



# **Module 5: Employment Law And Compliance**

## **Lesson 1: Key employment laws and regulations**



# Introduction

**Employment law is a complex and dynamic aspect of the legal landscape that governs the relationship between employers and employees. Understanding the key employment laws and regulations is essential for both employers and employees to ensure fair and lawful workplace practices.**



# I.

## Equal Employment Opportunity Laws

01.

**Title VII of the Civil Rights Act of 1964:** This prohibits discrimination based on race, color, religion, sex, or national origin, and its role in promoting equal opportunities in the workplace.

02.

**Americans with Disabilities Act (ADA):** This prohibits discrimination against individuals with disabilities and requiring employers to provide reasonable accommodations.

03.

**Age Discrimination in Employment Act (ADEA):** This protects individuals over the age of 40 from discrimination in the workplace and promotes equal opportunities for older workers



## II. Fair Labor Standards Act (FLSA)

- **Minimum Wage and Overtime Pay:** Explores the provisions on minimum wage and overtime pay, outlining the criteria for employees eligible for overtime and the calculation of overtime rates.
- **Child Labor Laws:** Discusses the FLSA's child labor provisions, which establish age and hour restrictions for young workers, ensuring their safety and well-being in the workplace.
- **Exemptions and Classification:** Examines exemptions including the criteria for classifying employees as exempt or non-exempt, impacting eligibility for overtime pay.



### III. Occupational Safety and Health Act (OSHA)

**Workplace Safety Standards:** Introduces its role in establishing and enforcing workplace safety standards to ensure a safe and healthy working environment

**Employee Rights and Responsibilities:** Emphasizes employees right to a safe workplace and the avenues for reporting safety concerns.

**Record keeping and Reporting:** Examines requirements for record keeping and reporting workplace injuries and illnesses, fostering transparency and accountability.

### IV. Family and Medical Leave Act (FMLA)

**Eligibility and Coverage:** Explores the FMLA's provisions, including eligibility criteria and the types of leave covered, such as medical, family, and military leave.

**Employee Rights and Protections:** Discusses the rights and protections afforded to employees under FMLA, including job protection and continuation of health benefits during leave.

**Employer Responsibilities:** Examines the responsibilities of employers under FMLA, including providing notice, maintaining health benefits, and reinstating employees after leave.

## V. National Labor Relations Act (NLRA)

- Employee Rights to Organize
- Unfair Labor Practices
- Role of the National Labor Relations Board (NLRB)

## VI. Employment Retirement Income Security Act (ERISA)

- Pension and Retirement Plan Regulations
- Fiduciary Responsibilities
- Reporting and Disclosure Requirements



## VII. Immigration and Nationality Act (INA)

### **Employment Eligibility Verification (Form I-9):**

Introduces the INA's requirements for verifying the employment eligibility of workers through the completion of Form I-9.

**Visa Programs:** Discusses various visa programs under the INA, such as H-1B and L visas, which allow employers to hire foreign workers with specialized skills.

**Anti-Discrimination Provisions:** Examines anti-discrimination provisions in the INA, prohibiting discrimination based on national origin and citizenship status.

## VIII. Employee Privacy Laws

### **Electronic Communications Privacy Act (ECPA):**

Explores the ECPA, addressing the privacy rights of employees in electronic communications, including emails and electronic monitoring.

**Health Insurance Portability and Accountability Act (HIPAA):** Discusses HIPAA's impact on employee privacy, particularly in the context of health information and employer-sponsored health plans.

**Social Media and Workplace Privacy:** Examines the intersection of social media and workplace privacy, considering the boundaries between employees' personal activities online and employers' monitoring practices.



# Summary

Understanding key employment laws and regulations is crucial for creating a fair, safe, and compliant workplace. This lesson has covered essential aspects of equal employment opportunity, wage and hour laws, workplace safety, family and medical leave, labor relations, retirement benefits, immigration, and employee privacy. By navigating these legal frameworks, both employers and employees can contribute to a workplace environment that promotes dignity, fairness, and respect.







# Lesson 2

Ensuring HR practices align with legal requirements





# I

## Recruitment and Hiring Practices

- Equal Employment Opportunity (EEO) Compliance
- Job Descriptions and Requirements
- Pre-Employment Screening

# II.

## Employment Contracts and Offer Letters

- At-Will Employment and Contractual Agreements
- Non-Compete and Confidentiality Clauses
- Considerations for Contract Termination



### III.

## Anti-Discrimination and Diversity Laws

- Title VII of the Civil Rights Act
- Americans with Disabilities Act (ADA)
- Age Discrimination in Employment Act (ADEA):

### IV.

## Wage and Hour Compliance

- Fair Labor Standards Act (FLSA)
- Employee Classification
- Recordkeeping and Payroll Practices



## V.

# Workplace Policies and Procedures

- Employee Handbook Compliance
- Harassment and Discrimination Prevention
- Privacy Policies and Data Protection





## VI. Termination and Employee Relations

- Wrongful Termination Considerations
- Exit Interviews and Feedback
- Employee Relations and Conflict Resolution.



## VII. Employee Benefits and Leaves

- Family and Medical Leave Act (FMLA)
- Health Insurance Portability and Accountability Act (HIPAA)
- Affordable Care Act (ACA) Compliance

## VIII.

# Employee Training and Development



### **Diversity and Inclusion Training:**

Introduces diversity and inclusion training as a means to foster a respectful and inclusive workplace, promoting compliance with anti-discrimination laws



### **Sexual Harassment Prevention Training:**

Discusses the importance of sexual harassment prevention training, emphasizing its role in creating awareness, preventing workplace harassment, and ensuring legal compliance.



### **Safety and Compliance Training:**

Examines HR's role in providing safety and compliance training to employees, covering topics such as workplace safety, emergency procedures, and regulatory compliance.

# Summary

In conclusion, ensuring HR practices align with legal requirements is fundamental for creating a fair, compliant, and productive workplace. This lesson has covered key legal considerations in HR practices, including recruitment, employment contracts, anti-discrimination laws, wage and hour compliance, workplace policies, termination procedures, employee benefits, and employee training. By navigating these legal frameworks effectively, HR professionals contribute to fostering a positive and legally compliant organizational culture



## **Lesson 3:**

**Handling workplace disputes and grievances  
Introduction**





# Introduction

Workplace disputes and grievances are inevitable aspects of organizational life. Effectively managing and resolving these conflicts is crucial for maintaining a positive work environment, employee morale, and overall productivity. This lesson delves into the intricacies of handling workplace disputes and grievances, covering conflict resolution strategies, grievance procedures, mediation, and the role of human resources in fostering a harmonious workplace.

# I. Understanding Workplace Disputes

01.

## **Definition and Types of Workplace Disputes:**

conflicts that arise between individuals or groups within an organization. E.g. interpersonal conflicts, misunderstandings, and disagreements over work-related matters.

02.

## **Impact of Unresolved Disputes:**

unresolved workplace disputes, has the potential to negatively affect employee morale, teamwork, and organizational culture.

03.

## **Common Causes of Workplace Disputes:**

are miscommunication, conflicting goals, power struggles, and perceived inequities. Understanding the root causes is essential for implementing targeted conflict resolution strategies.



## II.

### Conflict Resolution Strategies

- Communication and Active Listening.
- Negotiation and Compromise.
- Mediation and Third-Party Intervention

## III.

### Establishing Grievance Procedures

- Grievance procedures are formal processes for addressing employee complaints and disputes. It provides a structured and fair mechanism for conflict resolution.
- **Developing an Effective Grievance Policy:** includes clear procedures, confidentiality measures, and timelines for resolution, also the importance of transparency and accessibility.
- **Employee Awareness and Training:** Discusses the significance of employee awareness and training on grievance procedures. Emphasizes the need for employees to understand their rights, the process for raising grievances, and the available support.



## IV.

# Role of Human Resources in Conflict Resolution

- HR as Mediators
- Conflict Coaching
- Documentation and Record-Keeping





# V.

## Mediation Techniques

- **Opening Statements and Ground Rules:**

- **Facilitating Communication**

- **Generating Options and Agreement**



## **VI.** **Dealing with Difficult Conversations**

- Managing Emotional Responses.
- Cultural Sensitivity
- Resolving Power Imbalances

## **VII.** **Case Studies in Conflict Resolution**

- Interpersonal Conflict Case Study
- Policy Violation Grievance Case Study



# Summary

In conclusion, effectively handling workplace disputes and grievances is essential for maintaining a healthy work environment. This lesson has covered the understanding of workplace disputes, conflict resolution strategies, grievance procedures, the role of HR in conflict resolution, mediation techniques, dealing with difficult conversations, and real-world case studies. By equipping HR professionals and employees with the tools and knowledge to address conflicts constructively, organizations can foster a positive workplace culture that promotes collaboration and productivity.