

OVERVIEW OF EMPLOYMENT LAW

by

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- **What Is The Difference Between LEGAL DISCRIMINATION and ILLEGAL DISCRIMINATION?**
- **Why Do Employees ALWAYS Think They Have More Rights Than They REALLY Do...And Employers ALWAYS Think They Have LESS?**
- **Can An Employer Regulate An Employee's OFF DUTY ACTIVITIES?**
- **What DUTY OF LOYALTY Do Employees Owe Their Employer?**
- **What LIMITATIONS Have Been Placed On Employers' DRESS CODE POLICIES?**
- **How Far Does An Employer Have To Go In Making RELIGIOUS ACCOMMODATIONS For An Employee?**
- **What Did The EEOC Recently Say About NATIONAL ORIGIN DISCRIMINATION?**
- **How Much LEAVE TIME Must An Employer Give To An Employee Off On PREGNANCY LEAVE?**
- **If An Employer Terminates A 65 Year Old ... But Then Hires A 45 Year Old As A Replacement...Can That Be AGE DISCRIMINATION?**

OVERVIEW OF EMPLOYMENT LAW OUTLINE

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- I. TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, 42 U.S.C. §2000e, et seq.**
 - A. What Is Illegal. Legal Discrimination?**
- II. INTENTIONAL DISCRIMINATION: DISPARATE TREATMENT**
 - A. Discriminatory Intent: Direct Evidence**
 - B. The Disparate Treatment Prima Facie Case And Circumstantial Evidence Of Discrimination In Forming A Prima Facie Case of Discrimination**
- III. EMPLOYER DEFENSES TO CLAIMS OF ILLEGAL DISCRIMINATION**
 - A. Rebutting The Inference Of Discriminatory Intent**
 - B. Legitimate Business Reason and Business Judgment**
 - C. "Same Actor" Defense**
 - D. Bona Fide Occupational Qualification ("BFOQ")**
- IV. SEX-PLUS DISCRIMINATION**
 - A. Grooming And Dress Codes**

V. RELIGIOUS DISCRIMINATION

A. Duty To Reasonably Accommodate

B. Undue Burden

VI. NATIONAL ORIGIN

VII. EEOC UPDATES GUIDANCE ON NATIONAL ORIGIN BIAS

A. What security requirements may an employer impose?

B. When does harassment violate Title VII?

C. What steps should an employer take to prevent unlawful workplace harassment?

D. May an employer ever base an employment action on an individual's foreign accent or limited English proficiency?

E. May employers adopt policies that require employees to speak only English in the workplace?

F. What types of dress codes may an employer adopt?

VIII. PREGNANCY DISCRIMINATION ACT OF 1978, 42 U.S.C. §2000-(k)

IX. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA) OF 1967, 29 U.S.C. §621, et seq.



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- **Masters degree in Labor and Human Resources: The Ohio State University**
- **Capital University College of Law (Class Valedictorian (1st out of 233))**
- **Lifetime Senior Professional in Human Resources (SPHR) accreditation**
- **Winner of the Human Resource Association of Central Ohio's Linda Kerns Award for Outstanding Creativity in the Field of Human Resource Management and the Ohio State Human Resource Council's David Prize for Creativity in the Field of Human Resource Management**
- **Scott is President of his own Human Resource Consulting, Employment Law and Training Firm based in Columbus, Ohio specializing in:**
 1. **PREVENTING Employee Problems from happening,**
 2. **Training Managers and Employees ON-SITE in over 30 topics and**
 3. **Keeping HR Professional's UP TO DATE WITH THE CHANGES IN THE LAW with his MONTHLY NEWSLETTERS AND ANNUAL AUDIO TAPES.**

Scott Warrick was the highest rated presenter at SHRM's 2003 National Diversity Conference in New York City. Scott has now been invited back to present his "Tolerance in the Workplace: Management v. Employees" session at the 2006 SHRM National Diversity Conference in Los Angeles in October of 2006.

Scott travels the country presenting his "Intolerance of Intolerance: Diversity/Tolerance Awareness Program." Scott's clients include The Gap, Skyline Chili, The Ohio Supreme Court, Heinz, Fayette County Hospital, Honeywell, Carastar International, Utah Workforce Development, etc.

Solving Employee Problems BEFORE They Happen!

HERE'S WHAT ATTENDEES SAY ABOUT SCOTT WARRICK'S SESSIONS...

"My managers LOVE Scott! I would never even consider using anyone else."

Tina Powers, Fayette County Memorial Hospital

"Without a doubt, the best presenter I have ever heard. Scott Warrick could make a seminar on "Manure Specifications" enjoyable."

Dirk Prusok, The Columbus Public Metropolitan Library

"Scott makes me feel MUCH more confident as a manager."

Nance Curtis, Prologue, Inc.

"All of the managers at my company should come to Scott's seminars."

Amy Lieb, Krieger Ford

"Scott always provides realistic and manageable ways to handle personnel problems. Excellent!"

Ric Mazon, Professional Insurance Agents, Inc.

"THANK YOU for having these seminars!"

Darlene Duffy, Ohio Hunger Task Force

"I learned a great deal from Scott. This was just the information I was looking for."

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Collette Mak, OCLC

"Scott's seminars are filled with examples and solutions to avoid problems. It was great!"

Mike McGovern, Odyssey Consulting, Inc.

"Scott is the best presenter we have ever had!"

Tim Thompson, Columbus Public Metropolitan Library

"Loved the 'real world' examples. Scott has really 'been there, done that.'"

Kay Peters, Evans Adhesives, Inc.

Attendees agree ... "Scott Warrick Spins Magic!"