Your Name

Instructor Name

Course Number

Date

Title: Subtitle

**Case 01**

At ‘We Haul’, a trucking company, the Teamsters Union is trying to organize and unite the drivers. They were using the lunchroom for this purpose. They gave other drivers petitions and requested them to sign the authorization card. The company placed a sign in the lunchroom that other drivers were bothered, and the union is not allowed to continue discussions in there. National Labor Relations Act (NLRA) guarantees the rights of the labor community. According to it, the drivers at ‘We Haul’ are allowed to conduct discussion and hand out the petitions. Hence the sign is not legal. (Beatty and Samuelson)

**Case 02**

Marcie Dutschmann was an at-will employee, but the handbook given to her stated that she has the right to termination hearing in case she is fired. Fed-Ex argued that she fabricated records, however, she claims that she was fired for filing a complaint against sexual harassment. She has the right to termination hearing as mentioned in the handbook. The company is obligated to conduct termination hearing as per her request and the employee handbook implies contract guaranteeing Dutschmann a hearing.

**Case 03**

According to Title VII, discrimination based on gender or sexual orientation at the workplace is illegal. Any decision or act based on this discrimination can be challenged in court (Miller). In this case, the employee Oiler was fired for crossdressing and appearing in the public with a woman’s identity. In society, crossdressing is often considered a social identity. The diagnostic standards of Transvestic Fetishism vaguely decrease this social expression of femininity by cross-dressing males to sexual aberration.

           Plaintiff asserts two justifications to support his motion for summary judgment. He states that according to Title VII; his termination is illegal as the law forbids sexual discriminations. He stated that he only cross-dressed outside of work. Secondly, he stated that he was wrongly terminated, and his termination is disparate conduct as other females were not fired.

The claim of the Plaintiff for disparate conduct is not solid enough because he has not demonstrated a legitimate problem of substantial fact to support his claim. The defendant is eligible to decide according to the law. Title VII does not hold for this case and hence the plaintiff cannot challenge the termination. In addition to this, there was no evidence that any women cross-dressed or were involved in similar activities (Beatty and Samuelson)

**Case 04**

According to the rules of EEOC, there is no discrimination in physical and mental illness. EEOC recommends the employers to provide a comfortable environment for disable employees and assign flexible work timings so that employees can attend therapy sessions and provide feedback according to the job requirement. As per rules set by Americans with Disabilities Act (**ADA**), an employer may request a medical test and converse about an inferred disability. However, this step should only be taken when it is expected that employee will not able to perform well enough to fulfill the job requirement.

In this particular case, the employee Ryan is not able to perform well, and he has stated that he suffers from sleep apnea which is a sleeping disorder due to which the patient experiences suffocation in sleep. One of the side effects of sleep apnea is becoming exhausted and experiencing fatigue. According to Ryan, this is the reason he cannot keep track of important tasks at his job. However, there is no evidence to his claims as he declined to take tests. According to the doctor’s report, it is also possible that his condition is due to inappropriate sleep patterns, high caffeine intake, and unhealthy diet.

The employer can request Ryan for the test as proof of his claim. If Ryan suffers from Sleep apnea, the employer is obligated to facilitate him according to the rules of EEOC. If Ryan continues to show poor performance and does not submit medical reports, he can be fired (Beatty et al.)

**Work Cited:**

Beatty, Jeffrey F., et al. *Essentials of Business Law*. Cengage Learning, 2018.

Beatty, Jeffrey F., and Susan S. Samuelson. *Introduction to Business Law*. Cengage Learning, 2015.

Miller, Robert Stevens Jr. “Sex Discrimination and Title VII of the Civil Rights Act of 1964.” *Minnesota Law Review*, vol. 51, 1967 1966, p. 877.