following the implementation of this new law.

This article is an excerpt from Chapter 2 of McDonald's book, *California Employment Law: An Employer's Guide, Revised and Updated for 2017* (SHRM, 2017).

California's Labor Code contains a presumption that employees are employed at will. This means that either the employer or the employee may terminate employment at any time, with or without cause or prior notice. This is important for employers because "cause" is defined under California law as "a fair and honest cause or reason, regulated by good faith on the part of the employer." Employers would be significantly burdened if they had to prove to a court or jury that they acted "fairly" and "in good faith" in every employee termination.

To read the full article, please visit *Society for Human Resource Management*.

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