| **Documents Usually Relevant in Employment Cases** | **Does this exist? and Do I have it?** | **If not, why not? or**  **Who has it?** | **Did I give this to my attorney?** |
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| Job Application for Employer / Defendant |  |  |  |
| Offer Letter or Employment Contract /Agreement |  |  |  |
| Emails, Letters, or Notices re: employment status, pay changes, etc. |  |  |  |
| Emails, Letters, or Notices re: Termination, Suspension, etc. |  |  |  |
| Arbitration Agreement, Confidentiality Agreement, etc. |  |  |  |
| Employee Handbook or other employment policies, memos, etc. |  |  |  |
| Commission structure or compensation plan (if applicable) |  |  |  |
| Collective Bargaining Agreement or other Union-related documents |  |  |  |
| Union grievances submitted or filed |  |  |  |
| Severance Offer or Agreement |  |  |  |
| Other contracts, agreements, or “legal documents” |  |  |  |
| Evidence of negotiating agreements (ie. emails, texts) or employer refusal to negotiate agreements |  |  |  |
| Performance Evaluations / Reports |  |  |  |
| Bonuses and Awards |  |  |  |
| Warnings / Write-Ups / Performance Improvement Plans, etc. |  |  |  |
| Salary/benefit information during employment (i.e. paystubs, W-2’s, 1099’s, healthcare premiums, 401K matching, etc.) |  |  |  |
| Documentation of disability, medical condition, or physical/mental limitations (ie. medical records /certifications /status updates, workers comp claim or forms, etc.) |  |  |  |
| Notice to Employer, HR, Supervisor, or Work Comp Administrator re: disability, medical condition, work comp injury, need for leave or other accommodations (ie. emails/letters/forms sent to employer, doctor certification sent to employer, requests for leave, etc.) |  |  |  |
| Evidence of discrimination or harassment (ie. emails, texts, photos, etc.) |  |  |  |
| Evidence of complaints regarding discrimination, harassment, pay, or anything else regarding employment (ie. emails, texts, etc.) |  |  |  |
| Evidence showing retaliation after complaints were made |  |  |  |
| Other evidence of money lost or unpaid (ie. commissions owed, schedules showing hours worked that weren’t paid, improper deductions from pay, unreimbursed expenses, etc.) |  |  |  |
| Salary/benefit information since termination of employment (ie. paystubs, W-2’s, 1099’s, healthcare premiums, 401K matching, etc.) |  |  |  |
| Résumés and cover letters used in seeking other employment |  |  |  |
| All emails and online submissions sent seeking other employment |  |  |  |
| Job postings for jobs applied for during search for other employment |  |  |  |
| Unemployment claim, letters and notices to/from EDD, appeals, etc. |  |  |  |
| Claims, Charges, or Complaints filed with Administrative Agencies  (ie. Dept. of Fair Employment and Housing (DFEH), U.S. Equal Employment Opportunity Commission (EEOC), Labor Commissioner, etc.) |  |  |  |
| Right to Sue or other correspondence to/from Administrative Agencies |  |  |  |
| Evidence of emotional distress (ie. medical/therapy records, diaries, journal entries, or other notes, calendar entries showing doctor/therapy appointments) |  |  |  |
| Other emails, texts, letters related to your employment /claims |  |  |  |
| Social media posts or messages related to your employment /claims |  |  |  |
| Documents related to Employer’s claimed reasons for your suspension, termination, etc. |  |  |  |
| Any other documents related to your employment / claims? |  |  |  |
| Any “Me too” documents (ie. other employees treated similarly) |  |  |  |
| Are there any documents that might be “skeletons in the closet”?  (ie. makes you look bad or hurts your story) |  |  |  |
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