

Employment Law

Exam #2

Chapters 10-17

21. If a 39 year old is replaced by a 24 year old, is this age discrimination?

22. If a 66 year old is replaced by a 52 year old, is this age discrimination?

23. In Chadwick v. Wellpoint,

- a) Chadwick lost the case
- b) the case was sent back to the lower court for a jury trial
- c) Chadwick won the case and is entitled to damages
- d) Wellpoint must reasonably accommodate Chadwick with regard to the needs of her children.
- e) c and d

24. In EEOC v. Dillard,

- x) the severity requirement of sexual harassment was met
- y) the pervasive requirement was met
- z) an exception was made to the pervasive requirement
- a) x and y
- b) y and z
- c) Reed and Giacomini lost the case

25. In Krause v. UPS,

- x) Krause was sexually harassed
- y) Krause was discriminated against due to her pregnancy
- z) Krause's resignation voids her claim
- a) y

b) x and y

c) z

d) x

26. In *Cloutier v. COSTCO*,

a) Cloutier was a member of a recognized religious organization

b) visible piercings were determined to be an undue burden to COSTCO's personal appearance standards

c) if Cloutier could prove another COSTCO permitted piercings, this would show COSTCO was not consistent in enforcing its personal appearance standards

d) all

e) a and b

f) b and c

27. In *Silva v. St. Anne School*,

a) the English only policy was directed toward Hispanic students

b) the English only policy was enforced

c) the English only policy created a hostile education environment.

d) a and b

e) a and c

28. X co. with 10 employees discriminates against green card holders. Is it liable under

a) Civil Rights Act

b) Immigration Reform and Control Act

c) Both

d) neither

29. X co. with 22 employees refuses Patty family leave for the adoption of her child. Is X co. liable?

30. Gina teaches for a religious school whose doctrine prohibits abortion. Gina has an abortion between semesters. Can the school terminate her?

31. In a hospital, can an attending nurse refuse to participate in a life threatening procedure that results in an abortion because of her religious belief?

32. An employer may not prohibit a female employee from wearing multiple earrings in her ear.

33. A fitness center for women only can prohibit men from working there.

34. A company has documented the delinquency of Emily, a researcher with the most seniority, because of her small children. It may take this into account when deciding to promote Bill, instead of her.

35. A sexual harassment lawsuit may not be brought against a coworker.

36. An employer is absolutely liable for sexual harassment of its subordinates by its superiors.

37. A superior continually refers to female workers as sweetheart, honey and baby. Even though those workers have complained repeatedly to the employer, it has taken no steps to remedy this. Is the employer liable for sexual harassment?

38. An employer is not liable for sexual harassment of an employee by a coworker where it has a policy in place, promptly investigates a complaint and takes appropriate action.

39. Sexual harassment includes people of the same sex, but not homosexuals.

40. A hospital must accommodate its female patients by providing a female nurse.