

Learning for Earning

Your Route to Success

Sixth Edition



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PowerPoint Presentations for

Learning for Earning

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CHAPTER

3

**The Law in the
Workplace**



Chapter Objectives

After studying this chapter, you will be able to

- define discrimination and list workplace examples.
- identify laws that make workplace discrimination illegal in employment opportunity, pay, physical disability, and age.
- describe two general forms of sexual harassment.
- propose the steps to take to stop any sexual harassment or discrimination at work directed at you.
- list the four conditions addressed by the Family and Medical Leave Act.



Key Terms

- discrimination
- Equal Employment Opportunity Act
- EOE
- Equal Pay Act
- piecework
- Americans with Disabilities Act
- Age Discrimination Act
- sexual harassment
- Family and Medical Leave Act

What Is Discrimination?



- ***Discrimination*** – Unfairly treating a person or group of people differently.
- ❖ *What are some examples of discrimination?*

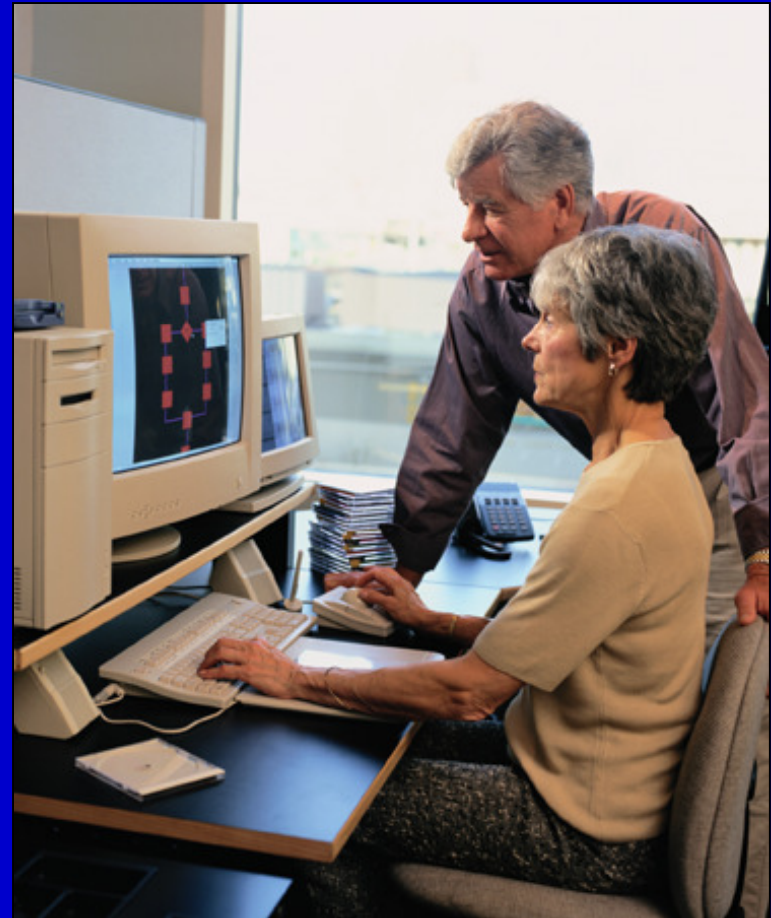
Equal Opportunity

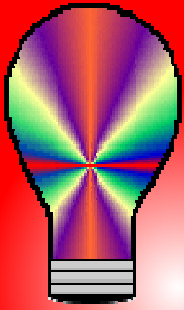


- ***Equal Employment Opportunity Act*** – A law that makes it illegal for an employer to discriminate because of
 - race
 - color
 - religion
 - sex
 - national origin

Equal Opportunity

- Newer laws make it illegal to discriminate against people in the workplace due to
 - disability
 - age
 - marital status





Think About It

- **EOE** – An equal opportunity employer.
- ❖ *Where have you seen the letters "EOE" appear?*
 - ❖ *The letters frequently appear in job ads in local newspapers and on the Internet.*

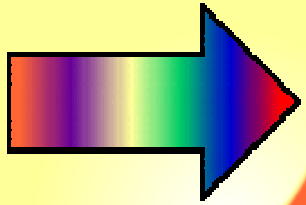


Equal Work, Equal Pay

- ***Equal Pay Act*** – A law that prohibits unequal pay for men and women who are doing essentially the same work for the same employer.
- The law requires the employer to increase the wages of the lower-paid worker to match that of the higher-paid worker.

Pay Differences

- People doing the same work can legally have different pay levels if any of these factors exist:
 - length of time with the company
 - experience in the job
 - advanced training
 - productivity or greater work output
- Employers consider these factors when rewarding workers who merit more pay.



In Your Opinion

- ❖ *Should length of time with the company and experience be reasons for employees to receive higher pay?*



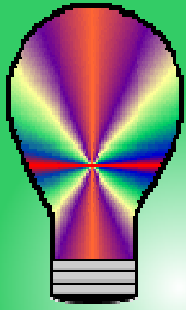
Pay Differences



- Productivity can be measured in piecework.
- ***Piecework*** – A job in which something is produced by an individual that can easily be counted.

A Barrier-Free Workplace

- ***Americans with Disabilities Act*** – A law that prohibits employers from discriminating against people with physical disabilities.
- An employer cannot ask a job seeker about physical disabilities, but can question the person's ability to do the work well.



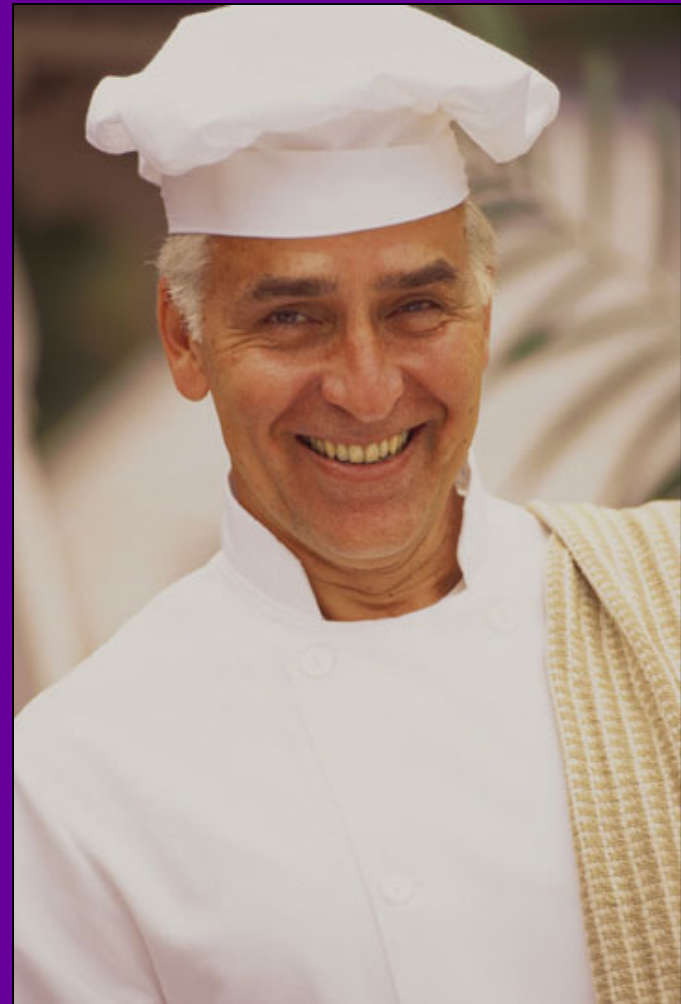
Think About It

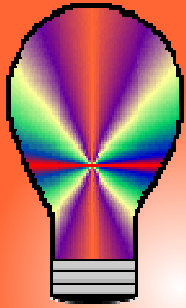


- ❖ *What are some examples in your community of accommodations made for people with disabilities?*

Age Discrimination

- ***Age Discrimination Act*** – A law that prohibits employers from not hiring people simply because they are older.
- People over age 40 are common victims.





Think About It



- ❖ *Would you prefer to buy items from a younger salesperson? Why?*

What Is Sexual Harassment?

- ***Sexual Harassment*** – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when it is made a condition of employment or of a person's work performance or environment.
- Sexual harassment takes two basic forms.



Advances from Authority Figures

- This form of sexual harassment is described as *something given for something else*.
- It usually involves one of the following:
 - a promise of a reward
 - a threat, such as “do this or else”



A Hostile Environment

- This form of sexual harassment involves a workplace that is purposely made unpleasant to interfere with a person's performance.
- Offensive jokes, gestures, comments, music, pictures, signs, and objects are commonly used.



Did You Know?

- ❖ *The Equal Employment Opportunity Commission (EEOC) received 12,510 charges of sexual harassment in 2007, 16% of which were filed by men.*
- ❖ *Those found guilty paid over \$50 million in fines.*



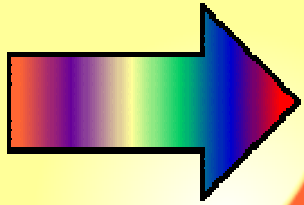


Recognizing Sexual Harassment

- *Physical harassment* – Touching, holding, grabbing, and all other unwanted physical contact.
- *Verbal harassment* – Telling offensive jokes, using offensive language, or making suggestions of a sexual nature.
- *Nonverbal harassment* – Offensive gestures, staring at a person's body, or circulating suggestive letters, e-mails, cartoons, or other material of a sexually-oriented nature.

Discouraging Sexual Harassment

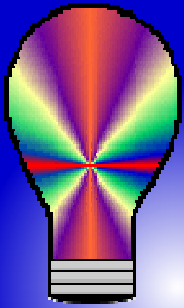
- Dress appropriately for the job.
- Become familiar with your rights.
- Know the procedures for reporting harassment.
- Conduct yourself in a businesslike manner at all times.



In Your Opinion

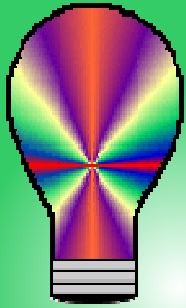


- ❖ *Considering the clothing styles in fashion today, what items might not be appropriate for the workplace?*



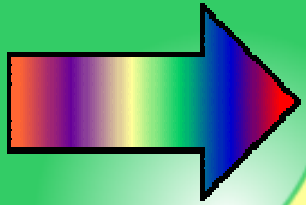
Think About It

- ❖ *The boss asks Ms. Doe to work late and, when she agrees, thanks her by giving a big hug. This is not the first time he has done so, but this time his hand touches her in a place that makes Ms. Doe very uncomfortable.*
- ❖ *Is this sexual harassment?*



Think About It

- ❖ *Throughout the evening the boss finds reasons to check on Ms. Doe, each time making some kind of physical contact. The boss promises Ms. Doe a promotion.*
- ❖ *Is this sexual harassment? If so, what should Ms. Doe do?*



In Your Opinion



- ❖ *What can you add to the list of examples of sexual harassment?*



Facing Discrimination or Sexual Harassment

- Recognize that employers want the workplace free of all harassment.
- Your greatest weapon against illegal behavior at work is knowing your rights and proceeding confidently.
- It is illegal for employers to retaliate against workers who file complaints or serve as witnesses.



Action to Take

- Remain professional.
- Tell the offender to stop the illegal behavior, verbally at first, then by letter. Keep a copy in a safe place.
- Record the facts, noting details of ongoing events and possible witnesses.
- Report the offense to the proper authority.

The Family and the Workplace



- ***Family and Medical Leave Act*** – A law that allows 12 weeks off without pay per year in certain cases to handle special family matters.



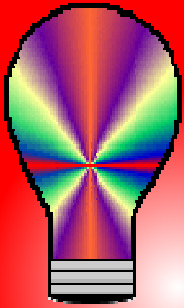
The Family and the Workplace

- Family situations covered by the Family and Medical Leave Act include
 - having or caring for a new baby
 - adopting a child or adding a foster child
 - being unable to work because of illness
 - caring for a sick child, spouse, or parent

The Family and the Workplace



- A significant benefit of the law is employees can keep their health insurance and return to their jobs with no reductions in benefits or pay levels.



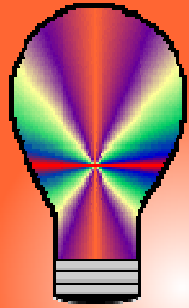
Think About It

- ❖ *List some possible consequences of losing the right to return to work after staying home to care for a seriously ill family member.*
- ❖ *Explain how you, as company president, would handle a worker's complaint about losing a well-deserved promotion because of discrimination.*



Chapter 3: In the Know

- Discrimination is illegal in the workplace when race, color, religion, sex, national origin, disabilities, age, or marital status is an issue.
- Sexual harassment is a type of workplace discrimination.
- Workers have a legal right to a workplace free of discrimination.
- The law allows unpaid leaves up to 12 weeks for some workers with special family demands.



Chapter 3: Think More About It

- ❖ *What is the school's policy regarding discrimination?*
- ❖ *Who is the school district's affirmative action officer?*
- ❖ *What steps should a student take if sexual harassment occurred?*