

## Employment Law Knowledge Self Test

- True False One of the first major human rights laws in the United States in the 20<sup>th</sup> century was The Human Rights Act of 1964.
- True False The law referred to above prohibited discrimination based upon age, race, sex, national origin and religion.
- True False This law also created the Equal Employment Opportunity Commission.
- True False The payment of overtime is governed by The Fair Labor Standards Act of 1938.
- True False Beginning not later than the 12<sup>th</sup> hour in a workday, federal law requires the employer to pay overtime at a rate of one and one-half times the employee's regular rate.
- True False Federal law requires that employees get one 10 minute break in the first four hours of their shift and another 10 minute break in the last four hours of their shift.
- True False The cost to successfully defend an employee discrimination suit through trial is routinely \$100,000 or more.
- True False The Age Discrimination in Employment Act protects all employees aged 60 and older from discrimination.
- True False The Age Discrimination in Employment Act allows mandatory retirement at age 70 for most hourly paid and salaried employees.
- True False There are more charges of retaliation filed with the EEOC than there are for age, disability, national origin or religion cases.
- True False Under federal law, women are considered a minority (as are African Americans).
- True False The Civil Rights Act of 1991 allowed for compensatory and punitive damages for employers found guilty of discriminating based upon a protected status.
- True False The Illinois Human Rights Act list those categories established by federal law and also prohibits discrimination based upon marital status and less than dishonorable discharge.
- True False The Americans with Disabilities act required employers to make reasonable accommodation for the needs of all handicapped employees and candidates for employees.
- True False Under the Equal Pay Act, you may pay more money than women doing the same exact work under some circumstances.
- True False Non-union employees have the right to bring a friend along to an ivestigatory interview, against their boss's wishes, if they believe that the investigation may end in disciplinary action.
- True False The minimum wage is now \$5.75 per hour.

- True False Seventeen years old can work any hours required of them.
- True False Eighteen year olds can work at any hazardous occupation (unless prohibited by specific industry regulation, insurance coverage requirements, etc.) under federal law.
- True False Current users of illegal drugs are protected from adverse job treatment under the Americans with Disabilities Act.
- True False It is ok to ask an obviously pregnant woman when she is due (for purposes of work scheduling) during an employment interview.
- True False Affirmative action plans require set quotas of people from protected classes that must be hired in order to meet legal requirements.
- True False An administrative assistant position is considered non-exempt under applicable wage and hour regulations.
- True False An exempt employee (under the Fair Labor Standards Act) may be paid on either an hourly or salaried basis.
- True False Employees who have completed a year of service with an employer may take up to 12 weeks off to attend to urgent personal business under the Family Medical Leave Act.
- True False Employers have the right to require the use of any accrued paid time off in connection with a Family Medical Leave Act absence.
- True False Employers have the right to require that the employee's doctor certify the medical necessity of the leave.
- True False You are required by the Family Medical Leave Act to pay the full amount of an employee's health insurance during a leave of absence.
- True False The Health Insurance Portability and Accountability Act limits the length of time a pre-existing condition can be excluded from coverage under the new employer's medical plan.
- True False The Immigration Reform and Control Act requires that employers determine the legal authorization to work in the US of all employees hired.
- True False A disparate impact occurs when there is intent to treat protected class members differently from non-protected class individuals.
- True False An employee is considered "at will" if there is a clear "at will" message in the employee handbook.
- True False Approximately 50% of all EEOC claims result in findings of discrimination.
- True False Back problems are the most frequent disability cited in ADA claims.

***How many did you get right?***