

Law 421 week 2

Law



**ASSIGN
BUSTER**

Role and Functions of Law Paper Amber Freetage Law/421 November 19, 2012 Eric Nord No matter where we are in our country, we are surrounded by many of them, and guarded by few. Some are short; some are long but no matter what they control every potential move we make day in and day out. We are talking about laws. By definition laws are, “ a rule or set of rules, enforceable by the courts, regulating the government of a state, the relationship between the organs of government and the subjects of the state, and the relationship or conduct of subjects towards each other,” (Law. N. d.). Over the years, our laws have changed and been added to in order to protect not only us as individuals but our businesses as well. Even though there have been limits placed by the U. S. Supreme Court, our Congress still exercises very broad powers to pass laws where the activity being regulated affects interstate commerce in any way (Chapter Two. P. 32). they have the authority to maintain channels of interstate commerce, the instrumentalities of interstate commerce, and the articles moving in interstate commerce.

For our business' this means that the Congress gets to have control or at least the final say with any involvement with vehicles used in shipping, our railways, and our beloved highways. Meaning any business transactions that are from state to state or across country the Congress can step in and change things to accommodate the law. For our business' that rely on tourists, which many of our ocean front city's do, it means that the cost for being open, staying open, and selling prices of items may be affected.

This is true because Congress has the power to tax the citizenry and to spend the federal government's money in any way that they see fit, as long as it generates common defense and general welfare. Another use of commerce

power is within the Civil Rights Legislation. This commerce power is one that has affected our businesses, schools, and everyday lives because it gave Congress the power to ban any form of discrimination in places of public use (hotels, restaurants, stores).

Placing this ban against discrimination allowed everyone the chance to shop, stay, work, and eat wherever they chose because those businesses made purchases or held business activity out of state. " States often wish to regulate commerce that crosses into their state borders. States are free to regulate commerce so long as (1) it does not impose a discriminatory law (such as a tax) on out-of-state businesses, and (2) the state law is a legitimate effort to regulate health, safety, and welfare," (Chapter Two. P. 35)

While we cannot go into deep detail of every law that regulates and mandates us to maintain a strict lifestyle or to keep a legit business's doors open it is very important that laws are taken seriously so that lawsuits are prevented and as individuals, we are not put behind bars. While laws can be hard to understand, the ones that pertain to us as people are known or learned from experience or from our teachings. As a business owner take the time to know what guidelines we must follow in order to keep our job.

In a previous employment position, knowing the laws came to be very informative. Federal laws are set to every state and no one can change them, except for the President, or Congress if all in agreement or high votes, but get to know the state laws where you reside. In a previous occupation, learning the laws became much easier when pointed in the right direction. As a full time employee, working no less than eight hours a day it became very

apparent that I should be entitled to a break of some sort, but was not given one.

After a few other employees started to mention this as well, we began to look into what we were supposed to be given as a break. To our surprise in an eight-hour day we should be given no less than a thirty minute break for lunch and two ten minute breaks to use throughout the day, according to the State work laws. However, when we looked through our employee handbook, breaks are not mentioned at all. When we asked management about the issue we were told, " Your breaks are in between customers. A little extreme but okay so we kept asking and we found out that since North Carolina is a right to work state there is nothing we can do but work as we are scheduled without breaks or be in fear of losing our job all together. So, you see laws are very important to learn and keep up with because you can be getting taken advantage of without even knowing what you are entitled. References Chapter Two: Business and the Constitution (p. 32-35). (n. d.). Retrieved November 19, 2012 Law. (n. d.). Collins English Dictionary - Complete & Unabridged 10th Edition. Retrieved November 19, 2012, from Dictionary.com