

## Employment Law: Anti-Discrimination Self-Assessment Questions

1. Title VII applies to:
  - A. Private businesses with 15 or more employees
  - B. Public businesses with 15 or more employees
  - C. Both A and B
  
2. Discrimination that is based on a legitimate business need, such as hiring and promoting a qualified applicant over an unqualified applicant, is legal.
  - A. True
  - B. False
  
3. A large chain pharmacy refuses to hire an 18 year old. The personnel department tells the applicant they prefer to hire an "older" employee. Does the young applicant have legal recourse?
  - A. Yes – the Age Discrimination in Employment Act protects him
  - B. Yes – Title VII protects him
  - C. Yes – the Americans with Disabilities Act protects him
  - D. No
  
4. Current illegal drug abusers are protected from discrimination in employment under the ADA
  - A. True
  - B. False

Use the following for Questions 5 and 6:

New Labels is a small company that repackages over-the-counter pharmaceuticals. The company has 50 employees, half of whom are male and half female. A female worker is given an oral warning because she refuses to work overtime (a violation of company policy). She again refuses to work overtime and is given a written warning. The behavior continues and she continues to be disciplined with probation, followed by suspension. Finally she is discharged due to insubordination for failing to work overtime. The employee brought a claim for discrimination on the basis of sex, under Title VII.

5. To prove UNEQUAL TREATMENT, what must the employee prove?
  - A. The employee must prove that the policy (discipline for failure to work overtime) has resulted in more female workers being disciplined than male workers
  - B. The employee must prove that the employer disciplines all employees (both male and female) who refuse to work overtime
  - C. The employee must prove that male workers who refused to work overtime were not disciplined
  - D. The employee must prove that the employer normally does not discipline any employees (male or female) for failure to work overtime
  - E. The employee must prove that the other female employees were not disciplined for failure to work overtime

6. To prove UNEQUAL IMPACT, what must the employee prove?
- A. The employee must prove that the policy (discipline for failure to work overtime) has resulted in more female workers being disciplined than male workers
  - B. The employee must prove that the employer disciplines all employees (both male and female) who refuse to work overtime
  - C. The employee must prove that male workers who refused to work overtime were not disciplined
  - D. The employee must prove that the employer normally does not discipline any employees (male or female) for failure to work overtime
  - E. The employee must prove that the other female employees were not disciplined for failure to work overtime
7. Customer preference for a particular religion can qualify as a bonafide occupational qualification (BFOQ).
- A. True
  - B. False
8. When a job requirement is challenged, who must prove the requirement is truly necessary?
- A. The employer
  - B. The job applicant