Vehar v. Cole

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**Case Study Review**

**Legal Issues of Case**

The particular case of Vehar v. Cole National Group, 251 Fed. Appx. 993 is selected to critically discuss the legal foundations in the form of employment law. Detailed consideration of this case reveals that there are different legal issues associated with the overall development of the case. This specific case comprised on the allegation of sex discrimination by Vehar on the organization of Cole National Group. It is crucial to figure out whether the organization was guilty to adopt the approach of sex discrimination or not. Detailed analysis of the entire scenario reveals that undoubtedly, Vehar Wendy faced the legal issue of unfair employment particularly in the form of biased salary package due to her gender. It is observed that the petitioner successfully presented a valid argument regarding wage discrimination under the prospect of Equal Pay Act established in the country.

The evidence of this specific argument can be determined through examining the working and salary paradigms for Erich Leipold and Dave Crosley, who were working with Vehar in the same field. Detailed analysis of this case revealed that Vehar had both forms of academic degree and experience whereas both Leipold and Crosley never had a bachelor’s degree. Regardless of this difference, they received more pay as compare to Vehar and this approach eventually caused the legal issue of sex discrimination in a workplace setting (*Vehar v. Cole,* 2006). Another legal concern in this specific context appeared when she was placed as the Programmer II position without her will. This specific transition of the job position also never changed her pay structure (Walsh, 2015). The overall development of this legal case illustrated that after the appeals, the appeal court had overturned the decision of the district with the argument that all three employees Vehar, Leipold, and Crosley equally performed difficult job tasks but Vehar received low wage rate due to the element of employment discrimination.

**Consideration of Factor other-than-Sex**

It is crucial to examine why the argument of other-than-sex by the employer is not suitable enough to avoid the legal prospect of the trial. The phenomenon of avoiding trial was difficult for the employer because there was not much evidence to justify why Crosley and Leipoind were paid more as compare to Vehar. The arguments of the seniority system and their experience were not successfully justified by the employer considering the reality of the complex duties performed by all three employees including Vehar. A critical assessment of the entire scenario also indicated that the organization of Cole never successfully implement the merit pay system because both Leipold and Crosley received low-performance rating but this approach never influenced their salary package. It is also established that Vehar always played her crucial role by leading different important projects that are a clear indication that experience was not the feature that was used by the management during the process of decision-making.

**Different Approach of Employer**

The analysis of this specific legal employment case of sex discrimination can never be considered complete without focusing on all the possible practices that should be done by the employer to avoid this legal claim by Vehar. Employers could have established or placed certain policies in order to create a better image for employees that how a promotion system is worked in their organization (Korczynski, 2002). The legal claim by Vehar can be avoided by clarifying the idea of promotion system in that organization along with various factors that are included in that promotion system. When the position became available, the company should need to factor the employee performance reports in order to select a candidate from within their company. If these conditions were met, then the company would be able to avoid a legal claim by Vehar.

**References**

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*Vehar V. Cole Vision Corporation*, No. 5: 05 Cv 1367 (N.D. Ohio Oct. 6, 2006).