

# Mysteriously fired? Spot the red flags

**Q:** "After ten years in my job, I was called into my boss's office and informed that I was being fired. He said they were "no longer confident in my ability to complete the project." This came as a total surprise, because I had always received positive performance reviews.

"I was told that if I agreed not to appeal the termination, I would be allowed to resign and be paid for my accumulated vacation. Since I'm forty years old with a mortgage and a child in college, I resigned in order to get the money.

"I can't understand how my employer could be so heartless. Shouldn't they have told me what I was doing wrong and given me a chance to improve? Do I have any legal recourse?" *Blindsided*

**A:** Your former boss is obviously a spineless coward. From a management standpoint, he should certainly have given you advance warning that you were not meeting expectations. Whether this constitutes an illegal termination depends on several other factors, however.

Not being an attorney, I can't offer legal advice, but I will say that your dismissal has a number of questionable aspects. To determine if you actually have grounds for legal action, you should contact the Equal Employment Opportunity Commission or an attorney who specializes in labor law. Since protection from age discrimination begins at 40, you do fall into a protected class.

In the meantime, one important step is to verify the accuracy of your personnel record. Because you were "allowed to resign," the official file should cite your reason for leaving as resignation, not termination. This will make a big difference to anyone conducting a background check.

*No matter how you feel when you lose a job, you need to be smart about how you leave. Here are some do's and don'ts to consider: [What To Do if You're Fired](#).*

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