

## Article Published in *Lifestyles Magazine*- September 2005

### Protecting Your Legal Rights- Voluntary Resignation

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In an employment at-will relationship an employee may voluntarily resign at any time. However, before voluntarily resigning, you should carefully consider the consequences of voluntarily resignation such as the potential waiver of your legal rights, including your right to unemployment compensation. Other considerations include the impact upon your service requirements to qualify for pension or other benefits. In that regard, you should carefully review all documents that impact the calculation of benefits under those plans. Significantly, if you are being subjected to illegal harassment, before quitting you should voice your complaints to the employer. This is especially true where the employer has a written policy against harassment.

The federal anti-discrimination statutes such as Title VII (race, gender, religion or national origin), the Age Discrimination in Employment Act and the Americans with Disabilities Act, were created to protect employees from illegal discrimination and harassment. Harassment is generally defined as unwelcome conduct which adversely affects an individual's employment environment. Today, most companies have a written policy against harassment which is generally distributed to employees. The anti-harassment policy should direct the employee as to whom to complain regarding the offensive conduct without fear of retaliation. After receipt of the complaint, the employer is legally obligated to investigate the allegations and take prompt action to stop the harassing behavior. It is illegal to take any adverse action against the employee for reporting the harassing conduct. Where an enforceable policy exists, if you voluntarily leave a company due to illegal harassment and do not make a complaint, under some circumstances the employer may not be found liable for illegal discrimination. Particularly, an anti-harassment policy that directs the employee to report a claim of harassment can help protect the employer from legal action in certain circumstances where the employee does not report the harassment and where the employer could not have reasonably known about the harassment without a complaint being made by the employee. As such, it is highly recommended that you seek legal counsel before making the decision to voluntarily resign as failure to do so could adversely impact your legal rights. For further information, please visit our web site at [www.joettedoran.com](http://www.joettedoran.com).

*This article is not intended as legal advice. You should consult with an attorney for individual advice regarding your own situation.*

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