

DATES OF CASES



HOW WERE YOU SPEAKING?

- a) AS A PRIVATE CITIZEN? OR
- b) IN PURSUANT TO YOUR OFFICIAL DUTIES?

A FORMAL GRIEVANCE IS CONSIDERED "PURSUANT TO OFFICIAL DUTY"

- (1) MATTER OF PUBLIC CONCERN?
- (2) SUFFER ADVERSE EMPLOYMENT ACTION
- (3) YOUR SPEECH CAUSED THE GOVERNMENT TO DISCIPLINE AND YOU WOULD NOT HAVE BEEN DISCIPLINED BUT FOR YOUR SPEECH

EMPLOYER'S DEFENSES

- i) GOVERNMENT WOULD HAVE FIRED YOU REGARDLESS
- ii) YOUR SPEECH INTERFERED w/ RESPONSIBILITY TO PUBLIC