

## Syllabus

### Course Overview

This course provides you with an opportunity to examine human resources law as it is applied in the workplace and to address the intent of the law that goes beyond compliance. You are also challenged with a project that helps you understand and appreciate the need to be proactive in the workplace. From recruitment and selection, through termination, each phase of the employment life cycle is regulated by some aspect of human resources law.

At the foundation of your study is an examination of U.S. human resources legislation as it has evolved in direct relationship to people and their work. The course presents a chronological sequence of study:

- Bill of Rights, 1791.
- Civil rights acts.
- Executive orders.
- Fair Labor Standards Act (FLSA).
- Employee Retirement Income Security Act (ERISA).
- Legislation that created the agencies currently monitoring workplace standards, such as:
  - Equal Employment Opportunity Commission (EEOC).
  - Occupational Safety and Health Administration (OSHA).
  - Department of Labor (DOL).
  - Lilly Ledbetter Fair Pay Act of 2009.

In this course, you will gain an appreciation for the complexity of human resources law and learn that grasping its overall objective is key to building a successful career in management.

**Of particular note with regard to the scope of this course:** Before examining any legal issues of human resource management, you must look to the legal framework that governs its intent and application. This course confines the academic portion of study to U.S. law, with the understanding that many of the theories you study and the process by which you examine U.S. law can be applied to other countries. This is not to imply that the course will be an in-depth study of the law. The course addresses the legal issues of human resource (HR) management, such as:

- Issues that affect current working environments.
- How you, as an HR or line manager, will respond to these issues.
- How you can prevent these issues from becoming problems for your employer or company.

You are encouraged to bring personal experiences within different cultural settings to course discussions.

While this course focuses on U.S. law, we fully acknowledge the global nature of business and the overlapping legal issues that further complicate an interpretation and application of any law. However, this course does not study the law; it studies the application of the law and is designed to work within the practical aspect of human resource management.

### Course Competencies

(Read Only)

To successfully complete this course, you will be expected to:

- 1 Examine the effect of the employment process on current work environments.
- 2 Analyze trends and changes in the laws on diversity, gender, and harassment.
- 3 Apply the laws and safety issues in the workplace.
- 4 Determine the impact of employment laws on the policies that support an organization's mission, vision, and values.
- 5 Create strategies for recovery from exposure to liabilities.
- 6 Communicate in a manner that is scholarly, professional, and consistent with expectations for members of the human resource profession.

### Course Prerequisites

*There are no prerequisites for this course.*

## Syllabus >> Course Materials

### Required

The materials listed below are required to complete the learning activities in this course.

### Integrated Materials

Many of your required books are available via the VitalSource Bookshelf link in the courseroom, located in your Course Tools. Registered learners in a Resource Kit program can access these materials using the courseroom link on the Friday before the course start date. Some materials are available only in hard-copy format or by using an access code. For these materials, you will receive an email with further instructions for access. Visit the [Course Materials](#) page on Campus for more information.

Book

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage. ISBN: 9781337555326.

## Library

The following required readings are provided in the Capella University Library or linked directly in this course. To find specific readings by journal or book title, use [Journal and Book Locator](#). Refer to the [Journal and Book Locator library guide](#) to learn how to use this tool.

- Eisenberg, S. N., & Williams, J. T. (2015). Evolution of wage issues in the restaurant industry. *ABA Journal of Labor & Employment Law*, 30(3), 389–407.
- Tolle, N. L. (2010). Circuit court decides that ADA can obligate employer to accommodate employee's disability-related difficulties in getting to work, if reasonable. *Employee Benefit Plan Review*, 65(1), 17–18.
- Tolle, N. L. (2008). Court rejects employee's claim for compensation for time spent taking college courses. *Employee Benefit Plan Review*, 63(2), 18–19.

## External Resource

Please note that URLs change frequently. While the URLs were current when this course was designed, some may no longer be valid. If you cannot access a specific link, contact your instructor for an alternative URL. Permissions for the following links have been either granted or deemed appropriate for educational use at the time of course publication.

- Internal Revenue Service (IRS). (2014). Employee vs. independent Contractor: Seven tips for business owners. Retrieved from <http://www.irs.gov/uac/Employee-vs.-Independent-Contractor—Seven-Tips-for-Business-Owners>
- Internal Revenue Service (IRS). (2014). Independent contractor (self-employed) or employee? Retrieved from <http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Independent-Contractor-Self-Employed-or-Employee>
- Lilly Ledbetter Fair Pay Act of 2009. Pub. L. No. 111-2, 123 Stat. 5 (2009).
- MacLaury, J. (n.d.). A brief history: The U.S. Department of Labor. U.S. Department of Labor. Retrieved from <http://www.dol.gov/oasam/programs/history/dolhistoxford.htm>
- Mary Ann Singleton v. Department of Correctional Education; Commonwealth of Virginia. No. 03-2160 (4th Cir. Nov. 17, 2004). null
- Nolo. (2014). Written employment contracts: Pros and cons. Retrieved from <http://www.nolo.com/legal-encyclopedia/written-employment-contracts-pros-cons-30193.html>
- Population Reference Bureau. (2014). 2014 world population data sheet. Retrieved from [http://www.prb.org/pdf14/2014-world-population-data-sheet\\_eng.pdf](http://www.prb.org/pdf14/2014-world-population-data-sheet_eng.pdf)
- U.S. Census Bureau. (n.d.). United States Census 2010. Retrieved from <http://www.census.gov/2010census/>
- U.S. Department of Labor. (n.d.). The Fair Labor Standards Act (FLSA). Retrieved from <http://www.dol.gov/compliance/laws/comp-flsa.htm>
- U.S. Equal Employment Opportunity Commission (EEOC). (n.d.). EEOC enforcement and litigation statistics. Retrieved from <http://eeoc.gov/eeoc/statistics/enforcement/index.cfm>
- U.S. Equal Employment Opportunity Commission (EEOC). (n.d.). EEOC: The early years (transcript). Retrieved from <http://www.eeoc.gov/eeoc/history/35th/videos/longintro-text.html>

## Suggested

The following materials are recommended to provide you with a better understanding of the topics in this course. These materials are not required to complete the course, but they are aligned to course activities and assessments and are highly recommended for your use.

## Optional

The following optional materials are offered to provide you with a better understanding of the topics in this course. These materials are not required to complete the course.

## External Resource

Please note that URLs change frequently. While the URLs were current when this course was designed, some may no longer be valid. If you cannot access a specific link, contact your instructor for an alternative URL. Permissions for the following links have been either granted or deemed appropriate for educational use at the time of course publication.

- American Arbitration Association. (n.d.). Retrieved from <https://www.adr.org/>
- Great Place to Work Institute. (n.d.). Retrieved from <http://www.greatplacetowork.com>
- National Labor Relations Board. (n.d.). Fact sheets. Retrieved from <http://www.nlrb.gov/resources/fact-sheets>

## Projects

## Project >> Policy and Procedure

### Project Overview

For the course project, you will serve as the HR manager for a new, large-scale garden center and demonstrate your knowledge and basic application of employment laws through the phases of the employment life cycle. You are provided with various employee situations that will require you to make decisions that are in accordance with employment laws. The garden center management is not familiar with employment laws or HR best practices, so you will explain to management how the policies and procedures are compliant with employment laws.

The project will draw from each unit's objectives as you protect a garden center's business through good compliance, while ensuring fair and equitable treatment of employees. The project is comprised of four assignments.

Throughout the course, you are provided with valuable information and resources intended to thwart and redirect potential liability for any employer, as well as to save on legal expenses.

Following are the garden center's mission and vision statements.

**Mission Statement:** *Our goal is to be a prosperous and valuable garden center that helps the community put the "green" back into everyday life.*

**Vision Statement:** *Our purpose is to be a knowledge resource to our community and clients with the best earth friendly garden products at a fair price.*

The garden center operates year round, but of course has many seasonal workers during spring, summer, and early fall to meet peak season demands. There are two people running operations, and two on-site supervisors. The operations and supervisor roles are exempt positions, while the cashier positions, stockers, and plant care specialists are all nonexempt roles. All are hired at-will. There are heavy products and chemicals present in this environment.

You will demonstrate your knowledge of employment law in the following assignments. All project assignments build to the final paper, which is submitted in Unit 10.

## Unit 2: Employment Category Analysis

To begin, you will complete an employment category analysis in which you examine all of the employment category types, discern the differences between exempt and nonexempt employees, and determine the classification of workers you will use to staff the garden center during the summer. You will justify the allocation of workers by employment categories, and explain why you recommend these allocations and how they support the company's mission and vision statements.

Refer to the Unit 2 assignment for detailed instructions.

## Unit 3: Legalities of Employment Screening Exams

The management of the garden center believes the stockers must be able to occasionally lift 50 pounds, so some sort of testing or pre-employment screening is necessary. In this assignment, you will learn about the legal aspects of employment screening exams and judiciously plan exams that are compliant with employment law, yet assist in selecting the most qualified individuals for the job.

Refer to the Unit 3 assignment for detailed instructions.

## Unit 7: Diversity, FMLA, and Compensation

The garden center management has limited knowledge of employment law as it relates to hiring processes. In this assignment, you will describe the hiring process in relation to diversity, FMLA benefits, and employee compensation.

Refer to the Unit 7 assignment for detailed instructions.

## Unit 8: Post Project Draft for Peer Review

You will post a draft of your course project paper to the first Unit 9 discussion by the end of Unit 8. You will complete peer reviews of two peers' project drafts by the end of Unit 9. The purpose of this activity is to identify areas to strengthen in the course project that you submit in Unit 10.

## Unit 10: Course Project Submission

The final paper you submit in Unit 10 should summarize the garden center's plans and policies regarding legal factors that you examined throughout this course. Refer to the Unit 10 assignment and its scoring guide for detailed instructions and to ensure you are meeting the grading criteria.

- Recommend a solution.
- Include all key components.

- Include a complete references list using [APA citing and referencing](#) standards.
- Comply with APA (6th edition) guidelines.

## Project Components

Activity	Grade Weight (%)
u02a1 - Employment Category Analysis	10
u03a1 - Legalities of Employment Screening Exams	10
u07a1 - Diversity, FMLA, and Compensation	10
u10a1 - Policy and Procedure	25

## Unit 1 >> Evolution of Employment Law and Changing Demographics

### Introduction

A law cannot ensure that a behavior will change. Laws and behaviors are not fixed and in order to study them you need to put them in perspective. Unit 1 looks at the law in relation to workplace behaviors and shifts in demographics. Specifically, it looks at the foundation of U.S. law and the related legislation enacted to address the rights of U.S. citizens as they engage in workplace contracts and activities. The readings in Unit 1 will help define the scope of this course, particularly in terms of how it relates to current workforce demographics.

You will see how the law evolved or, in effect, responded to the demands of participants. You will learn which participants were included and how rapidly their participation in the workforce changed. You will see that shifts in population directly affected the available labor pool, and discern how the workforce evolved and was managed through legislation.

Events and inventions demanded that workers develop different skill sets. As those forces of change arose, public pressure, under the banner of equal opportunity, influenced the workplace and the courts. In an agrarian society, one works on the land. In an industrialized society, one works in union with an enterprise. In a service society, one works in relationship with other people.

As you look to the global workplace, you see participants in the labor contract at different stages of managing relationships. The U.S. laws of the eighteenth century were written in response to the laws of England's domination. The country's laws of the twenty-first century are written in direct response to the electorate of today—diverse in race, religion, age, gender, disability, marital status, and sexual orientation. In Unit 1, you will examine those legislative milestones that have defined and refined the framework of managing human resources today.

As you study the statistics in this unit, keep the legislative time line in mind. Observe the direct relationship between the legislative process and the human factor. Test your intuitions in your own workplace and community. Do not hesitate to challenge the numbers. Look at the trends in the United States and place them in the context of a global labor pool and marketplace.

### Learning Activities

#### u01s1 - Studies

## Readings

Complete the following reading from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 1, "Overview of Employment Law," pages 3–33, provides background information on employment laws and the processes involved in enforcing them.

Use the Internet to complete the following:

- Read the Population Reference Bureau's [2014 World Population Data Sheet](#).
- Read the MacLaury article, "[A Brief History: The U.S. Department of Labor](#)."
- View the [United States Census 2010](#) Web site to find the 2010 statistics for your home state. The last census was completed in 2010.
- In preparation for the second discussion question in this unit, review the following information on the U.S. Equal Employment Opportunity Commission Web site:
  - [EEOC Enforcement and Litigation Statistics](#).
  - [EEOC: The Early Years](#).

## Multimedia

Click **HR and Legal Perspectives** to view the media piece.

Click **Law Terms Flashcards** to view the media piece.

Click **Employment and Labor Law Timelines** to view the media piece.

Course Resources

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[Employment and Labor Law Timelines](#)

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[Law Terms Flashcards](#)

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[HR and Legal Perspectives](#)

### u01s2 - Project Preparation

In preparation for the course project, read the Policy and Procedure course project description for an awareness of the project assignments and their requirements. In this unit, begin thinking about how laws apply to the employment environment.

### u01d1 - Future Workforce Trends

To complete this discussion:

- Find the statistics for your home state from the United States Census 2010 Web site. If you do not reside in the United States, choose a U.S. state you are interested in learning more about.
- Find three facts or trends that you think reflect what is happening in your state's workforce.
- Write a short summary stating the facts, why you think they are important, and what impact they might have on the future workforce. In addition, what conclusions can you draw about the future workforce, based on the EEOC's Enforcement and Litigation Statistics Web site?

## Response Guidelines

Review your peers' reports on workplace demographics. Respond to at least two peers, identifying laws you think might be important in the workplace because of these trends.

Course Resources

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[Undergraduate Discussion Participation Scoring Guide](#)

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[EEOC Enforcement and Litigation Statistics](#)

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[APA Style and Format](#)

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[United States Census 2010](#)

### u01d2 - Impacting Laws in the Workforce

To complete this discussion, reflect on the evolution of employment law as presented in this unit's studies. After reviewing the Employment and Labor Law Timelines and the EEOC's Web site, respond to the following:

- Interpret two current employment laws that you feel have the greatest impact in the workplace today. As you interpret each law, clearly communicate its purpose and the parties who are protected by it. Other topics you might discuss include:
  - What is the role of the EEOC in helping to enforce each law?
  - Compare the rights and responsibilities for employers and employees under EEO law.
  - Describe how each law might change over the next 10 years.
- Explain current demographics and trends that may be the cause for future changes to employment laws. Examples you might consider could include if the workforce is aging and the impact on available talent, the increase of women and ethnic minorities in the workplace, and the implications for a gender-balanced workforce throughout an organization.

## Response Guidelines

Read the posts of your peers and respond to at least two other learners. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback. Ensure your opinion is supported by facts or data found from a credible resource such as those provided in this unit.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

## Unit 2 >> Defining the Relationship Between Employer and Employee

### Introduction

In Unit 1, you saw how the law evolves over time as the workplace and its participants demand change. Unit 2 delves into the different types of employment relationships that exist today. Classifying an employee's status can be almost as important as defining the tasks of the job, especially when courts must interpret the law. In this unit, you will examine the primary types of work agreements—from handshakes and contracts to employment at-will and temporary agreements.

When work needs to be done, hiring the right person is usually foremost on the mind of the employer. How that person is classified once hired, typically, is the responsibility of the HR department. Often that classification may become the single most important factor in resolving workplace disputes. In this unit, you will explore options for engaging the right people with the best agreements.

The most prevalent understanding between an employer and an employee is set at the point of hire by an agreement to pay a certain wage for a given piece of work under certain terms and conditions. The earliest agreements were based on a symbolic handshake and the bond between the two parties. That symbolic handshake is the basis of employment contracts today, but the symbols and terms have changed considerably.

### Learning Activities

#### u02s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 2, "The Employment Relationship," pages 37–66. This reading explores employment terms and the legal significance of employment relationships.
- Chapter 3, "Overview of Employment Discrimination," pages 71–105.

Use the Internet to complete the following:

- Read "[Written Employment Contracts: Pros and Cons](#)" from the Nolo Web site.
- Read the laws and legal descriptions of employees versus independent contractors on the IRS Web site:

- [Independent Contractor \(Self-Employed\) or Employee?](#)
- Read [The Fair Labor Standards Act \(FLSA\)](#) on the U.S. Department of Labor's Web site.

## Optional Reading

- Peruse the [American Arbitration Association](#) Web site.

### u02s2 - Project: Assignment Preparation

This week, you will begin work on your course project. In addition to the project assignment that is due in this unit, the Legalities of Employment Screening Exams assignment is due at the end of Unit 3. Refer to the Unit 3 assignment for a detailed description of this assignment, and to the Legalities of Employment Screening Exams Scoring Guide to ensure that you meet the grading criteria.

### u02a1 - Employment Category Analysis

For this project assignment, consider the jobs present in a large-scale garden center. They include cashiers, stockers, gardeners, and supervisors. Be practical and consider future liability in your choices. You do not need to use all categories if you believe that one or more categories are irrelevant to the work being performed. Write a 3–4 page employment category analysis in which you address the following topics:

- Compare the pros and cons of each category for the above positions (full- and part-time employees, independent contractors, temporary employees, interns, students, volunteers, and partners).
  - Determine which roles you can creatively staff during your busiest times of the year (you will have a mix of 40 employees during peak season).
  - Explain if you can consider students, interns, or temporary employees for these roles. Why or why not?
  - Explain if you can hire independent contractors for these roles. Why or why not?
- Apply the exempt and nonexempt employment categories to the roles at the garden center, explaining why these positions are exempt and nonexempt (which should include the essential duties of the job).
- Describe the act that mandates paying at least minimum wage and overtime to your nonexempt employees.
- Analyze the ideal allocation of workers by employment category that you will use to staff the garden center during the summer, its busiest time of the year.
  - Ensure your allocations support the mission and vision of the company.
  - Justify the allocation of workers by employment categories.

Refer to the Employment Category Analysis Scoring Guide to ensure that you meet the grading criteria for this assignment.

## Submission Requirements

- **Written communication:** Written communication is free of errors that detract from the overall message.
- **APA formatting:** Resources and citations are formatted according to APA (6th ed.) style and formatting.
- **Length:** 3–4 double-spaced, typed pages, excluding title page and reference page.
- **Font and font size:** Times New Roman, 12 point.

**Note:** Your instructor may also use the Writing Feedback Tool to provide feedback on your writing. In the tool, click the linked resources for helpful writing information.

Course Resources

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[Writing Feedback Tool](#)

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[APA Style and Format](#)

## u02d1 - Position Classifications: Employee Versus Contractor

Employers are constantly faced with the decision whether to hire employees or use contractors. Some candidates may prefer to be classified as contractors for a variety of reasons and, likewise, the employer incurs less risk with contractors than employees. Nevertheless, it is the law that dictates the status of these candidates.

Based on what you have learned about this topic at the IRS Web site, respond to the following:

- Examine the differences between employees and contractors, and determine how an employer should decide which to use.
- Consider an example from your own employment, or one you are familiar with, and explore the rules that led to the proper classification of the positions.

### Response Guidelines

Read the posts of your peers and respond to at least two learners. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback. What can you add to their comments on this issue?

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

## u02d2 - Employment Debate

There is much debate today about the contingency workforce and the former implied permanent relationship in the workforce. For this discussion, respond to the following prompts:

- Given our global economy and the use of technology, do you think it is time to encourage a return to more long-term employment relationship thinking? Explain your position.
- Using the NOLO Web site as a resource, describe the pros and cons of employment contracts. When would you recommend they be used, if at all?

### Response Guidelines

Offer at least one opinion and respond to at least two other peers' posts.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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## Unit 3 >> Recruiting and Employment Testing

### Introduction

In the previous two units, you examined the evolution of employment law and the changing rules in the workplace. You considered the rules of the employee-employer relationship and related laws. This unit looks at the core issues related to employment law in today's workplace and how these issues might be changing the way we work.

As you may recall from your other coursework, all parts of the hiring process, from recruiting to testing, must be job related. For instance, testing one's ability to run a mile quickly for a job as an administrative assistant is not appropriate since running is not an essential job function. Running may be an essential function of a security guard and perhaps an appropriate test for that role.

## Learning Activities

### u03s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 4, "Recruitment," pages 113–148. This reading raises an awareness of legal concerns related to external employment recruitment.
- Chapter 5, "Background Checks, References, and Verifying Employment Eligibility," pages 155–190. This reading explores potential legal issues to be aware of during the hiring process, such as negligence, defamation, and discrimination.
- Chapter 6, "Employment Tests," pages 197–228. This reading focuses on the legal implications of desirable and disqualifying findings that can result from employment tests.

### u03a1 - Legalities of Employment Screening Exams

Employers often use employment tests to screen applicants and to assist in selecting the most qualified individual for the job. They can be very effective tools. There are many different types of tests, including cognitive tests, credit checks, criminal background checks, and medical examinations. However, it is important to understand the legalities of these employment tests. Their use can violate antidiscrimination laws if an employer uses them to discriminate based on race, color, sex, national origin, religion, disability, or age (40 or older). Unless the employer can justify the test or procedure under the law, the use of these tests can also violate antidiscrimination laws if they disproportionately exclude people in a particular protected group.

In this scenario, the garden center management has no experience with screening exams, though some screening exams are necessary; for example, stockers must be able to occasionally lift 50 pounds. Therefore, you must justify the job-relatedness of screening exams, decide if they are really a bona fide occupational qualification (BFOQ), and explain your determination to management.

For this assignment, which is based on the legalities of screening exams, prepare a recommendations report, directed to management, about the employment screening exams used in the hiring process at the garden center. Address the following topics in your recommendation:

- Compare the different employment screening exams required for job-relatedness and business necessity.
- Analyze the legalities of the employment screening exams used during the hiring process.
- Rationalize to management that employment screening exams are sufficiently job related.
- Formulate the organization's strategies for managing and recovering from liabilities.

## Submission Requirements

- **Written communication:** Written communication is free of errors that detract from the overall message.
- **APA formatting:** Resources and citations are formatted according to APA (6th ed.) style and formatting.
- **Length:** 2–3 double-spaced, typed pages, excluding title page and reference page.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Legalities of Employment Screening Exams Scoring Guide to ensure you meet the grading criteria.

**Note:** Your instructor may also use the Writing Feedback Tool to provide feedback on your writing. In the tool, click the linked resources for helpful writing information.

Course Resources

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[APA Style and Format](#)

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[Writing Feedback Tool](#)

### u03d1 - Employer Liability

In Chapter 5 of your *Employment Law for Human Resource Practice* text, you read about negligent hiring and the potential implications for employers who are accused of this. For this discussion, respond to the following prompt:

- In your opinion, what are some of the most important things that employers can do to protect themselves from negligent hiring in human resources activities such as hiring, retaining, supervising, and training? Include a rationale to support your opinions.

### Response Guidelines

Respond to at least two of your peers; what can you add to their comments on this issue?

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

### u03d2 - Employment Screening Exams During the Selection Process

The case of *Bauer V. Lynch*, on pages 222–226 of your *Employment Law for Human Resource Practice* text, examines the legalities of employment screening exams during the selection process.

Address the following as you respond to the case:

- Summarize the legal issues and the outcome of the case.
- Analyze the evidence of discriminatory effects in this case.
- Analyze the distinction the court is drawing between job-relatedness and business necessity.
- Examine the evidence that the gender-normed physical fitness tests used by the Federal Bureau of Investigations are job-related and necessary.
- Explain your position on this topic of gender-normed physical fitness tests used in the pre-employment process.

### Response Guidelines

Read the posts of your peers and respond to at least two learners. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback.

Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage Learning.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

## Unit 4 >> Discrimination in the Employment Process

### Introduction

In the first three units, you reviewed the overall aspects of employment law and trends in the workplace. This unit introduces you to issues related to the employment selection process.

It certainly seems that there is a lot of wrongdoing in the workplace. In this unit, you will move away from the common understanding of discrimination and move toward a legal grounding in what constitutes wrongdoing. Of particular interest are the current hot issues in the workplace that we read about every day.

## Learning Activities

### u04s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 7, "Hiring and Promotion Decisions," pages 233–271. This reading discusses the framework to interpret the legal implications of discrimination.
- Chapter 16, "Performance Appraisals," pages 689–691. This reading explores the legal issues that surround performance appraisals.

Use the Capella University Library to complete the following:

- Read Tolle's 2008 article, "[Court Rejects Employee's Claim for Compensation for Time Spent Taking College Courses](#)," from *Employee Benefit Plan Review*, volume 63, issue 2, pages 18–19. This article will inform the second discussion in Unit 4.

Use the Internet to complete the following:

- Review [The Fair Labor Standards Act \(FLSA\)](#) from the U.S. Department of Labor's Web site.

## Multimedia

Click **Discrimination Case Study** to view the media piece.

Complete the [Sexual Discrimination and Workplace Litigation](#) media piece.

Course Resources

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Discrimination Case Study

### u04s2 - Project Preparation

Begin conducting research and locating resources for your course project by searching the Capella University Library, the Internet, and business magazines and journals. You will submit a draft of your project for peer feedback in Unit 8.

Refer to the Policy and Procedure course project description to ensure you meet the grading criteria for the final assignment.

### u04a1 - Lewis v. Heartland Inns of America Case

After reading the *Lewis v. Heartland Inns of America* case on pages 254–257 of your *Employment Law for Human Resource Practice* text, write a 2–3-page case review that addresses the following:

- Explain the legal issues of the case.
- Analyze the final decision of the case.

- Analyze the evidence for sex stereotyping.
- Analyze if this is also a sex-plus case. Explain your position.
- In a dissenting opinion, one of the judges who heard this case wrote that "apparently, the majority would hold that an employer violates Title VII if it declines to hire a female cheerleader because she is not pretty enough, or a male fashion model because he is not handsome enough..." Do you agree? Argue whether the case was correctly decided.
- What, if any, appearance policy would you propose for employees of a hotel?
  - If you oppose such policies, argue your position. (Walsh, 2019).

## Submission Requirements

- **Written communication:** Written communication is free of errors that detract from the overall message.
- **APA formatting:** Resources and citations are formatted according to APA (6th ed.) style and formatting.
- **Length:** 2–3 double-spaced, typed pages, excluding title page and reference page.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Lewis v. Heartland Inns of America Case Scoring Guide to ensure you meet the grading criteria.

**Note:** Your instructor may also use the Writing Feedback Tool to provide feedback on your writing. In the tool, click the linked resources for helpful writing information.

Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage Learning.

Course Resources

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[APA Style and Format](#)

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[Writing Feedback Tool](#)

### u04d1 - Employment Law – Weight and Appearance Standards

On page 251 of your *Employment Law for Human Resource Practice* text, read about *Frank V. United Airlines*, which is a legal case that challenged the airline's weight standards. Then answer questions related to employment law and appearance.

United Airlines had weight limits for both male and female flight attendants; however, the limits for males were based on the assumption that they have a larger body frame, but the limits for women were based on the assumption of a medium frame. Based on this, female flight attendants were required to weigh between 14 and 25 pounds less than male peers of the same age and height.

- According to employment law, what should the court decide?
  - Explain your position.

## Response Guidelines

Read the posts of your peers and respond to at least two learners. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback.

Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage Learning.

Course Resources

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[Undergraduate Discussion Participation Scoring Guide](#)

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[APA Style and Format](#)

## u04d2 - Gender Discrimination in the Workplace

On page 267 of your *Employment Law for Human Resource Practice* text, read legal cases involving Home Depot and Costco, related to their practices involving promoting female employees. Then answer questions related to employment law about these cases.

In *Butler v. Home Depot*, a class of female employees asserted that the company's initial hiring and promotion practices were influenced by stereotypes about which types of jobs were appropriate for women, and because of this, females were being denied promotions.

In Costco's case, approximately 1,300 female employees who were denied promotions to general manager and assistant general manager positions accused the retailer of unfair promotion practices. Some of the cited practices including the use of "promotable lists" that excluded women, and they claimed there was an excessive weight being placed on a candidate's ability to relocate.

- According to employment law, what should the court decide about these cases involving gender discrimination?
  - Explain your position.

## Response Guidelines

Read the posts of your peers and respond to at least two learners. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback.

Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage Learning.

Course Resources

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[Undergraduate Discussion Participation Scoring Guide](#)

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[Court Rejects Employee's Claim for Compensation for Time Spent Taking College Courses](#)

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[APA Style and Format](#)

## Unit 5 >> Diversity and Its Effect on Management

### Introduction

Diversity in the workplace refers to the variety of differences between people within an organization. Diversity encompasses many factors, including race, age, ethnicity, religion, and education. The topic of diversity has had a significant influence on policy, and law creation and development. Today, an organization's success largely depends on its ability to embrace and manage diversity effectively.

In this unit, you will examine the impact diversity has had in the workplace by discussing the laws that address discrimination. You will also consider affirmative action and Executive Order 11246.

### Learning Activities

#### u05s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 7, "Affirmative Action Preferences," pages 242–249. This reading focuses on the initiatives of employers to enhance equal employment opportunities.
- Chapter 8, "Harassment," pages 281–317. This reading describes the various types of harassment that can occur, the ways it is manifested, the fundamental nature of harassment, and employer liability.

Use the Internet to complete the following:

- Read *Singleton v. Department of Correctional Education (2004)*. This decision will inform your first Unit 5 discussion.

## Research

Use the Capella library or the Internet to research the following two topics for this unit's discussions:

- To provide additional context and in preparation for the first Unit 5 discussion on diversity, research at least two consulting or training companies that offer diversity training in the corporate environment and review any course outlines they publish.
- In preparation for the second Unit 5 discussion, search for the phrase *affirmative action plan* and describe the key elements included in the affirmative action plans or resources that you find.

### u05d1 - Harassment in the Workplace

Review *Gerald v. University of Puerto Rico* on pages 289–294 of your *Employment Law for Human Resource Practice* text, and read the following case synopsis. Then answer the questions related to this case involving harassment in the workplace.

Dr. Melissa Gerald claimed she was harassed by her supervisor Dr. Edmundo Kraiselburd. The two had engaged in a short-lived relationship while attending a conference, and once the conference ended, Gerald claimed that Kraiselburd wanted to continue the relationship while she did not. Gerald claimed that over time Kraiselburd continued to make advances towards her, and she refused. Because of this, Gerald claimed she was subjected to a hostile work environment. Gerald further claimed that this was Quid Pro Quo Harassment because she rejected her supervisor's advances, and he used that to demote her from her position which affected her pay.

- What were the legal issues in this case? What did the appeals court decide?
- Why did the appeals court decide that the alleged conduct of the supervisor was sufficiently severe or pervasive to create a hostile environment for the plaintiff? Do you agree? Why or why not?

## Response Guidelines

Review and respond to two of your peers' posts. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback.

Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage Learning.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

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[Singleton v. Department of Correctional Education\(2004\)](#)

### u05d2 - Affirmative Action

Affirmative action and Executive Order 11246 were intended expressly to support the law. Originally they were aimed specifically at government contractors, but now many employers choose whether they want to adopt a voluntary affirmative action plan. For this discussion, respond to the following prompts:

- In your opinion, should all employers adopt a voluntary affirmative action plan?
- Provide a rationale to support your view on this subject.
- What is the intent of affirmative action and Executive Order 11246?

- What misconceptions have you heard about these initiatives over the years?

## Response Guidelines

Respond to at least two posts; what can you add to your peers' comments on this issue?

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

### Unit 6 >> Reasonable Accommodations and Work-Life Conflicts

#### Introduction

In Unit 5, you explored diversity and its relationship to human resource management. Sometimes we may only think of diversity as it relates to gender, race, and national origin. This unit introduces you to additional aspects of diversity that can include other criteria, such as physical ability and religion. You will explore the definition of reasonable accommodation and best practices for managing a diverse workplace.

In addition, employees may manage various personal situations as they take responsibility for aging parents while caring for their own children. Providing a work environment that affords employees flexibility and balance helps engagement and retention. Managing this flexibility is often a condition of the Family and Medical Leave Act (FMLA), which is part of your exploration for this unit.

#### Learning Activities

##### u06s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 9, "Reasonably Accommodating Disability and Religion," pages 323–365. This reading discusses ways in which the law requires employers to be flexible and supportive relative to employees' disabilities and faith.
- Chapter 10, "Work-Life Conflicts and Other Diversity Issues," pages 373–401. This reading approaches managing diversity by examining employment law issues posed by gender, age, disability, social responsibility, nationality, sexuality, and gender identification.

Use the Capella University Library to complete the following:

- Read Tolle's 2010 article, "[Circuit Court Decides That ADA Can Obligate Employer to Accommodate Employee's Disability-Related Difficulties in Getting to Work, if Reasonable](#)," from *Employee Benefit Plan Review*, volume 65, issue 1, pages 17–18. This article will inform the second discussion in Unit 6.

## Research

In preparation for a discussion in this unit, conduct research using the Internet or the [Capella library](#). Locate an article or report of a Family Medical Leave Act (FMLA) violation.

## Optional Reading

Read the [Fact Sheets](#) from the National Labor Relations Board.

##### u06s2 - Project Preparation

Complete the following activities this week in preparation for course project assignments:

- The next project assignment, Diversity, FMLA, and Compensation, is due in Unit 7. Refer to the Unit 7 assignment and read the detailed instructions. Refer to the Diversity, FMLA, and Compensation Scoring Guide to ensure that you meet the grading criteria.
- Continue to work on the final course paper. You will submit a draft in Unit 8 for peer feedback, and submit the final paper in Unit 10. Refer to the Policy and Procedure course project description to ensure you meet the grading criteria.

### u06d1 - Family Medical Leave Act

Based on the Family Medical Leave Act (FMLA) violation you researched in this unit:

- Summarize the case and include an analysis of the existing issues.
- Address how the organization could have avoided the violation from taking place.

Be sure to cite your articles using appropriate APA style and formatting guidelines.

## Response Guidelines

Respond to at least two of your peers; what can you add to their comments on this issue?

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

### u06d2 - Employer Accommodations for Medical Conditions

Review *Sampson v. Federal Express* on pages 330–333 of your *Employment Law for Human Resource Practice* text and read the following case synopsis. Then answer the questions related to employer accommodations for medical conditions.

Richard Sampson had insulin-dependent diabetes and in 2009 was offered a position by FedEx as a senior global vehicle technician, and one of the conditions of this job offer was that he had to pass and maintain a Department of Transportation (DOT) medical card. Due to his diabetes, Sampson failed the DOT exam, and FedEx rescinded their job offer.

- What was the legal issue in this case?
- Why do the Federal Motor Carrier Regulations requiring medical certification of drivers not resolve the case in favor of FedEx?
- What argument does the dissenting judge make? Is it persuasive? Why or why not?

## Response Guidelines

Read and respond to the posts of two of your peers. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback.

Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage Learning.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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## Unit 7 >> Pay and Benefits Issues

### Introduction

In this unit, your challenge is to investigate pay and benefits issues as they relate to the law and conflict in the workplace. You will review the issues of pay and benefits, and discern how they can be some of the hottest issues in human resources today.

Fair compensation for a fair day's work seems a relatively straightforward concept, but it only takes one glance at a newspaper to see that the stories of inflated chief executive pay, lost pensions, and deferred benefits have become serious concerns. This unit examines how these policies are administered and the decision-making process behind them. While many may have been embroiled in the topic of how much CEOs are paid, you will be more concerned with how payment structures are set up, who decides them, and whether the structures are within the policies of the organization and the laws protecting every employee in their employee agreements. These laws clearly outline the following procedural questions:

- How is someone to be paid? How often?
- How are they informed of their benefits and how often?
- What was agreed to by all employees doing similar work?
- How is the difference between one person's package and another's determined?
- How much of a compensation package can be deferred?
- What is the access to that information?

### Learning Activities

#### u07s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 11, "Wages, Hours, and Pay Equity," pages 417–455. This reading examines laws that were established to determine minimum levels of pay and to protect individuals from pay discrimination.
- Chapter 12, "Benefits," pages 461–489. This reading discusses the principal federal law that regulates benefit plans, as well as other laws that regulate group health insurance plans.

Use the Capella University Library to complete the following:

- Read Eisenberg and Williams's 2015 article, "[Evolution of Wage Issues in the Restaurant Industry](#)," from the *ABA Journal of Labor & Employment Law*, volume 30, issue 3, pages 389–407. This article will inform the second discussion in Unit 7.

Use the Internet to read the following:

- [Lilly Ledbetter Fair Pay Act of 2009](#).

#### u07a1 - Diversity, FMLA, and Compensation

The managers of the garden center have limited knowledge of employment law as it relates to hiring processes. For this project assignment, write a 3–4 page report, addressed to management, in which you explain the following topics about the hiring process:

- Analyze how the company's commitment to diversity supports its mission and vision.
- Explain how you will ensure that the hiring process is fair and consistent, giving everyone an equal opportunity for employment.
- Analyze the legal aspects to be mindful of during the hiring process.

- Address the following: Being a stocker is a physical job at a garden center because lifting bags of soil and mulch are part of the job. Due to the nature of this role, the risk of back injury is high compared to other jobs in the garden center. In the event a worker's back is injured, are there accommodations available in this role? Explain why or why not.
- Address the following: Your garden center has grown such that it employs more than 50 people on a regular basis at a single location. Why is your workforce subject to the Family and Medical Leave Act (FMLA)? Explain the benefits you must provide to comply with FMLA, and the requirements that employees must meet to be eligible.
- Analyze the law that regulates paying minimum wage and overtime pay. Include the following topics:
  - What is the minimum wage in your community where the garden center is located?
  - When employees need to work more than 40 hours in a week, what is the requirement for the employer regarding pay?

## Submission Requirements

- **Written communication:** Written communication is free of errors that detract from the overall message.
- **APA formatting:** Resources and citations are formatted according to APA (6th ed.) style and formatting.
- **Length:** 3–4 double-spaced, typed pages, excluding title page and reference page.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Diversity, FMLA, and Compensation Scoring Guide to ensure you meet the grading criteria.

**Note:** Your instructor may also use the Writing Feedback Tool to provide feedback on your writing. In the tool, click the linked resources for helpful writing information.

Course Resources

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[Writing Feedback Tool](#)

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[APA Style and Format](#)

### u07d1 - Lilly Ledbetter Fair Pay Act of 2009

Based on the research you conducted in this unit:

- Explain who Lilly Ledbetter was and the impact of her case on pay in the workplace.
- Explain your thoughts on equal pay and fair pay.
- Distinguish the outcomes of the Lilly Ledbetter Fair Pay Act of 2009 from what was already established in the Equal Pay Act.

## Response Guidelines

Respond to at least two of your peers; what can you add to their comments on this issue?

Course Resources

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[Undergraduate Discussion Participation Scoring Guide](#)

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[APA Style and Format](#)

### u07d2 - Employee Wages and Tips

Review the legal case involving Papa John's on page 420 of your *Employment Law for Human Resource Practice* text and read the following synopsis. Then answer the questions related to an employer's legal responsibility and employee wages.

Pizza delivery drivers in Ohio have filed a lawsuit against Papa John's for failing to ensure the delivery drivers receive at least minimum wage. Since delivery drivers are tipped employees, Papa John's pays the tipped employee wage to this group, and they also take payroll deductions for uniforms and insurance.

- Explain what you believe the court should decide.
- Include in your post what law regulates minimum wage and how it is relevant to tipped employees.

## Response Guidelines

Read the posts of your peers and respond to at least two learners. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback.

Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

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[Evolution of Wage Issues in the Restaurant Industry](#)

## Unit 8 >> Privacy Issues in the Workplace

### Introduction

The right to privacy is an honored value in the United States and has always been a complicated area of the law. After the terrorist attacks of September 11, questions have centered on privacy in numerous circles, not the least of which is in the workplace. In this unit, you will review the emerging issues specifically related to privacy and consider their legal implications.

Most discussions on this topic revolves around technology and pre-employment inquiries, but health records are emerging as equally important privacy issues. Personnel records and criminal records—even academic records—are becoming relevant when decisions about the pursuit and retention of employment are on the table. Try not to restrict your thinking to personal ethical issues. Rather, try to see how the law is shaping policy in the workplace and then look at the diversity of personal lifestyles.

### Learning Activities

#### u08s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 14, "Occupational Safety and Health," pages 551–590. This reading describes the requirements of the principal federal law—the Occupational Safety and Health Act—that requires private sector employers to keep workplaces free from hazards that might threaten employee safety and health.
- Chapter 15, "Privacy on the Job: Information, Monitoring, and Investigations," pages 595–629. The volume of information available about employees and the means of monitoring their actions have expanded greatly with the proliferation of computers. This reading discusses questions of privacy resulting from these record-keeping and information-gathering activities.

## Research

Use the Capella library or the Internet to research the following topic for this unit's discussion:

- Locate and read an article related to the issue of privacy in the workplace.

## u08s2 - Project: Posting Project Draft to Discussion

In Unit 9, you will complete peer reviews of two learners' project drafts. In preparation for the peer review of your project draft in Unit 9, post your project draft to the first discussion in Unit 9 **by the end of Unit 8**. Refer to the Unit 9 discussion for the details of this activity. **Important: Your draft must be posted in the first Unit 9 discussion by the end of this unit.**

### Course Resources

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[Peer Review Feedback Form \[DOCX\]](#)

## u08a1 - Ehling v. Monmouth-Ocean Hospital Service Corp.

After reading the *Ehling v. Monmouth-Ocean Hospital Service Corp.* case on pages 614–617 in your *Employment Law for Human Resource Practice* text, write a 3–4-page case review that addresses the following:

- Analyze the legal issues of the case.
- Explain the court's decision.
  - Explain why the Facebook post qualified as a "stored communication."
  - Explain and analyze the Stored Communications Act as it applies to this case.
  - Explain why the manager's accessing of the Facebook post did not violate the Stored Communications Act.
  - Explain why the plaintiff's privacy tort claim also failed.
  - Evaluate if the outcome of the case would have been different if one of the manager's had demanded the coworker's Facebook password and viewed the post that way.
- Explain if the nurse should have been disciplined for the statement she made on Facebook and justify your position.
- Evaluate the practical implications of this case for employers and employees. (Walsh, 2019)

## Submission Requirements

- **Written communication:** Written communication is free of errors that detract from the overall message.
- **APA formatting:** Resources and citations are formatted according to APA (6th ed.) style and formatting.
- **Length:** 3-4 double-spaced, typed pages, excluding title page and reference page.
- **Font and font size:** Times New Roman, 12 point.

Refer to the Ehling v. Monmouth-Ocean Hospital Service Corp. Scoring Guide to review the grading criteria before submitting the assignment.

**Note:** Your instructor may also use the Writing Feedback Tool to provide feedback on your writing. In the tool, click the linked resources for helpful writing information.

### Reference

Walsh, D. J. (2019). *Employment law for human resource practice* (6th ed.). Boston, MA: Cengage.

### Course Resources

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[Writing Feedback Tool](#)

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[APA Style and Format](#)

## u08d1 - Privacy in the Workplace Case Analysis

From an HR perspective, the topic of privacy in the workplace is often related to pre-employment background checks and the use of technology. During the pre-employment period, privacy can become a concern since employers investigate criminal records, check credit reports, contact former employers, and so forth. Once employed, an individual's use of company technology, and what is permissible and what is private are also concerns. These topics are very important for HR practitioners and all members of management to understand because privacy violations can be very costly to an organization and can result in negative press, as well.

Using the article you researched regarding a privacy issue in the workplace, respond to the following:

- Analyze the legal impact of the case on privacy in the workplace.
- Examine how companies can act in accordance with the privacy laws addressed in the article.
- Propose ways that companies can recover from violations related to the privacy laws addressed.
- Provide a rationale for your point of view.

Be sure to cite your article using appropriate APA style and formatting guidelines.

## Response Guidelines

Read and respond to the posts of two of your peers. When responding, seek clarification, share your personal experiences that relate to their experiences, and provide feedback.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

## Unit 9 >> Termination Issues

### Introduction

During this unit, you will explore topics related to termination in the workplace. You will consider what is permissible under the law as a rationale for termination, and termination as it relates to employment-at-will versus contract relationships. You will also examine the impact of employment-at-will and the effect it has on an employer's liability for wrongful termination.

### Learning Activities

#### u09s1 - Studies

## Readings

Complete the following readings from your Walsh text, *Employment Law for Human Resource Practice*:

- Chapter 16, "Terminating Individual Employees," pages 637–694. This reading examines the legal standards that govern termination based on the business and employee type, as well as the legal protections available.
- Chapter 17, "Downsizing and Post-Termination Issues," pages 703–740. This reading explores the legal implications of downsizing, including selection of employees, early retirement incentives, and unemployment insurance eligibility.

Use the Internet or the Capella library to complete the following:

- Locate and read a recent case in the news related to wrongful termination.

#### u09d1 - Constructive Peer Review of Project Draft

In this discussion, you will complete peer reviews of two peers' project drafts and use the feedback form, in Resources, to record your feedback. Refer to the instructions and the questions on the feedback form so the activity will be of the most value to your peers. Your objective is to help your peers enhance their course projects and avoid mistakes.

**Important: Complete this activity by Friday of Unit 9.**

1. Open the Peer Review Feedback Form, in Resources, and save it to your desktop.
2. Save a Peer Review Feedback Form for each of the two peers' project drafts that you have chosen to review, for example:  
**FirstName\_LastName\_Peer\_Review.**
3. Review the instructions on the form.
4. Complete the peer reviews and feedback forms for the two learners you have chosen to review, and post each Peer Review Feedback Form as a reply to each initial post.
5. Review the feedback you received from your peers on your project draft, incorporating suggestions as appropriate into the final version you submit in Unit 10.

## Response Guidelines

You should include substantive feedback to at least two of your peers, based on the criteria outlined in the Peer Review Feedback Form. Your feedback on the Peer Review Feedback Forms should include constructive criticism that contributes to improving their projects. Your feedback may include asking questions, respectfully debating positions, noting missing items, opportunities for improvement, and presenting supporting information relevant to the topic.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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Peer Review Feedback Form [DOCX]

### u09d2 - Termination Analysis

Based on the research you conducted in this unit on a wrongful termination case:

- Describe the case and its primary issues.
- Analyze whether this is a case of wrongful termination, based on what you have studied during this unit.

Be sure to cite your resources using appropriate APA style and formatting guidelines.

## Response Guidelines

Comment on at least two other learners' posts and for each one, share your opinion about his or her analysis of the case presented.

Course Resources

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Undergraduate Discussion Participation Scoring Guide

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[APA Style and Format](#)

## Unit 10 >> Authoring a Proactive Solution

### Introduction

As you reflect on the previous nine units and the study of human resources issues that can cause significant damage, both emotional and financial, it is important to look at context. This has been a course of prevention and solutions. An effective HR manager knows how to lead by possessing a keen sensitivity to trends in the market and environment, and those who operate within it. The culmination of this area of study is a test of your perceptions and problem-solving ability.

In this unit, you have an opportunity to put the information you learned in this course into a practical proposal for senior management. Trust your judgment and analysis of the problems as you have discerned them through your knowledge of human resources practices, current labor laws, and sensitivity to the market conditions that might be a liability. Your analytical skills, research, and practical experience should merge in your project.

The values, mission, and objectives of an organization serve as a guide or compass for how the organization should operate and they should support the image the company wants to portray. Good leaders strive to keep their organizations out of the courts to be publicly credible, but when organizations face employment-related legal issues, like workplace discrimination or unfair labor practices, it is important to identify and correct the issues in an expeditious manner. In this unit, you will consider the influence of an organization's values, objectives, and mission statement and the role they play in helping employers avoid legal issues, as well as how they help employers recover from such events when they do occur.

## Learning Activities

### u10s1 - Studies

## Research

Before completing your course project, research at least one current article from a popular magazine that offers an article on the best places to work. Use the Internet or the Capella University Library. Choose a company whose best practices or best policies you want to research. One place to consider in your search is the [Great Place to Work Institute](#) Web site, where you can search new ideas and find links to best workplace awards.

Course Resources

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[Great Place to Work Institute](#)

### u10a1 - Policy and Procedure

Before the final submission of the course project, you are encouraged to revise your project based on the peer feedback you received in Unit 9. You are encouraged to refer to the Policy and Procedure course project description to ensure your final submission meets all of the grading criteria and project requirements.

The final assignment should summarize the garden center's policy and procedure for each of the topics presented in the course, include examples of how laws are described to management, and justify the decisions you made throughout the process. Remember that the garden center management is the audience for your paper and is not familiar with employment law. Address the following topics in the paper:

- Analyze the garden center's policy and procedures that ensure the hiring process is fair and consistent.
- Justify the organization of the staff. Include a table or a grid that details the categories of the staff used during the peak season. As stated in the project description, the garden center operates year round, but of course has many seasonal workers during spring, summer, and early fall to meet peak season demands. There are two people running operations, and two on-site supervisors. The operations and supervisor roles are exempt positions, while the cashier positions, stockers, and plant care specialists are all nonexempt roles. All are hired at-will. Address the following topics:
  - Indicate the number of staff members and their job titles.
  - Describe the employment categories of each staff member.
  - Argue why this breakdown works well for the garden center.
- Explain the safety concerns for all employees working at the garden center and plans to mitigate them, especially those who do a lot of lifting or who may be subject to repetitive stress.
  - In the event of an injury, explain how the organization can accommodate employees working in each role.
- Analyze the policy and procedure used in the event of an employee termination. Explain how the process ensures that employees' rights are not violated.
- Analyze the garden center's current and potential liabilities, and propose strategies for prevention and recovery from liabilities.
- Summarize how the policies and procedures align with the company's vision and mission statements and expression of the letter of the law as they pertain to the workplace.

- Provide a clear explanation of each employment law that applies to each situation noted in the garden center scenario.

## Submission Requirements

- **Written communication:** Written communication is free of errors that detract from the overall message.
- **APA formatting:** Resources and citations are formatted according to APA (6th ed.) style and formatting.
- **References:** A minimum of 3 scholarly references.
- **Length:** 8–12 double-spaced, typed pages, excluding title page and reference page.
- **Font and font size:** Times New Roman, 12 point.

**Note:** Your instructor may also use the Writing Feedback Tool to provide feedback on your writing. In the tool, click the linked resources for helpful writing information.

Course Resources

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[Writing Feedback Tool](#)

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[APA Style and Format](#)

### u10d1 - Best Employers

For this discussion:

- Create a summary of the company you researched in this unit's studies and include some of the best practices or policies that you believe are the reasons the employer made this list.
- Address the impact you think these practices and policies may have in helping the employer avoid employment-related legal issues.

## Response Guidelines

Respond to at least two of your peers; what can you add to your their comments on this topic?

Course Resources

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[Undergraduate Discussion Participation Scoring Guide](#)

### u10d2 - Course Reflection

For this discussion:

- State how you have grown personally and professionally as a consequence of completing this course.
- Name three strengths you have developed in this course and three areas you would like to strengthen as you continue through your degree program.

## Response Guidelines

Responses to other learners for this discussion question are not required.

Course Resources

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