

## Practical Tips for Smart Businesses

**B**usinesses naturally want their employees to be happy and successful, and to keep them gainfully employed, but it is unavoidable that employee discipline, terminations, and lay-offs must occur. Although employment in California generally is “at-will,” meaning the employment relationship can be ended by either the employer or employee at any time and without cause, there are a number of state and federal laws that prohibit taking any adverse employment action on a discriminatory basis. These laws generally prohibit taking an adverse employment action based upon the employee’s sex, race, color, religion, medi-

cal condition, disability, union organizational activities, and other characteristics. Whenever an employer takes any adverse employment action, it is important that the employer maintain a record of following its policies and procedures, and document the legitimate reasons for the decision to discipline, terminate, or lay-off any employee. Documentation of the employer’s adherence to its policies and procedures and the reasons for an adverse employment decision can be powerful evidence to disprove claims of unlawful discrimination. ❖