

Unit vii assessment

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**ASSIGN
BUSTER**

UNIT VII ASSESSMENT: Chapter 6 within text book Bennett-Alexander, D. D., & Hartman, L. P. (2009). Employment law for business. (6th ed New York, NY: McGraw-Hill-----)(This is the text book)

MULTIPLE CHOICE QUESTIONS:

(1) Maria, a Mexican American, and Sophia, a white American, applied for jobs at Golden Enterprises. Maria was not hired. In order to prevail on a claim for national origin discrimination under Title VII, Maria must prove

Answer

that Sophia was not qualified for the job.

that Golden Enterprises cannot articulate a legitimate nondiscriminatory reason for hiring Sophia.

that Golden Enterprises has at least 10 employees.

that she was qualified for the job.

(2) Carlos Alvarez, a Mexican American, is 5 feet 4 1/2 inches tall, which is the average height for Spanish-surnamed men. He applied for a job as a mechanic with Quick Lube. He was not hired because he did not meet the minimum height requirement for the position, which was 5 feet 8 inches.

Answer

Carlos has a claim for national origin discrimination under Title VII if he can show that the height requirement has a disparate impact on Spanish-surnamed Americans.

Carlos has a claim for national origin discrimination under the Immigration Reform and Control Act because he is a member of a protected class.

Carlos does not have a claim for national origin discrimination because he is a U. S. citizen.

Carlos does not have a claim for national origin discrimination because Quick

Lube applied the height requirement to all applicants.

(3) An employer is permitted to discriminate against individuals, in certain instances, on the basis of citizenship, by:

Answer

the Immigration Reform and Control Act.

the Office of Federal Contract Compliance Programs.

Title VII of the Civil Rights Act of 1964.

Title VII of the Civil Rights Act of 1991.

(4) City Hospital employed 5 workers of Middle Eastern descent in their maintenance department. The maintenance supervisor assigned all of them to clean the morgue and the basement. These employees were not allowed to work on any other floors or come into contact with patients.

Answer

City Hospital will be liable for national origin discrimination based on the Guidelines on Discrimination Because of Religion or National Origin.

City Hospital will be liable for national origin discrimination because it illegally segregated the employees based on their national origin.

City Hospital will not be liable for national origin discrimination because the FLSA allows employers to discriminate in favor of U. S. citizens.

City Hospital will not be liable for national origin discrimination based on the Courts ruling in Garcia V. Spun Steak Co.

(5) The prohibition against national origin discrimination in Title VII is subject to the political function exception which

Answer

disqualifies a naturalized U. S. citizen from running for President of the United States.

allows employers to discriminate against individuals who are illegal aliens.

allows discrimination against a non-citizen when the position is intimately related to the process of democratic self-government.

allows employers to discriminate against individuals whose national origin is a country with which trade has been outlawed by a presidential Executive Order or an act of Congress.

(6) In *Espinoza v. Farah Manufacturing Co.*, the U. S. Supreme Court held that:

Answer

Congress did not intend the term " national origin" to mean citizenship requirements.

Congress intended the term " national origin" to mean citizenship requirements.

Congress intended the term " national origin" to mean the country in which your grandfather was a citizen.

Congress intended the term " national origin" to mean race and ethnicity.

(7) In order to avoid liability, under Title VII, after an employee has proven a prima facie case of disparate treatment national origin discrimination, an employer must prove the following defense:

Answer

a Bona Fide Occupational Qualification.

an adverse employment action.

a political function exception.

a business necessity.

(8) Omar Khaleel applied for a job as a bus driver with the Overland Omnibus Corporation. His employer was worried that it might be dangerous to allow

someone of Middle Eastern descent to drive a large bus, loaded with 160 gallons of fuel, into the heart of the downtown areas in the cities served by the company. Therefore, he asked Omar to submit a more stringent background check than was used for other bus drivers. Eight months later, the background check was completed and Omar was hired as a driver.

Answer

Omar has no basis for a claim under Title VII because Overland was just being prudent as a result of the events of September 11, 2001.

Omar has no basis for a claim under Title VII because he was hired as a bus driver.

Omar can claim national origin discrimination under Title VII because he was treated differently than other bus drivers based on his Middle Eastern descent.

Omar can claim national origin discrimination under Title VII because his employer had difficulty pronouncing his name properly.

(9) Margaret comes to work in clothes highly reflective of the national origin of her ancestors, and which also happen to violate the dress code of the White City Dairy. She is told to return home, and change into clothing that comports with the dress code.

Answer

Margaret has a claim under Title VII for national origin discrimination because she only wears outfits reflective of the national origin of her ancestors on holidays.

White City can defend the dress code if customers or co-workers are "uncomfortable" with how Margaret looks when she wears those clothes.

White City can defend the dress code if Margarets national heritage outfit

poses a safety hazard.

White City can defend the dress code if it allows other employees to dress casually at work.

(10) Virtually all of the non-U. S. citizens in the labor pool available to an employer are of Mexican descent, many of whom are legal aliens having the right to work in the U. S. The employer implements a policy against hiring any non-U. S. citizens. This policy:

Answer

is expressly exempt from Title VII, by the Guidelines on Discrimination

Because of Religion or National Origin.

impermissibly denies individuals their Title VII-protected right to express their cultural heritage.

does not, as a matter of law, violate Title VII.

could be found to discriminate on the basis of national origin resulting in disparate impact discrimination in violation of Title VII