

Partner Julie Gottshall Quoted in *Chicago Daily Law Bulletin* Article on Retaliatory Discharge Case

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Julie Gottshall, Chicago head of the Employment Law and Litigation practice, was quoted in an article discussing a retaliatory discharge case she is scheduled to argue before the Illinois Supreme Court later this month. The case raises important questions concerning: (1) the scope of Illinois' common law retaliatory discharge cause of action; and (2) plaintiffs' burden of proof in such cases where the employer has asserted a nondiscriminatory basis for the termination. Plaintiff employees contend that their soybean plant employer improperly fired them for causing a state inspection of underweight bags of soybeans. Plaintiffs had reported the underweight bags to a former employee, who in turn reported the claim to the Illinois Department of Agriculture. Defendant employer, represented by Julie, asserted that the employees were terminated because of a business slowdown and violations of company policy. The employer prevailed in a bench trial, but the appellate court reversed the decision, holding that the trial court erred in not requiring the employer to "prove its defense." Julie commented in the article that "plaintiffs didn't prove their firings were caused by reporting the underweight bags" and that "the record indicated the company had valid reasons for showing them the door." ("Workers Allege Firing for Spilling the Beans," September 4, 2014)

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