

Student: _____

1. The Age Discrimination in Employment Act covers employees between 40 and 69 years of age.
True False
2. The Americans with Disabilities Act requires employers to make reasonable accommodations for disabled workers only if the employer has more than 100 employees.
True False
3. The Americans with Disabilities Act covers employees who suffer from frequent colds.
True False
4. The Americans with Disabilities Act requires employers to make "reasonable accommodations" for all applicants/employees with disabilities.
True False
5. The Family and Medical Leave Act provides for unpaid leave and reserves an employee's job when leave is required for reasons of family medical problems.
True False
6. The issue of "Reverse Discrimination" arose from the University of California v. Bakke court case.
True False
7. Equal Employment Opportunity refers to the right of all persons to work and to advance on the basis of merit, ability, and potential.
True False
8. The Equal Pay Act of 1963 prohibits sex-based discrimination in rates of pay paid to man and women working in the same or similar jobs.
True False
9. The Equal Pay Act prohibits pay discrimination based on seniority.
True False
10. The Equal Pay Act requires employers to pay all employees doing similar work the same salary.
True False
11. The Civil Rights Act does not protect white, middle-aged males.
True False
12. The Civil Rights Act of 1964 does not protect white males from employment discrimination.
True False
13. The Equal Pay act of 1963 is actually part of the Fair Labor Standards Act.
True False
14. Disparate treatment refers to intentional discrimination and involves treating one class of employees different from other employees.
True False
15. White-males are protected by the Civil Rights Act of 1991 which attempts to insure that all people have the right to be considered on the basis of merit and ability.
True False
16. The EEOC was created by the Civil Rights Act to administer Title VII of the act.
True False

17. Equal employment opportunity considers all the following bases for work and advancement EXCEPT
- A. Ability
 - B. Social status
 - C. Merit
 - D. Potential
18. Title VII of the Civil Rights Act of 1964 authorized the creation of the
- A. Merger between the AFL and CIO unions
 - B. Equal Employment Opportunity Commission
 - C. New Deal
 - D. National Labor Relations Board
19. A difference between *disparate treatment* and *disparate impact* is that:
- A. One is potentially harmful and the other is not
 - B. One relates to employment practices and the other does not
 - C. One involves discrimination and the other does not
 - D. One is intentional and the other is not
20. Provisions of the Age Discrimination in Employment Act do not apply to:
- A. Employment agencies
 - B. Labor organizations
 - C. Private employers of fewer than 20 employees
 - D. State and local governments
21. Generally, impairment due to alcohol or drug abuse does not classify an individual as
- A. In need of intervention
 - B. A handicapped person
 - C. A potential safety risk within a company
 - D. A wellness program candidate
22. Which of the following is not an objective of the Pregnancy Discrimination Act?
- A. To inform employees of those in the workplace who happen to be pregnant
 - B. To properly allocate leave policies concerning pregnancy
 - C. To properly allocate fringe benefits concerning pregnancy
 - D. To treat pregnancy in a similar manner to other medical conditions
23. The Family Medical and Leave Act provides for
- A. A prolonged paid leave from employment
 - B. A prolonged unpaid leave from employment
 - C. Multiple brief departures from work without wage or salary loss
 - D. Indefinite departure from one's job with uninterrupted career advancement
24. A *utilization evaluation* is chiefly concerned with
- A. Utilization rates for enabling facilities under the ADA
 - B. Empirical studies that track veterans' assistance usefulness
 - C. Minority group representation in job categories
 - D. Number of hits for Web sites with EEO instructions
25. The view that the government should generally not concern itself with individual components of the selection process—if the overall effect of that process is nondiscriminatory—describes the
- A. Bottom line concept
 - B. Buyer beware doctrine
 - C. Concealed decision rule
 - D. Unfettered hire initiative

26. Which of the following has had the least direct involvement in the evolution of the legal environment concerning equal employment provisions?
- A. Executive orders
 - B. Federal legislation
 - C. Interstate commerce
 - D. Landmark court cases
27. Under the Americans with Disabilities Act, which of the following is allowable?
- A. Discrimination in hiring when a person is qualified
 - B. Extending advancement opportunities to the disabled
 - C. Inquiring whether an individual has a disability
 - D. Using tests or job requirements intended to screen out the disabled
28. The Family and Medical Leave Act of 1993 does not provide for
- A. An extended period of absence related to health or family circumstances
 - B. Employees of larger companies
 - C. Regular pay during the period of absence
 - D. The right to return to one's job following the allowed absence
29. Executive (i.e., U.S. presidential) orders are issued for the purpose of
- A. Amending the U.S. constitution
 - B. Managing/operating federal agencies
 - C. Ruling on appealed court cases
 - D. Signing legislation into law
30. An employment practice that disproportionately excludes protected groups, the issue at question is termed:
- A. 12-month rule
 - B. Disparate impact doctrine
 - C. Prima facie evidence
 - D. Statistical modeling technique
31. Which of the following does not represent findings of previous landmark court cases concerning employment practices?
- A. Absence of minorities is not absolute evidence of discrimination
 - B. Intent is the sole (only) determinant of unlawful discrimination
 - C. Limits placed upon certain types of affirmative action measures are appropriate
 - D. Over-emphasis upon a single component of selection (e.g. test) is discouraged
32. Refusing to hire a black male because he has been convicted of a felony would be an example of:
- A. Disparate impact
 - B. Adverse treatment
 - C. Disparate treatment
 - D. Clearly legal behavior
33. A basis for discrimination against women has been the stereotype that:
- A. Women should not be the financial provider of the family
 - B. Women's place was in the home
 - C. Some jobs could not be done very well by women
 - D. Both A & C are true
 - E. All of the above are true
34. Which of the following is not a protected group in the 1964 Civil Rights Act?
- A. Color
 - B. Religion
 - C. National origin
 - D. Age
 - E. Gender

35. Targets of the Civil Rights Act of 1964 include all except
- A. State and local governments
 - B. Employment agencies
 - C. Labor unions
 - D. Labor union and management cooperative agreements
 - E. All of the above are targets
36. Refusing to hire women (to protect an unborn fetus) in a factory that has dangerous levels of lead exposure is an example of:
- A. Disparate impact
 - B. Adverse treatment
 - C. Disparate treatment
 - D. Sensible and clearly legal behavior
37. The Age Discrimination in Employment Act protects employees and prospective employees:
- A. Over the age of 22
 - B. Over the age of 40
 - C. Over the age of 40 but not beyond 70
 - D. Over the age of 35 but not beyond 75
 - E. None of the above
38. Which type of employer is exempt from the Civil Rights Act of 1964?
- A. Employers with fewer than 15 employees
 - B. Educational institutions (public and private)
 - C. State and local governments
 - D. Employment agencies
 - E. Labor unions
39. The Pregnancy Discrimination Act:
- A. Made exclusion of pregnancy related disabilities from employer medical plans illegal
 - B. Requires that employers carry medical insurance to cover possible pregnancy of employees
 - C. Requires that employers provide paid time off for women disabled due to pregnancy and childbirth
 - D. All of the above are true statements
 - E. A & C only
40. The Immigration Reform and Control Act of 1986 has provisions that include all except:
- A. Employers must ascertain that individuals they hire have a legal right to work in the United States
 - B. It is illegal for an employer to hire an employee who does not have a legal right to work in the United States
 - C. Employers must have affirmative action plans for hiring legal immigrants
 - D. All are provisions of the Immigration Reform and Control Act of 1986
41. The Americans with Disabilities Act:
- A. Applies to all employers, regardless of company size
 - B. Requires employers to make accommodations for all employees who request them
 - C. Requires employers to make only reasonable accommodations for employees covered by the ADA who request them
 - D. Requires employers to make accommodations for all employees covered by the ADA who request them, even if such accommodations may create undue hardship for the company
42. The Americans with Disabilities Act:
- 1. Covers employees who have psychiatric disabilities
 - 2. Requires employers to make reasonable accommodations for covered employees
 - 3. Does require employers to provide special equipment and training B and C only
 - 4. All of the above are true statements

43. The Americans with Disabilities Act:
- A. Prohibits discrimination against disabled individuals
 - B. Requires that employer facilities be accessible to disabled persons
 - C. Requires that employers take steps to reasonably accommodate disabled applicants and employees
 - D. A and C only
 - E. All of the above
44. Executive Order 11246:
- A. Prohibits discrimination as described in Title VII
 - B. Requires affirmative action of many employers
 - C. Requires that employers analyze their workhorses
 - D. All of the above
 - E. None of the above
45. The Family and Medical Leave Act:
- A. Covers all employees, regardless of their length of service with the organization
 - B. Requires employers to allow employees to take time off from work for family activities
 - C. Requires employers to pay employees who take time off from work
 - D. All of the above
 - E. None of the above
46. The *Bakke v University of California* case:
- A. Raised the issue of reverse discrimination
 - B. Legalized the practice of reserving seats for minority applicants
 - C. Decided that race may be considered a factor in admission decisions
 - D. All of the above
 - E. A and C only
47. Court decisions
- A. Interpret statutory law
 - B. Are not in any way binding on individuals except those party to the law suit
 - C. Do not play an important part in understanding legal requirements of legislation
 - D. Are so confusing that no one pays attention to them
48. Which of the following determine the meaning and application of laws?
- A. Federal courts
 - B. Government agencies such as the EEOC
 - C. Various legislative bodies
 - D. All of the above
 - E. B and C only
49. The American with Disabilities Act was passed in:
- A. 1964
 - B. 1974
 - C. 1990
 - D. 1996
50. The acronym FMLA stands for:
- A. Family Maternal Leave Act
 - B. Family & Medical Leave Act
 - C. Fraternal Medics of Louisville Association
 - D. Family Medical Leave Association
51. Executive Orders give direction to governmental agencies, and are issued by:
- A. The Supreme Court
 - B. The Senate
 - C. The Congress
 - D. The President

52. Discuss why—if court decisions often change—there is so much attention paid to the judiciary where HRM and equal employment is concerned.
53. Discuss characteristics and provisions of three of the following: (a) the Equal Pay Act, (b) the Age Discrimination in Employment Act, (c) the Pregnancy Discrimination Act, or (d) the Immigration Reform and Control Act.
54. Describe how each of the following relates to the Americans with Disabilities Act: (a) reasonable accommodation and (b) undue hardship.
55. Discuss the implications of the *California Regents v. Bakke* decision with regard to racial preferences in hiring.
56. List several suggestions for making the workplace more accessible to disabled workers.
57. Explain the provisions of the Family and Medical Leave Act.

58. Discuss the Americans with Disabilities Act with regard to restrictions placed upon employers.

ch02 Key

1. (p. 24) TRUE
2. (p. 31) FALSE
3. (p. 31) FALSE
4. (p. 26) TRUE
5. (p. 28) TRUE
6. (p. 32) TRUE
7. (p. 23) TRUE
8. (p. 23) TRUE
9. (p. 23) FALSE
10. (p. 23) FALSE
11. (p. 32) FALSE
12. (p. 32) FALSE
13. (p. 23) TRUE
14. (p. 36) TRUE
15. (p. 35) FALSE
16. (p. 24) TRUE
17. (p. 22) B
18. (p. 23) B
19. (p. 23) D
20. (p. 24) C
21. (p. 25) B
22. (p. 25) A
23. (p. 28) B
24. (p. 29) C
25. (p. 33) A
26. (p. 28) C
27. (p. 26) B
28. (p. 28) C
29. (p. 28) B
30. (p. 23) B
31. (p. 32) B
32. (p. 23) C
33. (p. 22) E
34. (p. 31) D
35. (p. 32) E
36. (p. 23) C

37. (p. 31) B

38. (p. 23) A

39. (p. 25) A

40. (p. 25) C

41. (p. 31) C

42. (p. 26) no correct answer

43. (p. 31) E

44. (p. 28) D

45. (p. 28) E

46. (p. 32) E

47. (p. 30) A

48. (p. 23) D

49. (p. 31) C

50. (p. 28) B

51. (p. 28) D

52. (p. 30) Employers have often been confused about the guidelines and enforcement of equal employment laws by the EEOC and OFCCP. The resulting confusion and anger have led to many lawsuits concerning the interpretation of equal opportunity laws and guidelines. Several Supreme Court decisions have provided guidance for interpreting equal employment opportunity laws. This can help to refine the broad statutes passed by legislatures, and set precedent for lower courts' interpretation as well as ongoing observance and enforcement of the laws.

- A company must attest that it has verified that the individual is not unauthorized.
 - Makes it illegal to hire, recruit or refer for employment anyone known to be an illegal alien.
Immigration Reform and Control Act (1986)
 - It is an amendment to the Civil Rights Act
 - Employers must treat pregnancy just like any other medical condition with regard to fringe benefits and leave policies
Pregnancy Discrimination Act (1978)
 - Enforceable by the Equal Employment Opportunity Commission
 - Prohibits discrimination against individuals who are at least 40 but less than 70
Age Discrimination in Employment Act
 - Part of minimum wage section of Fair Labor Standards Act
 - Prohibits sex-based discrimination in rates of pay paid to employees
53. (p. 24) Equal Pay Act (1963)

54. (p. 31) Employers must provide reasonable accommodations for disabled employees such as making existing facilities accessible, providing special equipment and training, arranging part-time or modified work schedules, and providing readers for blind employees. Employers do not have to provide accommodations that impose an undue hardship on business operations.

55. (p. 26) Bakke raised the issue of reverse discrimination. The Supreme Court stated that race or ethnic background may be deemed a plus in a particular applicant's file, but it does not insulate the candidate from comparison with all other candidates for the available position.

56. (p. 27) Install wheelchair ramps, widen doors, reposition telephones and water fountains, create designated accessible parking spaces, etc.

57. (p. 28) The Family and Medical Leave Act: Enables qualified employees to take prolonged unpaid leave for family- and health-related reasons without fear of losing their jobs. Employees can use this leave if they are seriously ill, if an immediate family member is ill, or in the event of the birth, adoption, or placement for foster care of a child. Employees must have been employed for at least one year and must have worked for no less than 1,250 hours within the previous 12-month period.

- Entitled to reasonable accommodation
- Psychiatric disabilities are protected
- In 1997 EEOC issued new guidelines
- Participate in contractual arrangements that discriminate against the disabled
- Use tests or job requirements that screen out the disabled
- Limit advancement opportunity
- Inquire whether an individual has a disability
- Discriminate against persons qualified for a job, in hiring and firing
- Under this law employers may not:

58. (p. 31) Americans with Disabilities Act (1990)

ch02 Summary

<u>Category</u>	<u># of Questions</u>
Byar - Chapter 02	58
Difficulty: Easy	13
Difficulty: Hard	15
Difficulty: Medium	30