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BUILDING A BETTER HR COMMUNITY

LUNCH TIME GAME SHOW PRESENTATION!
LET'S HAVE SOME FUN!

LEWIS ROCA ROTHGERBER

1. WHAT IS THE MINIMUM NUMBER OF EMPLOYEES NEEDED TO BE DEFINED AS AN "EMPLOYER" UNDER TITLE VII

A. 100

B. 50

C. 15

D. 40



LEWIS ROCA ROTHGERBER

1. What is the minimum number of employees needed to be defined as an "employer" under title VII?

Answer: C. 15

Source: 42 U.S.C. § 2000e(b)

LEWIS ROCA ROTHGERBER

2. Which class of discrimination is not covered under the federal EEOC?

A. Pregnancy

B. Sexual orientation

C. Genetic information

D. Religious affiliation

LEWIS ROCA ROTHGERBER

2. Which class of discrimination is not covered under the federal EEOC?

Answer: B. Sexual orientation

Source: http://www.eeoc.gov/laws/types/index.cfm (last visited 3.24.14)

LEWIS ROCA ROTHGERBER

3. What is the minimum age requirement to proceed under a federal charge of age discrimination through the EEOC?

A. 50+

B. 60+

C. 30+

D. 40+



LEWIS ROCA ROTHGERBER

3. What is the minimum age requirement to proceed under a federal charge of age discrimination through the EEOC?

Answer: D. 40+



Source: http://www.eeoc.gov/laws/types/age.cfm (last visited 3.24.14)

LEWIS ROCA ROTHGERBER

4. What is the federal minimum wage?

A. $7.25 per hour

B. $8.15 per hour

C. $8.00 per hour

D. $7.35 per hour

E. $7.65 per hour



LEWIS ROCA ROTHGERBER

4. WHAT IS THE FEDERAL MINIMUM WAGE?

Answer: A. $7.25

Source: http://www.dol.gov/dol/topic/wages/minimumwage.htm (last visited 3.24.14)

LEWIS ROCA ROTHGERBER

5. WHICH OF THE FOLLOWING FACTORS WILL THE EEOC CONSIDER TO DETERMINE WHETHER A REQUESTED ACCOMMODATION IMPOSES AN UNDUE HARDSHIP ON THE EMPLOYER?

A. The employer's size

B. The employer's financial resources

C. The employer's operations

D. All of the above

E. None of the above

LEWIS ROCA ROTHGERBER

5. Which of the following factors will the EEOC consider to determine whether a requested accommodation imposes an undue hardship on the employer?

Answer: D. All of the above

LEWIS ROCA ROTHGERBER

6. The Fair Labor Standards Act sets the standards for employers on each of the following issues EXCEPT:

A. Minimum wage

B. Overtime pay

C. Sick Leave

D. Recordkeeping

E. Child labor

LEWIS ROCA ROTHGERBER

6. THE FAIR LABOR STANDARDS ACT SETS THE STANDARDS FOR EMPLOYERS ON EACH OF THE FOLLOWING ISSUES EXCEPT:

Answer: C. Sick leave

LEWIS ROCA ROTHGERBER

7. ON MARCH 13, 2014, PRESIDENT OBAMA ISSUED A MEMORANDUM TO THE SECRETARY OF LABOR DIRECTING HIM TO PROPOSE REVISIONS THAT MODERNIZE AND STREAMLINE THE FOLLOWING:

A. Family Medical Leave Act record keeping regulations

B. Fair Labor Standards Act overtime regulations

C. EEOC's enforcement of Title VII violations

D. Filing requirements for unemployment benefits

E. None of the above

LEWIS ROCA ROTHGERBER

7. On March 13, 2014, President Obama issued a memorandum to the Secretary of Labor directing him to propose revisions that modernize and streamline the following:

Answer: B. Fair Labor Standards Act overtime regulations

LEWIS ROCA ROTHGERBER

8. Currently, in order to qualify as exempt from overtime under federal law, an employee must meet certain tests regarding their job duties and be paid on a salary basis of not less than:

A. $405 per week

B. $455 per week

C. $595 per week

D. $655 per week

E. None of the above

LEWIS ROCA ROTHGERBER

8. CURRENTLY, IN ORDER TO QUALIFY AS EXEMPT FROM OVERTIME UNDER FEDERAL LAW, AN EMPLOYEE MUST MEET CERTAIN TESTS REGARDING THEIR JOB DUTIES AND BE PAID ON A SALARY BASIS OF NOT LESS THAN:

Answer: B. $455 per week

LEWIS ROCA ROTHGERBER

9. FEDERAL REGULATION REQUIRES THAT ANY PERSONNEL RECORD MADE OR KEPT BY AN EMPLOYER INCLUDING RECORDS OF HIRING, PROMOTION, OR TERMINATION SHALL BE RETAINED BY AN EMPLOYER FOR A PERIOD OF:

A. One year from when the record was created
B. One year from the date of the personnel action
C. One year from when a charge discrimination is filed
D. Two years from when the record was created or the date of the personnel action, whichever is later
E. Both A and B.

LEWIS ROCA ROTHGERBER

9. Federal regulation requires that any personnel record made or kept by an employer including records of hiring, promotion, or termination shall be retained by an employer for a period of:

Answer: E. Both A and B.

LEWIS ROCA ROTHGERBER

10. A private school's former headmaster filed suit against the school alleging age discrimination. Four days after the parties signed a settlement agreement, the headmaster's daughter published a Facebook post stating, among other things, that her father had won his age discrimination case against the school, that the settlement would fund a vacation to Europe, and that the school should "suck it."

The settlement agreement contained the following confidentiality provision:

"[T]he plaintiff shall not either directly or indirectly, disclose, discuss or communicate to any entity or person, except his attorneys or other professional advisors or spouse any information whatsoever regarding the existence or terms of this Agreement…A breach…will result in disgorgement of the Plaintiffs [sic] portion of the settlement Payments."

LEWIS ROCA ROTHGERBER

WHAT IS THE SCHOOL'S RECOURSE FOR THE FACEBOOK POST:

A. The school has no recourse because the daughter's post is protected speech.
B. The school can issue its own Facebook post correcting the factual inaccuracies of the daughter's post.
C. The school can refuse to pay the settlement funds because the former headmaster violated the settlement agreement's confidentiality provision.
D. The school has no recourse because the daughter's post does not implicate the confidentiality provision of the settlement agreement.
E. Both A and D.

LEWIS ROCA ROTHGERBER

WHAT IS THE SCHOOL'S RECOURSE FOR THE FACEBOOK POST:

Answer: C. The school can refuse to pay the settlement funds because the former headmaster violated the settlement agreement's confidentiality provision.

LEWIS ROCA ROTHGERBER

11. Which of the following is not a covered impairment under the Americans with Disabilities Act?

A. Current illegal drug use

B. Alcoholism

C. Separation anxiety

D. Former drug addiction

E. None of the above

LEWIS ROCA ROTHGERBER

11. Which of the following is not a covered impairment under the Americans With Disabilities Act?

Answer: A. Current illegal drug use



LEWIS ROCA ROTHGERBER

12. True or False? Under Arizona law, If an employer requires drug testing of its employees, it must have a written policy in place that meets the requirements of Arizona's Drug Testing statute.

A. True

B. False

LEWIS ROCA ROTHGERBER

12. True or False? Under Arizona law, If an employer requires drug testing of its employees, it must have a written policy in place that meets the requirements of Arizona's Drug Testing statute.

Answer: B. False. Arizona's Drug Testing statute is an opt-in statute. It provides certain protections for employers who comply with its requirements but does not legally obligate Arizona employers to do so.

LEWIS ROCA ROTHGERBER

13. In order for an employer to qualify for protection under Arizona's drug testing statute, which of the following does NOT need to be included in an employer's drug testing policy:

A. The right of an employee, on request, to explain in a confidential setting, a positive test result.
B. A statement of the employer's policy regarding the confidentiality of the test results.
C. The date and time the testing will occur.
D. The consequences of a refusal to participate in the testing.

LEWIS ROCA ROTHGERBER

13. In order for an employer to qualify for protection under Arizona's drug testing statute, which of the following does NOT need to be included in an employer's drug testing policy:

Answer: C. The date and time the testing will occur.

Arizona's statute permits random drug testing, but requires that an employer's policy identify the circumstances under which testing may occur.

LEWIS ROCA ROTHGERBER

14. True or False? Arizona's Wage Payment Act requires employers Headquartered in Arizona to pay wages at least once a month on fixed pay days.

A. True

B. False

LEWIS ROCA ROTHGERBER

14. True or False? Arizona's Wage Payment Act requires employers Headquartered in Arizona to pay wages at least once a month on fixed pay days.

Answer: B. False. The Act requires employers headquartered in Arizona to pay employees at least twice a month.

LEWIS ROCA ROTHGERBER

15. By when must a Discharged employee be provided his or her final pay check under Arizona's Wage Payment Act?

A. By the next regular pay day
B. Within seven working days from the date of discharge, or the next regular payday, whichever is earlier
C. Within seven working days
D. By the next regular payday, or if the employee has property belonging to the employer, on the date the employee returns all property belonging to the employer.

LEWIS ROCA ROTHGERBER

15. By when must a Discharged employee be provided his or her final pay check under Arizona's Wage Payment Act?

Answer: B. Within seven working days from the date of discharge, or the next regular payday, whichever is earlier.

LEWIS ROCA ROTHGERBER

16. How many total charges were filed with the EEOC for fiscal year 2013?

A. 49,002

B. 79,302

C. 93,727

D. 125,303

LEWIS ROCA ROTHGERBER

16. How many total charges were filed with the EEOC for fiscal year 2013?

Answer: C. 93,727

LEWIS ROCA ROTHGERBER

17. Which of the following was the most popular type of discrimination alleged in charges filed with the EEOC in fiscal year 2013?

A. Age

B. Race

C. Sex

D. Disability

LEWIS ROCA ROTHGERBER

17. Which of the following was the most popular type of discrimination alleged in charges filed with the EEOC in fiscal year 2013?

Answer: B, Race. There were 33,068 Charges filed with the EEOC in Fiscal Year 2013 alleging race discrimination.

LEWIS ROCA ROTHGERBER

18. In which of the following circumstances does the Family and Medical Leave Act NOT require organizations to provide up to 12 weeks of unpaid leave?

A. After childbirth

B. After adoption

C. After death of a child

D. To care for a seriously ill family member

LEWIS ROCA ROTHGERBER

18. In which of the following circumstances does the Family and Medical Leave Act NOT require organizations to provide up to 12 weeks of unpaid leave?

Answer: C. after death of a child.

LEWIS ROCA ROTHGERBER

19. True or False? The Employee Retirement Income Security Act of 1974 (ERISA) is a federal law that requires private employers to establish retirement and health benefit plans for their employees.

A. True

B. False

LEWIS ROCA ROTHGERBER

19. True or False? The Employee Retirement Income Security Act of 1974 (ERISA) is a federal law that requires private employers to establish retirement and health benefit plans for their employees.

Answer: B. False.

ERISA does not require any employer to establish a plan. It only requires that those who establish plans must meet certain minimum standards.

LEWIS ROCA ROTHGERBER

20. The Employee Polygraph Protection Act permits employers to administer polygraph test on their employees in the following circumstances, EXCEPT:

A. Pre-employment screening for security service firms
B. Pre-employment screening for pharmaceutical manufacturers, distributors, and dispensers
C. Pre-employment screening for jobs involving children
D. Employees of private firms who are reasonably suspected of involvement in a workplace incident that resulted in specific economic loss or injury to the employer

LEWIS ROCA ROTHGERBER

20. The Employee Polygraph Protection Act permits employers to administer polygraph test on their employees in the following circumstances, EXCEPT:

Answer: C. Pre-employment screening for jobs involving children

LEWIS ROCA ROTHGERBER

21. What was the leading cause of worker deaths on construction sites in 2012?

A. Electrocution

B. Falls

C. Struck by object

D. Caught-in/between



LEWIS ROCA ROTHGERBER

21. What was the leading cause of worker deaths on construction sites in 2012?

Answer: B. Falls

In 2012, falls accounted for 36% of total deaths in the construction industry. Struck by an object accounted for 10% of deaths; electrocution accounted for 9% of deaths; and caught-in/between accounted for 2% of deaths.

LEWIS ROCA ROTHGERBER

22. The Occupational Health & Safety Act requires employers to record all of the following conditions when they are work related, EXCEPT:

A. Cleaning, flushing or soaking wounds on the skin surface
B. Any case requiring an employee to be medically removed under the requirements of an OSHA health standard
C. Any needle-stick injury or cut from a sharp object that is contaminated with another person's blood or other potentially infectious material
D. Tuberculosis infection after exposure to a known case of active tuberculosis

LEWIS ROCA ROTHGERBER

22. The Occupational Health & Safety Act requires employers to record all of the following conditions when they are work related, EXCEPT:

Answer: A. Cleaning, flushing or soaking wounds on the skin surface

LEWIS ROCA ROTHGERBER

23. The Occupational Health & Safety Act requires covered employers to report accidents that result in the hospitalization of three or more employees within the following amount of time:

A. Four hours

B. Eight hours

C. 24 hours

D. 48 hours



LEWIS ROCA ROTHGERBER

23. The Occupational Health & Safety Act requires covered employers to report accidents that result in the hospitalization of three or more employees within the following amount of time:

Answer: B. Eight hours

LEWIS ROCA ROTHGERBER

24. An employee who believes that he or she has been retaliated against in violation of Title I of the Affordable Care Act must file a complaint with OSHA within the following time period:

A. Within 60 days after the retaliation
B. Within 120 days after the retaliation
C. Within 150 days after the retaliation
D. Within 180 days after the retaliation

LEWIS ROCA ROTHGERBER

24. An employee who believes that he or she has been retaliated against in violation of Title I of the Affordable Care Act must file a complaint with OSHA within the following time period:

Answer: D. Within 180 days after the retaliation

LEWIS ROCA ROTHGERBER