

Can You Get Fired For Wearing An Orange Shirt To Work?

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One of the most common questions I hear from my non-lawyer friends is something along the lines of: "I know that my employment at my company is at-will, but that doesn't mean that my boss can just fire me for no good reason, right? Don't I have to actually screw up pretty badly to get fired legally?"

Their eyes always widen a bit when I give them the somewhat-unsettling news that if they aren't in a union or have an employment contract, they can be fired for just about any reason, or for no reason at all. To emphasize just how broad an employer's power really is, I usually say something like, "In fact, your boss can show up and say that you're fired because he doesn't like the color of the shirt you're wearing today."

At-will employers can fire employees for any reason so long as it is not an illegal one (like race, gender or disability discrimination), or no reason at all. In at-will employment settings, every day is a brand new day and the employer can decide whether the employees will still be serving at their will that day.

Although a company's employment policies may provide for progressive discipline – recommending a series of warnings for minor infractions that could eventually lead to termination – most such policies allow the company to skip the warning steps at their own discretion. Many employers choose to discipline or terminate employees for insubordination, for not being respectful in their dealings with management, or for arguing with the boss.

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