Presentation Outline

FEDERAL LAWS

* **Title VII of the Civil Rights Act of 1964**
  + Applies to employers who have 15 or more employees
  + Prohibits discrimination against an individual on the basis of race, religion, color, sex, sexual orientation, parental status, national origin, age, disability, family medical history or genetic information, political affiliation, military service
  + This law also prohibits harassment in the workplace
  + **Compliance:** treat all employees and applicants equally regardless of their protected status. Do not base any employment decisions based on their protected status. Be consistent with employment decisions.
* **Fair Labor Standards Act** 
  + Sets the federal minimum wage and overtime pay.
  + Requires that employees be paid hourly minimum
  + Requires that employees be paid at time ad half for all hours worked in excess of the normal 40 hours a week.
  + **Compliance:** Pay employees at lease minimum wage and overtime when required. Consult with human resources when making changes to an employee’s duties because this may affect whether or not that employee is eligible or ineligible for overtime pay. If you have non-exempt employees be sure to keep track, manage, and record all hours that they worked.
* **Family Medical Leave Act** 
  + Applies to organizations with 50 or more employees.
  + Requires that eligible employees be allowed to take up to 12 weeks of unpaid time off for the birth of a child or adoption of a child or to care themselves or a sick child, spouse or parent who has a serious health condition.
  + Employees who have worked with the organization for at least 1 year are considered eligible employees
  + **Compliance:** When an employees requests leave, determine if their request meets the criteria for FMLA leave. Employees do not necessarily need to use the term “FMLA leave” when requesting leave to be eligible. Work with your human resources department to identify those employees who may be eligible.
* **The Age Discrimination in Employment Act** 
  + You cannot discriminate against anyone over the age of 40 because of their age in decisions regarding hiring, promotion, discharge, compensation, or terms, conditions or privileges of employment.
  + Compliance: Supervisors must never take a person's age or proximity to retirement into account when making employment decisions such as assignments, hiring, firing, pay, benefits, or promotions, training programs, and other terms and conditions of employment. Supervisors must never assume that older workers can no longer do a particular task or job, communicate in a way that implies bias, replace older workers with younger ones for illegitimate reasons, or discipline older workers more harshly.
* The Americans With Disabilities Act