

Western Governors University (WGU) HRM3100 C233 Employment Law Practice Exam (Sample)

Study Guide



Everything you need from our exam experts!

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Questions

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1. Without having to file lawsuits, the federal government may suspend or cancel contracts with non-complying contractors or debar them from bidding on future government contracts.
 - A. True
 - B. False
 - C. Depends on the contractor
 - D. Only during specific circumstances
2. What is an acceptable use policy in the workplace?
 - A. Guidelines for using company technology and resources appropriately
 - B. A policy for hiring new employees based on resource availability
 - C. Rules governing employee attendance and punctuality
 - D. A schedule for team meetings and company events
3. Which federal agency is responsible for enforcing anti-discrimination laws in the workplace?
 - A. The Department of Labor
 - B. The Equal Employment Opportunity Commission (EEOC)
 - C. The National Labor Relations Board
 - D. The Occupational Safety and Health Administration (OSHA)
4. What is meant by "reasonable accommodation" under the ADA?
 - A. Strict requirements for employee performance
 - B. Adjustments to enable disabled individuals to work
 - C. Additional pay for employees with disabilities
 - D. Provisions for employee health insurance
5. What is employee solicitation generally permitted?
 - A. During working hours within the company premises
 - B. During non-working hours and outside company premises
 - C. At company-sponsored events only
 - D. At designated break areas within the office

6. Amendments to The Vietnam Era Veteran Readjustment Assistance Act of 1974 require that federal contracts worth more than _____ require contractors and subcontractors to undertake AA for specified categories of veterans.
- A. \$50,000
 - B. \$100,000
 - C. \$250,000
 - D. \$75,000
7. What is a "business necessity" defense in discrimination lawsuits?
- A. A claim that the employer has positive workplace culture
 - B. A justification for an employment practice based on business needs
 - C. An argument that focuses on employee morale
 - D. A reason to reduce employee benefits
8. The Americans with Disabilities Act (ADA) requires employers to conform to the guidelines based on how many employees?
- A. 15
 - B. 10
 - C. 50
 - D. 25
9. An English-only rule in the workplace must be justified by:
- A. Business necessity
 - B. Employer preference
 - C. Employee complaints
 - D. A Federal judge
10. What is the purpose of the federal OSHA?
- A. To regulate healthcare benefits
 - B. To promote employee rights
 - C. To make workplaces safe by preventing worker illness and injury
 - D. To oversee union activities

Answers

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1. A
2. A
3. B
4. B
5. B
6. B
7. B
8. A
9. A
10. C

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Explanations

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1. Without having to file lawsuits, the federal government may suspend or cancel contracts with non-complying contractors or debar them from bidding on future government contracts.

A. True

B. False

C. Depends on the contractor

D. Only during specific circumstances

The statement is accurate because federal laws and regulations empower the government to take administrative actions against contractors that fail to comply with contract terms or legal requirements. This administrative capability allows the government to enforce compliance through contract suspensions or cancellations without the need for litigation. This is significant because it streamlines the process of ensuring that contractors adhere to federal standards, thereby promoting accountability and maintaining the integrity of government procurement. Debarment is another consequence that can be invoked against non-compliant contractors, effectively preventing them from participating in future bidding processes for government contracts, which serves as a deterrent against violations. The mechanisms behind this process are rooted in legislative provisions such as the Federal Acquisition Regulation (FAR), which outlines compliance requirements and the consequences of failing to meet those obligations. Overall, the government's ability to suspend contracts or debar contractors is a crucial aspect of managing relations with contractors in the context of employment laws and federal contracting.

2. What is an acceptable use policy in the workplace?

A. Guidelines for using company technology and resources appropriately

B. A policy for hiring new employees based on resource availability

C. Rules governing employee attendance and punctuality

D. A schedule for team meetings and company events

An acceptable use policy in the workplace primarily establishes guidelines for the appropriate use of company technology and resources. This includes defining what constitutes acceptable behavior when using computers, networks, internet access, email systems, and other technology resources provided by the employer. The policy aims to protect both the organization and the employees by clarifying expected behaviors and outlining any potential consequences for misuse. For example, it may include guidelines on not accessing inappropriate websites, not sharing confidential information, and not using company resources for personal gain. By setting these standards, the policy helps maintain professional integrity, security of data, and overall productivity within the workplace. The other options represent different aspects of workplace operations but do not specifically relate to the permitted use of company resources or technology. Hiring policies focus on staffing, attendance rules address employee conduct regarding presence and punctuality, and meeting schedules pertain to organizational planning rather than user behavior concerning technology.

3. Which federal agency is responsible for enforcing anti-discrimination laws in the workplace?

A. The Department of Labor

B. The Equal Employment Opportunity Commission (EEOC)

C. The National Labor Relations Board

D. The Occupational Safety and Health Administration (OSHA)

The Equal Employment Opportunity Commission (EEOC) is the federal agency tasked with enforcing anti-discrimination laws in the workplace. This includes overseeing laws that prohibit discrimination based on race, color, religion, sex, national origin, age, disability, and genetic information. The EEOC investigates complaints filed by individuals and has the authority to file lawsuits on behalf of individuals or groups alleging discrimination. The agency plays a crucial role in promoting fair treatment in employment and ensuring that individuals have the right to work in an environment free from discrimination and harassment. Through various initiatives, the EEOC provides education and outreach to employers and employees, fosters compliance with federal anti-discrimination laws, and helps to resolve conflicts in employment practices that may violate these laws.

4. What is meant by "reasonable accommodation" under the ADA?

A. Strict requirements for employee performance

B. Adjustments to enable disabled individuals to work

C. Additional pay for employees with disabilities

D. Provisions for employee health insurance

Under the Americans with Disabilities Act (ADA), "reasonable accommodation" refers specifically to adjustments or modifications in the workplace that enable individuals with disabilities to perform their job duties effectively. This can include alterations to the work environment, flexible work schedules, or the provision of specialized equipment and services tailored to meet specific needs. The intent of reasonable accommodation is to ensure that employees with disabilities have the same opportunities to succeed and participate in their employment as those without disabilities. In this context, the correct understanding of reasonable accommodation is critical for promoting inclusivity and compliance with the ADA, as it emphasizes the need for employers to remove barriers that could hinder employees' ability to excel in their roles. The concept aligns with the overarching goal of the ADA to enhance the employment opportunities and quality of life for individuals with disabilities.

5. What is employee solicitation generally permitted?

- A. During working hours within the company premises
- B. During non-working hours and outside company premises
- C. At company-sponsored events only
- D. At designated break areas within the office

Employee solicitation is generally permitted during non-working hours and outside company premises because this aligns with employees' rights to engage in protected activities under labor laws. The National Labor Relations Act, for example, protects employees' rights to organize and communicate with one another regarding workplace conditions and concerns. When solicitation occurs outside of work hours, it minimizes disruption to the workplace and respects the employer's right to maintain productivity during working hours. Employees have the ability to discuss union activities or other forms of solicitation during breaks or after shifts in areas that do not interfere with the employer's legitimate business interests. In contrast, solicitation during working hours within company premises can interfere with work performance and business operations, which is often why it is restricted. Company-sponsored events may allow solicitation, but this is often at the discretion of the employer and does not have the same broad legal protection. Finally, while designated break areas might seem like appropriate locations, the general principle focuses on the timing and location outside of work holdings to ensure minimal disruption.

6. Amendments to The Vietnam Era Veteran Readjustment Assistance Act of 1974 require that federal contracts worth more than _____ require contractors and subcontractors to undertake AA for specified categories of veterans.

- A. \$50,000
- B. \$100,000
- C. \$250,000
- D. \$75,000

The requirement that federal contracts worth more than \$100,000 mandate contractors and subcontractors to undertake affirmative action (AA) for specified categories of veterans is rooted in the amendments to The Vietnam Era Veteran Readjustment Assistance Act of 1974. This act was designed to ensure that veterans, especially those who served during the Vietnam War, have equal opportunities in employment and are not discriminated against because of their veteran status. The threshold of \$100,000 reflects a significant amount of federal investment that necessitates adherence to affirmative action policies to promote inclusivity and support for veterans in the workforce. These measures help to create a level playing field by encouraging employers to engage in practices that actively recruit, hire, and promote veterans, thereby fulfilling the intent of the legislation. Other amounts referenced in the options do not reflect the current stipulations established by the act, reinforcing the significance of \$100,000 as the benchmark for compliance.

7. What is a "business necessity" defense in discrimination lawsuits?

- A. A claim that the employer has positive workplace culture
- B. A justification for an employment practice based on business needs
- C. An argument that focuses on employee morale
- D. A reason to reduce employee benefits

A "business necessity" defense in discrimination lawsuits refers to a justification for an employment practice that is based on the legitimate requirements of the business. This means that an employer may argue that a specific employment decision or practice is essential for the operation of the business and is directly related to the job's needs. This defense is often invoked in cases where a seemingly discriminatory practice is challenged, and the employer must demonstrate that the practice serves a critical function that is necessary for the safe and efficient operation of the business. For example, if a company establishes a height requirement for a job where being a certain height is essential for safety or proper performance (such as for firefighters needing to reach certain equipment), the employer can assert that this requirement is grounded in a business necessity. The key aspect of the "business necessity" defense is that it must be proven that the employment practice in question is not just arbitrary or discriminatory but rather is essential for fulfilling a critical role within the company. Therefore, this justification ensures that businesses can maintain operational effectiveness while attempting to comply with anti-discrimination laws.

8. The Americans with Disabilities Act (ADA) requires employers to conform to the guidelines based on how many employees?

- A. 15
- B. 10
- C. 50
- D. 25

The Americans with Disabilities Act (ADA) mandates that employers with 15 or more employees must comply with its provisions. This threshold ensures that a wide range of employers, including smaller businesses, are held accountable for providing equal opportunities to individuals with disabilities. By establishing this requirement, the ADA aims to encourage a more inclusive workforce and extends legal protections to a significant number of workers. The requirement for 15 employees strikes a balance between protecting individuals with disabilities and the practicalities faced by smaller employers. This threshold is specifically outlined within the text of the ADA, making it a critical point of understanding for compliance and application of the law.

9. An English-only rule in the workplace must be justified by:

- A. Business necessity
- B. Employer preference
- C. Employee complaints
- D. A Federal judge

An English-only rule in the workplace must be justified by business necessity to comply with legal standards set forth by anti-discrimination laws. This means that an employer must demonstrate that the implementation of such a rule is essential for the operation of the business and that it serves a legitimate business purpose. For instance, employers might argue that an English-only policy is necessary for safety, effective communication, or customer service standards within certain roles where the ability to understand and speak English is crucial. Simply having a personal or subjective preference for an English-only environment, or implementing such a rule in response to employee complaints, does not meet the legal threshold necessary to support the enforcement of this type of policy. Additionally, the requirement does not depend on the approval of a federal judge as a criterion for justification, since the rule must be grounded in practical business needs rather than legal endorsement. Thus, the correct and legally sound basis for an English-only rule in the workplace hinges on a clear business necessity that can be substantiated by the employer.

10. What is the purpose of the federal OSHA?

- A. To regulate healthcare benefits
- B. To promote employee rights
- C. To make workplaces safe by preventing worker illness and injury
- D. To oversee union activities

The purpose of federal OSHA (Occupational Safety and Health Administration) is primarily focused on creating safe and healthy working conditions for employees. The agency aims to prevent workplace hazards that could lead to illnesses, injuries, or fatalities. By setting and enforcing standards for workplace safety, as well as providing training, outreach, education, and assistance, OSHA plays a crucial role in ensuring that employers maintain safe environments for their employees. This focus on safety and health prevention distinguishes OSHA from other entities that might deal with employee rights or union activities. While those aspects are also important in the realm of employment law, they are not the primary mission of OSHA, which is specifically dedicated to workplace health and safety.