

# Business law and ethics assignment

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No one, least of all 'RI, could have Hough that a contract permitting termination on 30 days' notice, with payment of commissions for deliveries within 90 days thereafter, entitled the representative to the entire future value of the goodwill built up by its work. Goodwill (beyond the 90- day residual) was allocated to the manufacturer. The terms on which the parties would part ways were handled expressly in this contract, and IR got what it bargained for.

IR knew, or should have recognized, that the 90-day period created a risk; and it could have responded by demanding a higher commission rate to compensate. Chapter 24 Question no. Answer: Yes. Generally, an agent is himself liable for the consequences of his actions for committing tort or crime when working for the principle. Nevertheless, principal may also be liable for the torts and crimes committed by his agent.

Courts generally use two predominant theories to impose liability on principals for the injuries caused by their agents: respondent superior and direct liability. Under the doctrine of respondent superior, the principal is liable if the agent was working within the scope of the agency when the tort occurred. Though this act of agent benefits the principal s well in gaining the business, it is unlikely to be applicable in the case of Carl Brown.

In the other hand, under the direct liability, principal is basically liable when it is negligent in the hiring and lord the supervision of the agent. Here, the agent is committing tort to receive business for principal and receive commission for him and therefore, the principle has to be liable under a theory of negligent hiring and supervision. Hence, the knowledge of the

agent should be imputed to Kemp. Question no. 9 Answer: Yes, because agents are liable in transactions involving an undisclosed or arterially disclosed principal.

Sally was acting as an agent of Echo Bella, and had a duty to put African Bio-Botanical on notice that the principal was a corporation. As Sally did not give notice that the principal was a corporation, the principal-agent relationship was therefore that of a partially disclosed or undisclosed principal. Chapter 25 Question no. L the injury must have arisen out of employment and have happened in the course of employment. Question no. 9 Answer: Yes. An employer is liable for a hostile environment created by a supervisor with authority over the employee.

The employer can defend by stating that it took reasonable care to prevent and correct quickly any sexually harassing actions, and that the employee failed to reasonable take advantage of any defensive or remedial chances provided by the employer or avoid harm. The city failed to circulate its policy and its officials did not make an effort to follow the behavior of the supervisors. The policy did not mention any declaration that the supervisors could be sidestepped in registering grievances. Thus, the city did not implement reasonable care to avoid harassment.