

All That You Need to Know about Employment Law



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What is Employment Law?

Employment law, sometimes called labor law, covers a broad category of laws related to the workplace. It contains a group of laws designed to protect employees from their employers taking advantage of their need to earn a living. The laws were created to ensure certain standards were met and that employees are treated fairly and with respect.

Employment laws range from laws addressing an employer's responsibility in providing a safe work environment to the type of benefits employees receive based on the work they do. Employment law also puts standards in place regarding discrimination in an effort to reduce instances of and address it when it does occur. If you are an employee of a company, it is important for you to be aware of employment law and understand when it is within your rights to take legal action against your employer.

Why is Employment Law Needed?



The goal of employment law is to protect the most basic rights of people in the workplace. When an individual or group decides to open a business that will employ people, they accept a variety of obligations and responsibilities. Not only are they responsible for providing the products and services of their company and ensuring investors, if there are any, profit from their

investment, they are also responsible for providing a healthy environment for their workforce. It is generally accepted that without a workforce, a company would fail, so it is important for employers to protect their most valuable asset – their employees.

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Unfortunately, because employees are free to resign from their jobs and move onto other work, some employers have developed an attitude that employees are not valuable to them. They believe that if an employee is unhappy with his or her work environment, he or she can go elsewhere and another applicant will be hired to fill the position. In some instances, applicants are viewed as an unlimited resource, so employees are seen as disposable. This has led to some employers treating employees unfairly and in severe instances, putting them in danger in the workplace.

Employment law covers two different types of protection. The first is collective labor laws, which are agreed upon between workers unions and employers. This covers things like union strikes and picketing in the workplace. The other type is the individual labor laws that include regulations of the state or federal government, such as working hours, minimum wage, and safety. There was a time, believe it or not, that employers were free to treat employees in whatever way they chose. This not only led to an extremely unhappy workforce that felt trapped in miserable conditions, but it actually put people at risk for serious illnesses and injuries.



Value of Employment Law in the Modern World

Today, employment laws set standards regarding how employees can be treated. In many ways, employers learned from their mistakes and realized that a happy workforce is a productive and creative workforce. Many companies are happy to abide by employment laws and understand the benefit to their employees and therefore, their companies.

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Keep in mind employment law is not just a tool for employees to take action when treated unfairly. It can also protect employers. Laws regarding “at will” employment allow employers and employees to sever their relationship at any time, provided an employee is not fired in relation to his or her employer breaking a law. For instance, if an employee is not performing up to pre-determined standards or breaks company policy, it is within the rights of an employer to terminate that employee. Likewise, if a company is doing poorly and needs to save money by cutting staff, they have the right to let employees go. However, an employer cannot fire an employee because they do not want people of a certain color or religion or gender on their staff. Additionally, if an employee raises a complaint regarding the safety of his or her work environment, he or she cannot be terminated for speaking out. Otherwise, as long as no laws are broken, employers are free to terminate employees for any reason.

Taking Action

Employment law can be confusing, especially when you are dealing with an employer that has little regard for your safety or well-being. If you feel your rights have been trampled by your employer and you want someone to represent you and help you fight back, **Greg Devero** can help.

Mr. Devero's practice is limited to employment and labor law. He has extensive experience in the field of employment law and has represented numerous employees who were wrongfully terminated in violation of the New Jersey Law Against Discrimination because of their age, race, gender, sexual preference, pregnancy, religion, disability and other protected classes. Mr. Devero has also worked with victims of sexual harassment and whistleblowers demoted or terminated in violation of New Jersey's Conscientious Employee Protection Act.



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Mr. Devero's clients range from employees of governmental entities to Fortune 100 companies to substantially smaller entities. He has also represented employers in the defense of discrimination and wrongful termination claims, assisted with preparation of employee handbooks, and has participated in the presentation of sexual harassment training classes.

Mr. Devero is a member of the New Jersey State Bar Association, as well as the Labor and Employment Law section of the New Jersey State Bar. He is also a member of the Somerset County Bar Association and was a past chairman of the Labor and Employment Committee. He is a member of the New Jersey Association of Professional Mediators and a court approved mediator on the New Jersey Superior Court Roster of Approved Mediators. Like his legal practice, Mr. Devero's mediation practice is limited exclusively to employment law and related claims.

To learn more or to speak to someone about scheduling a consultation, contact Mr. Devero at 908.375.8142 or by email at gdevero@deverotaus.com.

A nighttime photograph of the George Washington Bridge, illuminated with blue lights, spanning across a body of water. The city lights of New York City are visible in the background.

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