

Los Angeles Freedom of Speech Attorneys

Fired for Protected Workplace Speech? Get Legal Assistance now.

The American constitutional right to freedom of speech may seem straightforward, but First Amendment rights do not always apply in the workplace. Certain forms of speech are protected when working for a private employer and others are not.

If you were fired or treated adversely for protected speech, our team at The Spivak Law Firm is ready to help. Our Los Angeles lawyers can assess your circumstances and advise whether your First Amendment and other free speech rights were violated. From there, we can explore full the extent of your legal options. **We do not get paid until you do**, and our team is prepared to leverage its **over 25 years of legal experience** to aggressively litigate your case.

What Types of Speech Are Protected in California Workplaces?

Confusing as it may seem, blanket First Amendment rights do not apply in private workplaces. The *government* cannot restrict your right to free speech. This means that public employees *do* enjoy some First Amendment rights in their workplaces. However, these protections do not apply to those who work for private employers.

If you are employed by a public agency or municipal government, your workplace speech is constitutionally protected. These issues can be complex and are still a subject of legal debate. Generally speaking, the workspace speech of public employees will be considered protected if it involves a matter of public concern and does not interfere with your job or the functionality of your workplace.

Schedule a free initial consultation by calling [\(877\) 242-7034](tel:877-242-7034) or [contacting us online](#). *Hablamos Español* [877-452-0078](tel:877-452-0078).

Your Rights as an Employee at a Private Company

If you are employed by a private company, the First Amendment does not apply, and your boss *can* limit what you say. However, there are several important exceptions, as certain types of workplace speech are protected under California and federal law.

In California, your private employer cannot forbid or punish you for workplace speech involving:

- Workplace safety, including possible CalOSHA violations
- Reports of harassment and discrimination
- Complaints of unpaid wages
- Objections to meal and rest break violations

Additionally, California private employers cannot discriminate against workers due to their political activity or affiliation. Many forms of political speech are therefore protected in private California workplaces. Employers can still place certain limits on political speech – for example, they may

universally restrict the wearing of campaign buttons if it goes against their uniform policy – but they cannot fire or retaliate against someone due to their political beliefs.

The same rules generally apply to speech that occurs outside the workplace. Your private employer may be able to take action if you say something offensive or anything they do not agree with, particularly if the speech violates the company’s code of ethics. Again, political speech is protected, so you cannot be punished for attending a protest, publicly supporting a candidate, or expressing your political views. You also have the right to discuss other protected subjects, such as working conditions and wages, when off the clock.

What to Do When You Are Punished for Protected Speech in California

If your employer fired or retaliated against you after you discussed a protected topic, you should immediately seek professional legal representation. From our offices in Los Angeles, our attorneys will carefully review your circumstances and determine whether your rights were violated. We know how to effectively approach these cases and will take steps to hold your employer accountable.

Because the First Amendment does not directly apply to private employers, you cannot sue your private employer for violating your right to free speech under the U.S. Constitution. Fortunately, other legal remedies are potentially available. If you are wrongfully terminated after discussing hostile or unsafe working conditions, for example, you can sue your employer for breaking California labor laws.

Depending on the circumstances of your case, our team at The Spivak Law Firm can fight to recover remedies for:

- Lost wages and benefits
- Pain and suffering
- Reinstatement (if you were wrongfully terminated)
- Punitive damages
- Legal fees and costs

If you have questions about protected speech or are unsure if your employer acted unlawfully, do not hesitate to discuss your concerns with our Los Angeles freedom of speech lawyers. [Contact us online](#) or call [\(877\) 242-7034](tel:877-242-7034) today.
