Assignment 4 - Guide and Expectations

The Value of Fair Treatment in the Work Place (200 points)

Recommend 4-6 pages

* **Foundation from reading Chapters 19 and 20 -** Jennings, Marianne. (2018). *Business: Its Legal, Ethical, and Global Environment (11th ed.)*. Mason, OH: Cengage Learning.
* **Cover Page -** *Include your name and date*

You have been hired as a management consultant by a large company to examine the company's business decisions regarding employee protections. The applicable laws are federal anti-discrimination laws, federal health and safety laws, and employer firing practices related to the employment-at-will (EAW) doctrine.

1. **Analyze, identify, and explain (2) recent legislations, within the last 10 years (*you may go back over 10 years ago but include a recent case example to exemplify how the law is still used today)* that helps to protect employees from discrimination in the workplace. Provide at least (2) two federal legislative protections. Provide some insight when the federal legislation conflicts with the state. (25%)**

* Examine the definition of workplace discrimination.
* Discuss 2 federal legislations that protects employees from discrimination in any capacity. See the textbook and/or: <https://www.eeoc.gov/laws/types/index.cfm>
* Discuss relevant and recent caselaw to explain legislation protections.
* What is the procedure when federal legislature (laws) conflicts with the State (laws)? In other words, what is the Supremacy Clause?
* Support your answer where applicable.

**2) Explain the EAW doctrine and ALL exceptions to the doctrine. (25%)**

* Explain the Employment at Will Doctrine in your own words.
* Explain all the Exceptions and think outside the box.
* What are the common rules and policies - such as anti-discrimination laws and other employment laws, that protect employees from termination?
* Think about all the areas of law we covered this quarter.
* What specific legislation has been written? (Example: Whistleblower protections)

**(2) Look at the scenarios below and determine whether the decision to fire the employee is a smart one. Identify why or why not, and determine all the possible exceptions per the EAW doctrine that are, might be, or could be applicable if the employee sues for wrongful termination**

* Ask yourself – is this a case of wrongful termination OR is there an exception that would protect this employee – why or why not?
* Can the employee make a good argument that there is not an exception and the firing is legal?
* Use statutes and/or case law to support your answer where applicable.

***SCENARIOS – ANSWER ALL:***

***Brenda, a manager, started a blog on the company website for employee grievances. She noticed that a worker was protesting that no Asian American employees had gotten a raise in two years at the company. The worker also criticized how much the CEO made and how the CEO was "out of touch." Brenda reprimanded the worker. The next day, the worker talked to fellow co-workers about forming a union. Brenda subsequently fired the worker.***

***Jason, a department supervisor, requests approval to fire his secretary, Alice. Alice, a devout Christian, has been putting Right-to-Life flyers in the employee breakroom. Alice is also taking time out to pray each day during the busiest time of the morning.***

***Brian, the head of the accounting department, refused to sign Lori's leave request for jury duty. Lori is a tax attorney in his department. Brian wants to fire Lori for being absent without permission during their busiest time—tax season.***

***Peter has worked for the company for one year. He has a rare form of liver disease and works with chemicals that make his condition worse. Peter does not want to stop working, but his boss is not happy with his performance and wants to let him go.***

**3)  Determine the federal law regarding undocumented workers and whether they are eligible for state workers’ compensation in the United States. Advocate for or against this practice and substantiate your response with research to support your position. (25%)**

* What is the federal law regarding those undocumented and working in the US and, what is required for employers to verify employment?
* Explain your State worker’s compensation in the US and whether it applies to undocumented workers.
* Explain what an undocumented worker is – what does this mean?
* Explain how federal immigration law conflicts with the state worker’s compensation law.
* Argue for or against this practice and provide – why you agree or do not agree with it.
* Provide some substance to your answer.

**Use at least two (3) quality resources in this assignment. (15%)**

* Quality resources are course textbook, published books, academic journal articles, and expert report. **Wikipedia is not accepted**.

**Clarity, writing mechanics, and formatting requirements and citing sources per SWS requirements. (10%)**

**Please review how to cite your references pursuant to Strayer Writing Standards. See the link in Blackboard**. Citing a website only is NOT acceptable and does not follow SWS. Failure to cite sources in the text of the paper will result in a zero grade until corrected and a late penalty may apply.

Do

* Start your Assignment early (Do not wait to start 48 hours before the Assignment is due).
* Discuss each question equally – for example do not write 2 pages for question 1, and 2 sentences for question 3.
* Your answers should be based on your research of the law and facts.
* Ensure you submit the correct paper.
* Use the help provided to you such as Grammarly and the online tutor.

Don’ts

* Do not write an announcement in your paper, for example, “In this paper I will discuss the laws on discrimination.” This may increase your SafeAssign score.
* Do not write about your personal experiences in your paper.
* Do not use irrelevant diagrams, charts or pictures in your paper.
* Do not copy and paste material – paraphrase and put answers in your own words.
* Do not write more than 6 pages for this assignment
* Do not write the questions of the assignment in the paper!

**Keep Calm and Good Luck!**