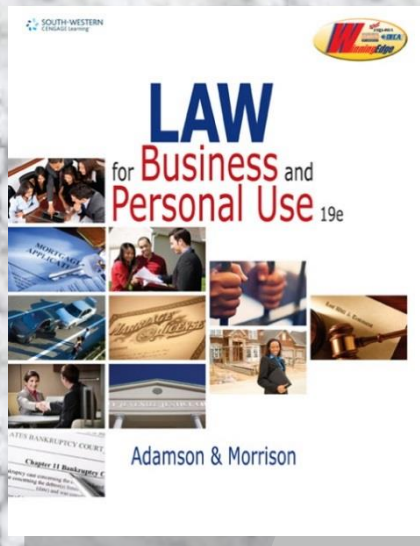




CHAPTER 22

Employment Law

22-1 Making and Terminating Employment Contracts

22-2 Duties of Employers and Employees

Teacher Version

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22-1 Making and Terminating Employment Contracts

■ GOALS

- Describe how employment contracts are made
- Explain how employment contracts are terminated

HOW ARE EMPLOYMENT CONTRACTS MADE?

- Terms of the employment contract
 - Express agreements
 - Implied agreements
 - Terms imposed by law

- Federal Minimum Wage Poster

HOW ARE EMPLOYMENT CONTRACTS TERMINATED?

FYI: 4% of the workforce needs to be unemployed at any one particular time for the good of the economy.

- By performance
- By termination at will
 - Wrongful discharge
 - Violation of contract terms
 - Government employees
- By material breach
- Unemployment compensation

22-2 Duties of Employers and Employees

■ GOALS

- List an employer's duties
- Name an employee's duties

■ Employer's Duties

- Reasonable treatment
- Safe working conditions
- Fair labor standards
- Payroll deductions
- Military service
- Voting
- Family and medical leaves
- Duties owed to minors
 - State laws
 - Federal law
- Duties owed to those injured by employees

■ Employee's Duties

- Duty to fulfill the employment contract
- Duty of obedience
- Duty of reasonable skill
- Duties of loyalty and honesty
- Duty of reasonable performance

PREVENT LEGAL DIFFICULTIES

As an employee . . .

- Realize that you and your employer are parties to a contract in which you both have rights and duties.
- Before you go to work, learn as much as you can about the job. Find out about hours, pay, duties, dress, fringe benefits, and any other related matters.
- Avoid tardiness and absenteeism.
- Remember that in addition to reasonable skill and performance, you owe your employer loyalty, honesty, and obedience. However, the duty of obedience does not require employees to engage in illegal, immoral, or unsafe activities.
- Remember that you are personally responsible for your own negligent acts. This is true even though the injured party may also be able to recover from your employer.

As an employer . . .

- Remember to treat your employees reasonably and provide them with safe working conditions.
- Be aware of and comply with applicable federal and state laws governing the work environment.
- Prevent vicarious liability for the potentially tortious acts of your employees by training them properly, especially if they have immediate contact with the general public.