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Chapter 2--The Legal Environment

Student: _____

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True False

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44. Ian owns a construction company with five employees. He wants to fire someone. He has no legal staff to advise him, so he should terminate the employee now.
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46. Describe the regulatory process for human resource management in the United States.

47. Describe the two types of sexual harassment identified by the courts.
48. Summarize the protections that workers are afforded under the Fair Labor Standards Act.
49. What worker rights are regulated by the National Labor Relations Act? How does this Act differ from the other two significant pieces of legislation regarding labor relations^{3/4}the Taft-Hartley Act and the Landrum-Griffin Act?

50. How does an organization evaluate its compliance with legal requirements?

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46. Describe the regulatory process for human resource management in the United States.

First, new regulations are created as statutes or laws by the national, state, and local government bodies. The president of the US and Supreme Court also influence the regulatory environment. Second regulations are enforced by agencies. Fines and lawsuits are the main tools available to enforce regulations. Lastly, the regulations are implemented in organizations.

47. Describe the two types of sexual harassment identified by the courts.

The more overt type of sexual harassment is quid pro quo harassment. This occurs when the harasser offers to exchange something of value for sexual favors. The more subtle type of sexual harassment is a hostile work environment, which results from a climate or culture that is punitive toward people of a different gender.

48. Summarize the protections that workers are afforded under the Fair Labor Standards Act.

The Fair Labor Standards Act guarantees that a worker will earn a minimum hourly wage. At this time, that wage is set at \$7.25 per hour and the rate is adjusted periodically. Another provision is the establishment of the 40-hour workweek with the requirement that employers pay time-and-a-half for hours worked in excess of 40. The FLSA also forbids child labor, including forbidding the employment of workers between 16 and 18 in certain hazardous industries and restricting the employment opportunities and hours of persons under the age of 16.

49. What worker rights are regulated by the National Labor Relations Act? How does this Act differ from the other two significant pieces of legislation regarding labor relations^{3/4}the Taft-Hartley Act and the Landrum-Griffin Act?

The National Labor Relations Act (the Wagner Act) gives employees the right to form unions and requires employers to negotiate in good faith with legally established unions. This legislation increased worker rights and union membership. In contrast, the Taft-Hartley Act and the Landrum-Griffin Act were both enacted to limit the power of unions. When the Wagner Act led to workers having too much power over employers, the second two acts redressed the imbalance and gave some power back to employers.

50. How does an organization evaluate its compliance with legal requirements?

Legal requirements on businesses are clearly very numerous and complex, so organizations must use a variety of mechanisms to ensure compliance. One important technique is to educate all managers and workers, not only those in the human resource function, about issues ranging from sexual harassment to racial discrimination to employee privacy rights. This should help to reduce behavior that might cause legal problems and will allow workers and managers to serve as on-the-spot observers for problem behavior. It is also important for the firm's legal and human resource staff to possess and communicate up-to-date information about the legal environment. This mandates continuing education for these workers. In addition, many organizations use outside consultants to monitor and report compliance problems. This is especially helpful in specialized areas such as the correct use of manufacturing safety procedures.