

# National Guides



## Littler on Employment Torts & Wrongful Discharge

**Scope of Discussion.** This publication provides an overview of the potential tort claims an employee may file against an employer. A claim for wrongful discharge based upon public policy may arise in the absence of a federal or state statutory exception to at-will employment and is one of the most common tort claims. Other common employment torts include: defamation; invasion of privacy; intentional and negligent infliction of emotional distress; fraud, deceit, or misrepresentation; interference with existing or prospective contractual relations; false imprisonment; assault and battery; loss of consortium; negligent hiring, retention, supervision, or training; and spoliation.

The focus of this publication is federal law. While some state law distinctions may be included, the coverage is not comprehensive.

### 1. WRONGFUL DISCHARGE CLAIMS

- 1.1 [At-Will Employment](#)
- 1.2 [Legislatively Determined Federal Public Policy Exceptions to At-Will Doctrine](#)
- 1.3 [Tort of Wrongful Discharge Based on Public Policy](#)

### 2. OTHER COMMON EMPLOYMENT TORTS

- 2.1 [Introduction to “Tag Along” Torts](#)
- 2.2 [Defamation](#)
- 2.3 [Invasion of Privacy](#)
- 2.4 [Intentional Infliction of Emotional Distress](#)
- 2.5 [Negligent Infliction of Emotional Distress](#)
- 2.6 [Fraud, Deceit & Misrepresentation](#)
- 2.7 [Interference with Prospective Economic Advantage & Related Claims](#)
- 2.8 [False Imprisonment](#)
- 2.9 [Assault & Battery](#)
- 2.10 [Loss of Consortium](#)
- 2.11 [Negligent Hiring, Retention, Supervision, or Training](#)
- 2.12 [Spoliation](#)

**3. PRACTICAL GUIDELINES FOR EMPLOYERS**

3.1 Maintaining At-Will Employment in Employment Documents

3.2 Reducing the Risk of Litigation & Liability for Discharges

3.3 Limiting Exposure to “Tag Along” Torts