**Wrongful Termination Claims: Myths and Misconceptions**

It can be frustrating to know that you are being fired when you think the employer had no valid reason to do so. Sometimes, factors in job performance lead the employer to make a decision to lay you off, while other times, it can be the difference in opinion or personal grudge that becomes the underlying reason for firing you. However, if you have been a victim of retaliation, whistleblowing, discrimination, or you refused to cooperate in an illegal activity, you can bring a wrongful termination case against your employer.

There are some common myths and misconceptions about wrongful termination claims you should know about so that you can take action promptly against your employer and get fairly compensated for your losses.

1. **If you quit, you cannot sue your employer**

One of the most common myths surrounding wrongful termination is that if an employee quits, they cannot bring a claim against their employer. However, there are situations where the working environment becomes intolerable, dangerous, or hostile for an employee, and they have no choice left but to quit their job. In such a case, they can still sue their employer. In addition, if they are forced to resign, it still makes them eligible for wrongful termination claim. If you find yourself in a situation where you are being forced to quit, you should consider discussing your case with an employment attorney to understand your rights and determine what legal steps can be taken.

1. **Discrimination is the only ground for wrongful termination claims**

Wrongful termination covers several aspects besides discrimination at workplace. Typically, wrongful termination refers to the violations of any rights stated in a public or company policy by an employer when they made the decision to termination an employee. Common types of wrongful termination claims include whistleblowing, violations of collective bargaining agreements, retaliation, or even reporting a discriminatory act by an employer against a colleague to the authorities.

1. **An independent contractor or at-will employees cannot sue their employer**

Whether you are an independent contractor or at-will employee, you have rights. If you are an at-will employee, you have the rights to bring a wrongful termination claim against your employer. Even your employment status is “at-will”, that does not mean your employer is immune from being sued for any of their wrongful conducts.

There have been many cases where independent contractors are misclassified, and should be put under the category of employee. If you have been misclassified, under [Illinois law](http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=095-0026), you will be treated as an employee. Being an independent contractor, you may have other claims in addition to wrongful termination, if you think the employer had a malicious reason to terminate you.

If you have been fired for unfair reasons, you should not just accept your employer’s decision. You have legal rights that should be exercised. However, termination claims are risky and complex– that is why you should consider teaming up with an experienced wrongful termination attorney who has in-depth knowledge of Illinois employment laws and regulations and can guide you through the legal system. [Contact](http://www.lawofficemichaelsmith.com/contact-us/) the Law Office of Michael T. Smith today at 847.466.1099 to discuss your case with an experienced [Schaumburg wrongful termination attorney](http://www.lawofficemichaelsmith.com/practice-areas/retaliatory-discharge/).