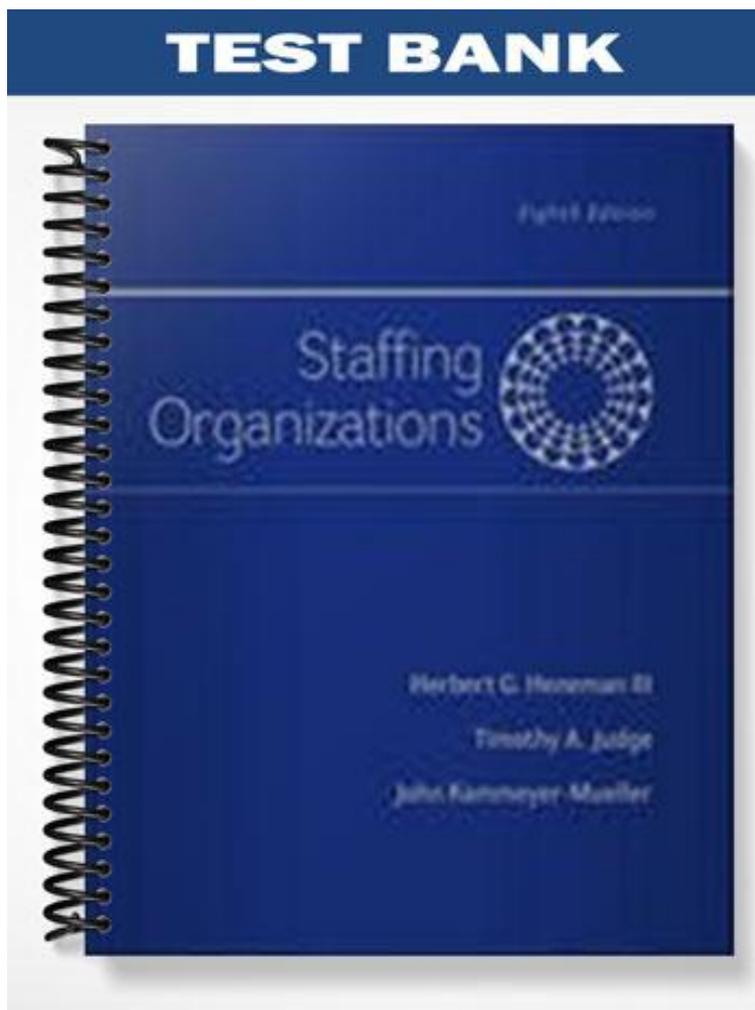


TEST BANK



Eighth Edition

Staffing Organizations



Herbert C. Heneman III

Timothy A. Judge

John Kammerer Mueller

True / False Questions

1. The employer-employee relationship is the most prevalent type of employment relationship.

True False

2. Employment contracts may be written but not in oral form.

True False

3. The specificity of the language used in an employment contract must be very extensive.

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4. The formal agreement which specifies the employment terms and conditions for the employee and employer is called an employment contract.

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5. An employer does not incur any legal responsibilities or liabilities regarding its employees.

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7. There are some restrictions on employment-at-will, such as statutory requirements for nondiscriminatory termination.

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13. Employment laws and regulations exist, in part, to reduce or limit the employer's power in the employment relationship.

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22. When determining if an organization large enough to be covered by ADA law, only full-time employees should be included in the employee count.

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Multiple Choice Questions

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- A. both written and oral contracts are enforceable
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- B. employer-employee
- C. temporary employee
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- A. employment-at-will
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- A. employers cannot discharge employees on the basis of poor performance
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66. Which of the following statements is true regarding independent contractors?

- A. An independent contractor is a legal employee of the company which hired him/her.
- B. Using an independent contractor increases the employer's exposure to laws and regulations governing the employment relationship.
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67. Which of the following factors increase the likelihood that a worker will be considered an independent contractor?
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- A. develop, create, and implement the law
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77. Which of the following is(are) true regarding federal EEO/AA laws?

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- A. race
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- A. 40
- B. 30
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- A. allegations and evidence about the effects of discriminatory actions
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- A. with the defendant
- B. with the court
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82. When using stock statistics in job selection discrimination cases, the comparison being made is _____.

- A. differences in proportions of groups hired
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- A. to prove adverse impact
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- D. to prove discrimination

84. In EEOC cases, a consent decree is _____.

- A. mandated by law
- B. court approved
- C. limited to non-monetary relief
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85. Enforcement mechanisms used by the OFCCP _____.

- A. rarely involve employer site visits
- B. are identical to those used by the EEOC
- C. are unrelated to specific AA plans
- D. may involve conciliation agreements

86. Which of the following is prohibited discrimination under civil rights law?

- A. discrimination in hiring
- B. discrimination in compensation
- C. discrimination in classification
- D. all of these

87. The essence of a BFOQ is that _____.
- A. it is always illegal
 - B. it reduces discrimination
 - C. it justifies discrimination based on reasonable necessity of the job
 - D. it prohibits selection through use of a protected characteristic (e.g., gender)
88. Regarding the use of tests in staffing, it can be said that _____.
- A. they are permitted by law
 - B. they are illegal
 - C. they should be adjusted by protected characteristics to be fair
 - D. they should be "race normed" for fairness
89. The legal status of seniority and merit systems is that _____.
- A. seniority is legal
 - B. merit systems are legal
 - C. both are legal
 - D. both are illegal
90. The Age Discrimination In Employment Act (1967) prohibits discrimination against individuals who are ____ years or older.
- A. 40
 - B. 50
 - C. 60
 - D. 65

91. Employers can use which of the following techniques without violating the Age Discrimination in Employment Act.
- A. using reasonable factors other than age in making employment decisions
 - B. using seniority systems
 - C. using terms or phrases that express a preference for older workers
 - D. all of these
92. Where the Americans with Disabilities Act is concerned, _____.
- A. the law only applies to disabled individuals who are otherwise qualified
 - B. the law requires the hiring of all disabled people
 - C. the law prohibits refusal to hire a disabled person
 - D. the law provides advantages to disabled people
93. Where reasonable accommodations for disabled individuals are concerned, it can be said that _____.
- A. accommodation is always required for an otherwise qualified individual
 - B. specific examples of accommodations are rarely indicated in laws and regulations
 - C. the issue of "undue hardship" to the employer is not addressed by the law
 - D. the need to accommodate often hinges on whether or not a given job function is necessary or essential
94. Which of the following is not prohibited by the ADA?
- A. medical exams of job applicants
 - B. asking a job applicant if he/she is disabled
 - C. asking a job applicant to undergo a medical exam after a job offer has been made
 - D. refusing to interview a person who is disabled

95. Executive Order 11246 covers _____.
- A. local government employers
 - B. private employers with under 15 employees
 - C. federal contractors with contracts in excess of \$10,000
 - D. private employers with 20 or more employees
96. Noncompliance with the Immigration Reform and Control Act (1986) could result in _____.
- A. imprisonment for up to six months
 - B. fines equal to \$50,000 for each unauthorized alien employed
 - C. summary closing of a business
 - D. imprisonment of the alien for up to five years
97. Which of the following is true regarding EEO laws?
- A. State (but not local) government employees are immune from lawsuits by employees who allege violation of ADA or ADEA.
 - B. States must pursue age and disability discrimination claims under applicable state laws.
 - C. A foreign company which is owned or controlled by an American employer and is doing business overseas generally also must comply with Title VII, the ADA, and the ADEA.
 - D. All of these
98. Which of the following is true regarding discrimination on the basis of sexual orientation?
- A. there are no laws covering sexual orientation discrimination
 - B. federal law prohibits all discrimination on the basis of sexual orientation
 - C. although such discrimination is not covered by federal law, it is covered by some state and local laws
 - D. some state and local laws encourage discrimination on the basis of sexual orientation

99. Which of the following is true regarding H-1B visas?

- A. Employers may apply for permanent H-1B visas for foreign workers.
- B. There is a cap of 50,000 workers per year who can obtain such visas.
- C. H-1B visa holders may not change jobs as soon as their employer files an approval petition and they are restricted to their current geographic area.
- D. None of these

Chapter 02 Legal Compliance Answer Key

True / False Questions

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TRUE

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 - D. all of these
87. The essence of a BFOQ is that _____.
- A. it is always illegal
 - B. it reduces discrimination
 - C. it justifies discrimination based on reasonable necessity of the job
 - D. it prohibits selection through use of a protected characteristic (e.g., gender)
88. Regarding the use of tests in staffing, it can be said that _____.
- A. they are permitted by law
 - B. they are illegal
 - C. they should be adjusted by protected characteristics to be fair
 - D. they should be "race normed" for fairness
89. The legal status of seniority and merit systems is that _____.
- A. seniority is legal
 - B. merit systems are legal
 - C. both are legal
 - D. both are illegal

90. The Age Discrimination In Employment Act (1967) prohibits discrimination against individuals who are ___ years or older.
- A. 40
 - B. 50
 - C. 60
 - D. 65
91. Employers can use which of the following techniques without violating the Age Discrimination in Employment Act.
- A. using reasonable factors other than age in making employment decisions
 - B. using seniority systems
 - C. using terms or phrases that express a preference for older workers
 - D. all of these
92. Where the Americans with Disabilities Act is concerned, _____.
- A. the law only applies to disabled individuals who are otherwise qualified
 - B. the law requires the hiring of all disabled people
 - C. the law prohibits refusal to hire a disabled person
 - D. the law provides advantages to disabled people
93. Where reasonable accommodations for disabled individuals are concerned, it can be said that _____.
- A. accommodation is always required for an otherwise qualified individual
 - B. specific examples of accommodations are rarely indicated in laws and regulations
 - C. the issue of "undue hardship" to the employer is not addressed by the law
 - D. the need to accommodate often hinges on whether or not a given job function is necessary or essential

94. Which of the following is not prohibited by the ADA?
- A. medical exams of job applicants
 - B. asking a job applicant if he/she is disabled
 - C. asking a job applicant to undergo a medical exam after a job offer has been made
 - D. refusing to interview a person who is disabled
95. Executive Order 11246 covers _____.
- A. local government employers
 - B. private employers with under 15 employees
 - C. federal contractors with contracts in excess of \$10,000
 - D. private employers with 20 or more employees
96. Noncompliance with the Immigration Reform and Control Act (1986) could result in _____.
- A. imprisonment for up to six months
 - B. fines equal to \$50,000 for each unauthorized alien employed
 - C. summary closing of a business
 - D. imprisonment of the alien for up to five years
97. Which of the following is true regarding EEO laws?
- A. State (but not local) government employees are immune from lawsuits by employees who allege violation of ADA or ADEA.
 - B. States must pursue age and disability discrimination claims under applicable state laws.
 - C. A foreign company which is owned or controlled by an American employer and is doing business overseas generally also must comply with Title VII, the ADA, and the ADEA.
 - D. All of these

98. Which of the following is true regarding discrimination on the basis of sexual orientation?
- A. there are no laws covering sexual orientation discrimination
 - B. federal law prohibits all discrimination on the basis of sexual orientation
 - C. although such discrimination is not covered by federal law, it is covered by some state and local laws
 - D. some state and local laws encourage discrimination on the basis of sexual orientation
99. Which of the following is true regarding H-1B visas?
- A. Employers may apply for permanent H-1B visas for foreign workers.
 - B. There is a cap of 50,000 workers per year who can obtain such visas.
 - C. H-1B visa holders may not change jobs as soon as their employer files an approval petition and they are restricted to their current geographic area.
 - D. None of these