



EMPLOYMENT LAW

LESSON TOPICS

1. Right to Work vs. Employment at Will

Right to Work is a concept that only applies to the prohibition of requiring employees to be members of a union before they can be an employee of a company.

Employment At-Will is the concept that say an employer and an employee can end their relationship at any time for any lawful reason with or without notice.

2. Laws for Businesses Starting at Just One Employee

Equal Pay Act: Applies to a workplace with just one employee.

Fair Labor Standards Act: This includes the federal minimum wage of \$7.25 and the prohibition of child labor for certain children under certain ages. Children 14-17 years of age the primary objective is to make sure they are sufficiently educated and can work in safe working environments. Children that work for their families is an exception to this law.

National Labor Relation Act: This provides protections to employees to be able to engage in concerted activity, to join or form unions.

Uniformed Services Employment and Reemployment Rights Act: Protects the right of military members in employment.

Occupational Safety and Health Act: Also the Tennessee Plan apply to your workplace with just one employee.

Immigration Reform and Control Act: This applies to the form I9 and E-verify.

Employee Polygraph Protection Act: Although polygraphs are rarely used in the hiring

process, there are limited opportunities to use them for existing employees.

Wage Regulation Act: Applies to when you pay your employees, how often, when you pay upon separation of employment, and entitlement to vacation pay.

Public Protection Act: Protects employees involved in certain protected activities from retaliatory discharge.

3. Laws for Businesses with Five or more Employees

Tennessee Workers' Compensation Act: Will apply to your business of five or more employees.

Tennessee Human Rights Act: With eight employees or more, it will provide basic protection against discrimination of race, sex, age, and religion.

Tennessee Disability Act: Protects those employees that are disabled.

Title VII: With fifteen or more employees, protects against discrimination of race, color, religion, sex, and national origin. Sex also includes sexual orientation and gender identity under federal law.

Americans with Disabilities Act: With fifteen or more employees, will require that reasonable accommodations to be provided for those who are disabled. it also requires those that are disabled to be qualified for jobs that they are seeking.

Genetic Information Nondiscrimination Act: This applies to the prohibition of seeking information about genetic information of employees and their families.



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EMPLOYMENT LAW CONT.

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3. Laws for Businesses with Five or more Employees cont.

Pregnancy Discrimination Act: Along with Tennessee law of fifteen employees or more for protected individuals that are pregnant. Also extends to employees who may get pregnant, have been pregnant, or had difficult pregnancies in the past.

4. Laws for Businesses with Twenty or more Employees

Age Discrimination in Employment: This law applies with 20 or more employees under federal law.

Family and Medical Leave Act: Will apply with 50 or more employees. Also with this act, it is important to have experienced HR to handle and manage carrying out this act.

Affordable Care Act: At least a certain amount of health coverage will need to be provided with 50 or more employees.

Paid Maternity and Paternity Leave: This is required at a business with 100 or more employees at one job site.