

Employment laws chart



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Employment Laws Chart Complete the chart below using information from the weekly readings and additional research if necessary. | | Court Case Influential to | | | | Description and Requirement of Law | Establishment of Law | Importance of Law | Workplace Application | | Employment Law | | | | | | prohibited discrimination on the basis| Griggs v. Duke Power Company (1971) | No single piece of legislation in the | Affirmative Action Plans | | Civil Rights Act of 1964 | of race, | Washington | 1960s had a greater effect on reducing| | | sex, and national origin. | v. Davis (1967) | employment discrimination | | | granted of enforcement powers to the | Griggs v.

Duke Power Company (1971) | The EEOC could effectively prohibit | Affirmative Action Plans | | Equal Employment Opportunity Act | Equal Employment | | all | | | Opportunity Commission (EEOC) | | forms of employment discrimination | | | | based on race, religion, color, sex, | | | | | or national | | | | | origin. | | | The Equal Pay Act of 1963 mandates | Schultz v. Wheaton Glass Co. (1970), | The Equal Pay Act was designed to | Salaries | | Equal Pay Act | that organizations compensate men | U. S.

Court of Appeals for the Third | lessen the pay gap between male and | should be established based on skill, | | | and women doing the same job in the | Circuit | female | responsibility, effort, and working | | | organization with the same rate of | | pay rates. | conditions | | | pay. | | | | | prohibited the widespread practice of | Odriozola v.

Superior Cosmetic | Eliminates the practice of laying off | Organizations with 20 or more | | Age Discrimination in Employment Act | requiring | Distributors Corp. , 116 D. P. R. 485 | senior employees and hire recent | employees, state and | | of 1967 | workers to retire at age 65. It gave |(1985). | college

graduates to be paid less. | local governments, employment | | | protected-group status to individuals | Firefighters Local 1784 v. Stotts | | agencies, and labor organizations are | | | between the ages of 40 and 65. (1984) | | covered by | | | | | the ADEA. | | | The Americans with Disabilities | Aline v. Nassau County | Companies are | Extends EEO coverage to include | | Americans with Disabilities Act of | Act of 1990 (ADA) extends employment | | further required to make reasonable | most forms of disability, requires | 1990 | protection to most forms of | | accommodations to provide a qualified | employers to make reasonable | | | disability status, including those | | individual | accommodations, | | | afflicted with AIDS. | | access to the job. A company may also | and eliminates post- | | | | be required to provide necessary | job-offer medical exams. | | | | technology so that an individual can | | | | | do his or her job. | | | | The Civil Rights Act of 1991 prohibits| Connecticut v. Teal (1984) | Employment discrimination law | The 4/5th rule, A rough indicator of | | Civil Rights Act of 1991 | discrimination on the basis of race | Griggs v. Duke Power Company (1971) | that nullified selected Supreme | discrimination, | | | and | McDonnell-Douglas Corp. v. Green | Court decisions.

Reinstated burden | this rule requires that the number | | | prohibits racial harassment on the | 1973 | of proof by the employer, and | of minority members a company | | | job; returns the burden of proof that | | allowed for punitive and compensatory | hires must equal at least 80 percent | | | discrimination | | damage through jury trials. | of the majority members in the | | | did not occur back to the employer; | | | population hired. | | | reinforces the illegality of employers| | | | | who make hiring, firing, or

promoting | | | | | decisions on the basis of race, | | | | | ethnicity, | | | | | sex, or religion; and permits women | | | | | and religious minorities to seek | | | | | punitive damages | | | | | in intentional discriminatory claims. | | | | |

The Family and Medical Leave | | During this period of unpaid leave, | If, however, | | Family and Medical Leave Act (FMLA) of | Act of 1993 (FMLA) provides employees | | employees retain their | an organization can show that it will | | 1993 | in organizations²³ employing 50 or | | employer-offered | suffer significant economic damage by | | | more | | health insurance coverage, Nearly 80 | having a “ key” employee out on FMLA | | | workers within a 75-mile radius of the | | percent of all U. S. orkers | leave, the organization may deny the | | | organization the opportunity to take | | are covered under FMLA. | leave. A key employee is generally a | | | up | | | salaried employee among the top 10 | | | to 12 weeks of unpaid leave in a | | | percent | | | 12-month period for family matters | | | of wage earners in the organization. | | This act, applicable to only federal | R. R. v. Department of the Army, 482 F. | Even though this act applies solely to | An employee can’t simply | | Privacy Act of 1974 | government | Supp. 770 (D. D. C. 1980). | federal workers, it provided impetus | demand to immediately see his or her | | | agencies, requires that an employee’s | | for | file; there is typically a 24-hour | | | personnel file be open for inspection. | state legislatures to pass similar | turnaround | | | This means that employees are | | laws governing employees of state- and | time. Whether the employee can review | | | permitted to review their files | | private sector | the file alone or only in the presence | | | periodically | | enterprises | of an HRM representative is up to each | | | to ensure that the information | | | organization.

Although an individual | | | contained within is accurate | | | may take notes about the file's | | | | | contents, copying the file often is | | | | | not | | | | | permitted. | | The Drug-Free Workplace Act of 1988 | | Under the act, government agencies, | The enterprise must establish its | | Drug-Free Workplace Act of 1988 | was passed to help keep the problem of | | federal contractors, and those | drug-free work environment policy and | | | substance abuse from entering the | | receiving federal funds (\$25, 000 or | disseminate | | | workplace. | | more) are | it to its employees.

This policy must | | | | | required to actively pursue a | spell out employee expectations in | | | | | drug-free environment. In addition, | terms | | | | | the act requires | of being substance free and infraction | | | | | employees who hold certain jobs in | penalties.

In addition, the | | | | | companies regulated by the Department | organization must | | | | | of | provide substance-abuse awareness | | | | | Transportation (DOT) and the Nuclear | programs to its employees. | | | | | Regulatory Commission to be subjected | | | | | to | | | | | drug tests. | | | | | Polygraph Protection Act of 1988 | 968 F. 2d 877: Howard E. Saari, | The act was passed because polygraphs | The Employee Polygraph | | Polygraph Protection Act of 1988 | prohibits employers in the private | Plaintiff-appellee, v. Smith Barney, | were used inappropriately. | Protection Act did not eliminate their | | | sector from using polygraph tests in | Harris Upham & Co. , Inc. , | In general, polygraph tests have been | use in organizations altogether.

The | | | all | Defendant-appellant | found to have little job-related | law | | | employment decisions | | value, which makes their effectiveness | permits

their use, for example, when | | | | | questionable | theft occurs in the organization, but | | | | | this process | | | | | is regulated, too.

The employee has | | | | | the right to refuse to take a | | | | | polygraph test without fear of | | | | | retaliation from the employer | | | Specifies for employers notification | Platt v. Freedom Mortg. Corp. (D. N. J. | Should | Sometimes called the Plant Closing | | Worker Adjustment and Retraining | requirements when closing down a | 2010). | a company fail to provide this advance| Bill, places specific requirements | | Notification Act (WARN) of 1988 | plant or laying off large numbers of | | notice, the penalty is to pay | on employers considering significant | | workers. | | employees a | changes in staffing levels.

Under | | | | | sum of money equal to salary and | WARN, an | | | | | benefits for each day notification was| organization employing 100 or more | | | | | not given | individuals must notify workers 60 | | | | |(up to 60 days). | days in | | | | | advance if it is going to close its | | | | | facility or lay off 50 or more | | | | | individuals. |