

Employment law 5

Law



Employment law 5 An employer was hiring employees after a strike. On employment applications, the employer asked potential employees whether they belonged to a union. Was the employer engaged in an unfair labor practice?

Most labor strikes are caused by various misunderstandings between employers, and the employees such as poor pay and working conditions. However, it is evident that this particular employer is seeking to know through applications if the potential employees are members of various unions. According to Goldman, and Corrada 74, this is a path way to discriminating potential employees especially with the belief that those involved in unions has a better and strong voice when it comes to airing their grievances. Moreover, it shows that the employer does not respect the employment law at all cost.

The Labor Management Relations (Taft -Hartley) Act of 1947 dictates that employees should be allowed to join labor organizations with a collective bargain. Moreover, it does not permit the employers and unions from involving themselves in specific labor practices that are unfair hence, ensures and pursued employers and unions in engaging in collective bargaining, in good faith. In essence, the employers are proscribed from intimidating, coercing or even firing employees for exercising their rights to form unions or even become members of various unions especially when hiring them (Goldman, and Corrada 74).

State " sunshine" laws require the release of all documents relating to state business. Are employees' personal emails subject to public disclosure? Or do state employees retain privacy in personal emails?

Although the sunshine laws of the United States dictate that all documents
<https://assignbuster.com/employment-law-5/>

relating to state business should be released. Employee' personal emails are not subject to public disclosure not unless the emails are related to a criminal offence that should only be handled by the Law enforcement act.

In essence, Goldman, and Corrada 87 argues that, the federal and state law does not allow employers to ask or compel the employees to give details that are not related to work or state business. This is seen as a way of intimidation or intrusion of private life. Hence, state employees' have a right to retain privacy in personal emails away from their state business a fact that has been echoed by the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990 all based in the United States of America.

Works Cited:

Goldman, Alvin and Corrada, Roberto. Labour law in the USA. Alphen aan den Rijn: Wolters Kluwer Law & Business. 2011.