Index

ACCESS AGE DISCRIMINATION—Cont'd Employees, 3:22, 4:1, 6:3, 7:19, Labor Management Relations Act, 7:31, 9:5, 10:49, 10:68, 12:6, 3:65, 7:13 12:53 **ACQUISITION** Employers, 3:22, 4:1, 6:3, 7:19, Amendments, 6:10, 6:50, 12:32 10:49, 10:68, 12:6, 12:53 Disability, 12:16 Federal law, 4:1, 6:3, 7:19, 10:49 ERISA, 12:16, 12:34 Front pay, 7:31 Health benefits, 12:16 Generally, 3:22, 6:3 Termination, 10:17 Harassment, 3:22, 6:3, 7:31 Transfers, 12:34 Knowing and voluntary, 12:53 Liquidated damages, 7:19, 10:68 ADA AMENDMENTS ACT OF 2008 Notice, 3:22 Americans with Disabilities Act, Parties, 10:68, 12:53 3:35, 12:7 Pleading, 10:49 Pretext, 12:6 ADMINISTRATION Prima facie case, 12:6 National Labor Relations Act, 1:4, Reinstatement, 7:31 3:19, 3:31, 12:47 Remedies, 7:31, 9:5 ADVERSE EMPLOYMENT Retaliation, 6:3, 7:19, 7:31, 12:6, ACTION 12:53 Americans with Disabilities Act, Tax, 10:68, 12:53 3:20, 3:22, 3:27, 3:34 to 3:36, Termination of employment, 10:68 3:57, 8:4, 12:15, 12:17, 13:28 Waivers, 12:53 AFFIRMATIVE ACTION AGE DISCRIMINATION IN Evidence, 3:36, 8:3, 12:15 **EMPLOYMENT ACT** Notice, 3:36, 12:10, 12:15 Alternative dispute resolution, **10:49** Proof, 12:15 Arbitration agreements, 10:49, 12:6 AGE DISCRIMINATION Attorneys, 3:22, 7:19, 12:53 Conciliation, 3:22 ADEA, 6:3, 7:19, 7:31, 10:68, 12:6, 12:53 Conference, 10:49 Agencies, 12:53 Counsel, 10:49 Backpay, 7:19 Criminal sanctions, 7:19 Benefits, 7:19, 10:49, 10:68, 12:53 Defenses, 3:22 Compensation, 7:19, 7:31 Evidence, 7:31, 12:6, 12:53 Complaint, 7:19 Intent, 7:19 Damages, 3:22, 6:3, 7:19, 7:31, Investigations, 7:19, 12:6 10:68, 12:6, 12:53 Notice, 3:22 Decisionmakers, 12:6 Older Workers Benefit Protection Defenses, 3:22 Act, 12:6

Parties. 12:53

Disparate impact, 12:6

AGE DISCRIMINATION IN	AIDS—Cont'd
EMPLOYMENT ACT—Cont'd	Common law, 1:1, 3:7, 3:66, 7:20,
Pretext, 12:6	14:3
Private employers, 6:3	Compensation, 1:1, 7:20, 7:22, 13:1,
Reports, 7:19	13:3, 13:11, 14:6
Retaliation, 6:3, 7:19, 7:31, 12:6,	Complaints, 14:6
12:53	Compliance, 10:62 , 14:6
Service, 10:49	Conditions, 3:57, 4:19, 7:22, 13:20,
Subpoenas, 3:22	14:6
Terms, 10:49 , 12:53	Conducting, 14:6
AGENCIES	Constructive discharge, 3:57, 12:11
	Contents, 14:5
Labor relations, 4:23 , 6:42	Corporations, 7:22
AGENTS	Corrective action, 7:20
Termination of employment, 10:54,	Coverage, 7:22
16:21	Creating, 13:3
AIDS	Data, 1:1, 12:11, 13:1, 13:11, 13:16
	Defamation, 1:1, 7:20
Alcohol, 3:34, 10:62, 13:3, 13:20	Discipline, 3:66, 4:19, 7:20, 12:11
Amendment, 3:7, 14:5	Discrimination, 1:1, 3:57, 7:20, 7:22,
Americans with Disabilities Act,	13:1, 13:11, 13:20, 13:22
3:34, 3:57, 4:19	Diseases, 3:7, 4:19, 10:62, 12:11
Analysis, 1:1, 3:7, 7:22, 13:1, 13:11	Drivers, 3:7
Announcement, 3:66	Drugs, 3:7, 3:34, 13:3
Answers, 1:1, 3:7	E-mail, 1:1, 14:5
Appeals, 7:20	Elements, 3:66 , 10:62 , 14:6
Applications, 1:1 , 3:57	Eligibility, 4:19
Arbitration, 1:1	Enforcement, 3:7 , 3:57
Assessment, 3:34, 4:19	Ensuring, 3:7
Assignments, 7:22	Essential functions, 3:34 , 3:57 , 4:19
Assistance, 3:57, 7:22	Establishing, 3:34, 4:19
Attendance, 3:34	Evaluation, 10:62 , 14:6
Attorneys, 7:20	Evidence, 1:1, 3:57, 13:1, 13:11,
Behavior, 3:7, 3:34, 4:19	14:3, 14:6
Benefits, 1:1, 4:19, 7:22	Examination, 3:7, 3:34, 3:57, 3:66,
Building, 7:22	4:19, 12:11, 13:1, 13:3, 13:20,
Business, 3:34, 4:19, 7:22, 12:11,	14:5, 14:6
13:16, 14:3, 14:5	Exercise, 3:34, 13:16
Care, 3:34, 4:19, 7:20, 10:62, 13:16,	Experience, 3:7
14:5	Exposure, 14:3
Career, 14:6	Factors, 7:20, 7:22
Centers, 12:11	Facts, 3:7, 4:19, 14:3, 14:5, 14:6
Charliste 11	Fair, 1:1, 7:20, 7:22
Checklists, 1:1	Fair Labor Standards Act, 7:22
Claims, 3:7, 3:34, 3:57, 3:66, 4:19,	Family, 1:1, 4:19, 7:22, 10:62, 14:6
7:20, 7:22, 13:20, 13:22, 14:3, 14:5, 14:6	Family and Medical Leave Act, 4:19
,	
Codes, 3:57	Family and medical leave, 4:19 , 7:22
Collection, 13:16	Files, 4:19

AIDS—Cont'd	AIDS—Cont'd
Filing, 1:1	Operators, 3:7
Fired employees, 7:22	Osha, 4:19
First aid, 3:7	Overview, 1:1, 3:57, 4:19, 12:11,
Fitness, 3:34 , 3:57 , 4:19 , 12:11 , 14:6	13:1, 13:3, 13:11, 13:16, 13:20,
Fmla, 4:19	13:22
Food, 3:57 , 4:19	Paid, 1:1, 7:22
Forms, 4:19 , 10:62 , 12:11	Parties, 7:22, 13:16
Harassment, 3:34, 7:20, 12:11, 14:3,	Pay, 7:20, 12:11, 13:20
14:5, 14:6	Payment, 10:62 , 13:11
Health, 3:7, 3:34, 4:19, 10:62, 12:11, 13:20, 14:5	Performance, 3:7, 3:57, 7:22, 13:3, 14:5, 14:6
Health care, 3:34, 4:19, 10:62, 14:5	Personal protective equipment, 12:11
Illnesses, 14:6	Plans, 13:16
Information, 1:1, 3:34, 4:19, 10:62,	Policies, 1:1, 3:34, 3:57, 7:22, 14:3,
12:11, 13:3, 13:16, 13:20, 14:3,	14:5
14:5, 14:6	Polygraphs, 1:1, 13:11, 13:20, 14:5
Inquiry, 3:7 , 3:34 , 4:19 , 12:11	Posting, 14:3 , 14:5
Insurance, 3:34 , 4:19 , 7:20 , 7:22 ,	Practices, 7:20 , 7:22
13:1, 13:11	Prevention, 12:11
Interviews, 1:1 , 4:19 , 14:5	Privilege of employment, 3:34
Investigations, 1:1, 3:7, 13:3, 14:6	Programs, 4:19
Issues, 1:1, 7:20, 7:22	Property, 13:3
Job performance, 7:22 , 14:5	Protection, 1:1, 3:34, 3:57, 4:19,
Jurisdiction, 14:6	12:11, 13:1, 13:3, 13:11, 14:6
Labor relations, 7:22	Public employers, 3:7, 7:22
Laws, 1:1, 3:34, 3:57, 4:19, 7:20,	Publishing, 14:3
13:1, 13:3, 13:11, 13:16, 13:20	Questions, 3:7, 3:34, 4:19, 12:11,
Legal, 7:22	13:20, 14:5
Liability, 1:1, 3:34, 7:20, 7:22,	Recordkeeping, 7:22
12:11, 13:1	Records, 1:1, 4:19, 7:22, 10:62, 13:1,
Machinery, 7:22	13:3, 13:11, 13:16, 13:20, 14:3,
Making, 3:34, 4:19, 13:20	14:5
Management, 7:22, 14:3	References, 1:1
Managers, 7:20, 14:3, 14:5, 14:6	Refusal, 10:62
Marijuana, 1:1, 3:57, 13:1, 14:6	Rehabilitation, 1:1, 3:57, 13:1, 13:11
Media, 1:1, 3:66, 14:3, 14:5	Religion, 13:11
Mediation, 13:1, 13:11	Reporting, 1:1, 12:11, 14:6
Medical records, 4:19, 13:20, 14:3	Reports, 1:1, 13:20
Methods, 1:1, 7:22, 13:1, 14:5	Resolution, 13:1
Minimum, 7:22	Response, 7:22, 12:11
Misconduct, 3:7 , 14:6	Responsibilities, 3:7, 7:22
Monitoring, 1:1 , 3:34	Restrictions, 1:1, 3:57, 12:11, 13:1,
National Labor Relations Act, 7:22	13:11, 13:22
Needs, 3:57, 12:11, 14:5	Retirement, 13:16
Notice, 3:66, 7:22, 14:6	Rights, 1:1, 3:7, 3:34, 3:57, 7:20,
Number, 7:20, 7:22, 14:3	12:11, 13:1, 13:3, 13:11, 13:16,
Operation, 3:34, 12:11	13:20, 13:22, 14:3, 14:5, 14:6

AIDS—Cont'd	AIDS—Cont'd
Rules, 1:1, 3:7, 3:34, 7:22, 10:62	Withdrawal, 14:6
Safety, 1:1, 3:34, 4:19, 12:11, 13:3,	Work rules, 7:22
13:20	Working conditions, 7:22
Salary, 1:1	Workplace safety, 1:1
Schedules, 7:22	Wrongful discharge, 1:1, 7:20, 13:3
Screening, 13:20	AIR CARRIERS
Searches, 1:1, 3:7	Unions, 3:26
Selection, 13:1, 13:11 Services, 7:22, 10:62, 13:16, 14:3	
Sexual harassment, 14:3 , 14:6	ALABAMA
Social, 1:1, 10:62, 13:1, 13:16, 14:3,	Exemptions, 16:16
14:5	ALIENS
Social Security, 1:1 , 10:62 , 13:1 ,	Discrimination, 12:41, 12:46
13:16, 14:3	Investigations, 12:41
Standards, 3:34, 4:19, 7:22	National Labor Relations Act, 12:41
State, 1:1, 3:7, 3:34, 3:57, 3:66,	National Labor Relations Board,
4:19, 7:20, 7:22, 10:62, 12:11,	12:41
13:1, 13:3, 13:11, 13:16, 13:20,	Record, 12:41
13:22, 14:3, 14:6	Representation, 12:41
Statements, 10:62, 14:6	Review, 12:41
Statutes, 1:1, 3:34, 3:57, 4:19, 7:20,	Unions, 12:41
13:1, 13:11, 13:16, 13:20, 13:22, 14:5	ALTER EGOS
Stress, 1:1, 13:1, 13:11, 14:6	National Labor Relations Act, 7:22
Style, 10:62	
Successor employers, 7:22	ALTERNATIVE DISPUTE RESOLUTION
Supervisors, 1:1, 7:20, 12:11, 14:5,	
14:6	Americans with Disabilities Act, 10:49
Support, 3:7 , 3:66 , 14:6	10.47
Surveillance, 1:1, 13:1, 13:11, 14:5,	AMERICANS WITH
14:6	DISABILITIES ACT
Techniques, 7:20, 7:22	Accommodations, 3:1, 3:20, 3:22,
Theft, 13:1, 13:16	3:27, 3:32, 3:33, 3:36 to 3:38,
Time, 3:57, 4:19, 7:20, 10:62, 13:3, 13:20, 14:5	3:40, 3:57, 4:17, 4:21, 4:22, 7:13, 7:16, 8:3, 8:4, 12:15
Transportation, 3:34 , 4:19	7:13, 7:16, 8:3, 8:4, 12:15, 12:17, 13:28
Trials, 13:1	ADD, 3:27, 3:47, 7:16, 12:17
Types, 7:20	Adverse employment action, 3:20 ,
Unauthorized, 10:62 , 13:22	3:22, 3:27, 3:34 to 3:36, 3:57,
Unemployment, 1:1, 13:1, 13:11	8:4, 12:15, 12:17, 13:28
Unlawful employment practices, 7:20	AIDS, 3:34, 3:57, 4:19
Use, 1:1, 3:7, 3:34, 3:57, 4:19, 7:22,	Alcohol testing, 3:58, 4:22
10:62, 12:11, 13:1, 13:3, 13:11,	Alcoholism, 3:19, 3:36, 3:57, 8:6,
13:20, 13:22, 14:3, 14:5	12:15, 13:28
Voluntary, 3:34, 4:19	Alternative dispute resolution, 10:49
Wages, 7:20	Arbitration agreements, 1:5, 10:49
Whistleblowing, 1:1, 7:20, 13:1,	Attendance, 3:27, 3:33, 3:34, 4:17,
13:11	7:15 to 12:17, 16:28

AMERICANS WITH DISABILITIES ACT—Cont'd Attorneys, 3:22, 7:19, 10:60, 12:26, 16:28, 16:29 Backpay, 7:19 Bankruptcy, 7:19 Brain injuries, 3:77 Burden of proof, 12:15 Cancer, 3:34, 4:19	AMERICANS WITH DISABILITIES ACT—Cont'd Drug testing, 1:5, 3:19, 3:40, 3:58, 3:59, 8:4, 8:6 Employee Retirement Income Security Act, 1:4, 3:19, 6:3, 8:2, 8:6, 9:5 Employers, 1:4, 1:5, 3:1, 3:20, 3:22, 3:27, 3:32 to 3:39, 3:47, 3:57 to 3:59, 4:1, 4:10, 4:16, 4:17,
Categories, 16:29 Compensatory damages, 3:22 Complaints, 1:4, 10:25 Confidentiality requirements, 3:27, 3:47, 12:17 Constructive discharge, 3:36, 3:57, 12:15 Covered entities, 3:20, 10:25, 12:15	4:19, 4:20, 6:3, 7:13, 7:15, 7:16, 7:19, 8:2 to 8:4, 8:6, 10:25, 10:49, 10:60, 12:7, 12:15, 12:17, 12:26, 13:28 Employment discrimination, 3:58, 10:60, 16:29 Enforcement, 1:4, 1:5, 3:27, 3:47, 3:57, 7:16, 10:25, 12:17, 12:26
Damages, 1:4, 3:22, 3:27, 3:38, 6:3, 7:19, 8:3, 12:15, 12:17, 12:26, 13:28 Defenses, 1:5, 3:20, 3:22, 3:27, 3:34,	Epilepsy, 3:77 Equal Employment Opportunity Commission, 3:35, 3:37 Essential job functions, 3:20, 3:33,
3:57, 4:21, 12:15, 12:17, 13:28 Depression, 7:16 Determination, 12:26, 16:29 Diabetes, 3:77 Direct threat, 3:20, 3:33, 3:34, 3:36, 3:37, 3:40, 4:19, 4:22, 8:3, 8:4,	3:36, 3:40, 4:18, 4:22, 8:3, 8:4, 12:15 Estoppel, 3:27, 12:17 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:37, 3:57, 3:77, 7:15, 8:3, 8:6, 10:60, 12:15, 12:17, 13:28,
12:7, 12:15 Disability, 3:1, 3:20, 3:32 to 3:39, 3:47, 3:57, 3:58, 4:17, 4:19 to 4:22, 7:13, 7:19, 8:3, 8:4, 8:6, 10:25, 10:60, 12:7, 12:15, 13:28, 16:18, 16:28, 16:29 Disclosures, 1:5, 3:33, 3:38, 7:16,	16:28, 16:29 Exclusions, 3:35, 4:20, 8:4 Failure to accommodate, 3:20, 3:36 Federal contractors, 3:20, 3:58, 8:3 Guidelines, 1:5, 3:19, 3:22, 3:32, 7:13, 12:7 HIV, 3:34, 3:36, 3:38, 4:19
10:25 Discovery, 3:58, 7:13, 10:25, 10:60, 16:28, 16:29 Discrimination, 1:4, 3:1, 3:19, 3:20,	Hostile work environment, 3:22, 3:34, 12:7, 12:15 Illegal drugs, 3:37, 3:58, 3:59 Insurance, 1:5, 3:1, 3:19, 3:34, 3:39,
3:22, 3:27, 3:32, 3:35 to 3:37, 3:39, 3:47, 3:57, 3:58, 4:1, 4:10, 4:17, 6:3, 7:13, 7:15, 7:16, 7:19, 8:3, 9:5, 10:49, 10:60, 12:7, 12:15, 12:17, 13:28, 16:29 Disparate impact, 3:47 Documentation, 3:20, 3:35, 3:36, 8:3, 8:4, 12:15	3:58, 3:77, 4:19, 7:13, 8:2, 8:4, 10:25, 10:49, 10:60, 16:28 Job applicants, 1:4, 3:33, 3:47, 4:18, 12:7 Job restructuring, 8:4 Leave policies, 12:17 Major life activities, 3:20, 3:32, 3:35, 4:20 Marijuana, 1:4, 3:1, 3:20, 3:57 to
Drug addiction, 12:15	3:59, 13:28, 16:29

AMERICANS WITH AMERICANS WITH DISABILITIES ACT—Cont'd DISABILITIES ACT—Cont'd Medical examinations, 1:4, 1:5, 3:1, 12:15, 12:17, 13:28 3:19, 3:20, 3:22, 3:27, 3:32 to Risk, 1:5, 3:27, 3:35, 3:36, 3:39, 3:40, 3:47, 3:57 to 3:59, 3:77, 3:58, 3:77, 4:19, 7:16, 8:3, 8:6, 4:19, 7:13, 7:15, 8:4, 12:7, 10:25, 12:7 12:15, 12:17 Smoking, **7:15** Mental illness, 12:15 Stress, 1:4, 1:5, 3:36, 7:12, 7:13, 8:4, Mental impairment, 3:20, 3:32, 3:33, 13:28 3:35, 3:37, 4:17, 8:4, 12:7 Stroke, 1:4 Misconduct, 1:4, 3:27, 3:35 to 3:37, Substance abuse, 3:36, 8:6 4:22, 7:15, 8:3, 8:4, 10:60, Substantially limits, 3:20, 3:32, 3:35, 12:15, 12:17 4:20, 8:4 Modified work schedules, 8:4 Transportation, 3:1, 3:19, 3:34, 3:58, Multiple sclerosis, 3:77 3:59, 4:19, 9:5 National Labor Relations Board, 7:19 Treatment, 3:19, 3:20, 3:22, 3:33, Notice, 1:4, 3:20, 3:22, 3:27, 3:36, 3:36 to 3:38, 3:58, 4:17, 4:18, 3:58, 4:22, 10:25, 12:15, 12:17, 4:21, 7:13, 7:16, 8:3, 8:4, 8:6, 16:28, 16:29 10:25, 12:17, 13:28 Parties, 10:60, 12:26 Undue hardship, 3:20, 8:3, 8:4 Pregnancy, 1:4, 3:22, 3:35 Waivers, 3:33, 12:17 Private employers, 1:4, 1:5, 4:10, Workplace violence, 7:16, 8:6 6:3, 12:26 Proceedings, 7:19, 10:25 **AMPHETAMINES** Public employers, 7:13 Drug screening, 3:75 Punitive damages, 3:22, 3:27, 7:19, 8:3, 12:15, 12:17, 13:28 ANSWERS Qualification standards, 8:4 Retaliation, 3:37, 10:48 Qualified individuals, 3:32, 3:36, APPRAISAL 4:16, 4:18, 8:3 Performance appraisal, 10:54 Reasonable accommodation, 1:5, 3:20, 3:27, 3:33, 3:35 to 3:37, ARBITRATION 3:40, 3:57, 4:17, 4:18, 4:22, Age Discrimination in Employment 8:3, 8:4, 12:15, 12:17, 13:28, Act, 4:1, 9:5, 10:49, 12:6 16:18 Agreements, 1:1, 1:4, 1:5, 2:33, Reassignment, 3:34, 3:36, 4:19, 8:4 3:26, 3:74, 4:13, 5:21, 6:54, Rehabilitation act, 1:4, 3:1, 3:19, 7:9, 9:1 to 9:4, 9:8, 10:49. 3:20, 3:22, 3:27, 3:32, 3:36, 10:68, 10:72, 12:2, 12:3, 12:6, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 12:18, 12:36, 12:37, 12:41, 8:6, 12:15, 12:17, 12:26, 13:28 12:43, 14:12, 14:19, 15:1, 15:8, Religion, 10:60 15:9 Remedies, 3:34, 3:37, 3:38, 9:5, Alternative dispute resolution, 10:49 12:15 Americans with Disabilities Act, 1:4, Request, 1:5, 3:20, 3:27, 3:33 to 1:5, 3:1, 4:1, 9:5, 10:49 3:38, 4:21, 7:16, 8:3, 8:4, Appeal, 9:3, 9:9, 12:36, 14:13, 15:9, 10:25, 10:60, 12:15, 12:17, 16:30 12:26, 13:28, 16:18, 16:28, Arbitration provisions, 9:3, 10:49 16:29 Awards, 3:26, 5:30, 9:9 to 15:9 Retaliation, 1:4, 3:20, 3:27, 3:36, 3:37, 3:57, 6:3, 7:19, 8:6, 11:36, Bias. 15:8

ARBITRATION—Cont'd ARBITRATION—Cont'd 15:10, 16:27, 16:30, 16:31 Binding arbitration, 5:15, 5:21, 7:25, 9:3, 9:6, 9:8, 10:73, 10:74, Qualification, 12:6 14:11, 15:8, 15:9 Reasonableness, 15:7 Civil rights acts, **4:1**, **6:10**, **12:2**, **12:3** Rehabilitation Act, 1:4, 3:1 Collateral estoppel, 9:10, 10:47 Remedies, 4:12, 4:13, 7:25, 8:5, 9:3, Collective bargaining agreements, 9:5, 9:10, 10:47, 10:69, 12:18, 3:26, 3:74, 9:4, 10:72, 15:9 12:36, 12:37, 12:39, 12:41, Consideration, 4:45, 7:25, 9:3, 10:47, 12:44, 13:27, 14:11, 14:13, 15:9 10:68, 14:12, 15:3, 15:9, 16:27 Res judicata, 9:3, 9:5, 9:10, 10:47, Contracts, 1:1, 1:4, 4:45, 7:25, 9:2, 15:8, 15:9 9:4, 9:5, 9:9, 12:18, 12:43, Selection of arbitrators, 9:9 14:12, 14:13, 15:9 State court decisions, 9:3 Costs, 5:15, 9:3, 12:32, 12:36, 12:37, Title VII, 3:1, 4:1, 4:13, 5:1, 6:10, 15:8, 15:9 9:3, 9:5, 10:46, 10:68, 12:3, Defenses, 1:5, 2:1, 4:13, 4:30, 6:10, 12:39 10:46, 12:3, 12:37, 12:39, Voluntariness, 10:68 12:43, 12:44, 13:27, 14:13, 15:9 Waiver, 2:1, 4:12, 6:10, 7:21, 9:3, Disclosure, 1:5, 2:1, 4:13, 6:10, 7:25, 9:4, 9:6, 10:47, 10:49, 10:68, 10:46, 10:68, 12:32, 12:37, 12:32, 12:36, 13:27, 15:8, 15:9, 13:27, 14:11, 15:10, 16:30, 16:30, 16:31 16:31 **ARIZONA** Discovery, 1:1, 9:3, 9:6, 9:10, 12:43, Evidence, 3:53 15:8, 15:9, 16:27, 16:30, 16:31 Investigations, 7:23 Evidence, 1:1, 2:1, 2:33, 3:1, 4:12, Privacy, 3:53 4:13, 4:27, 4:45, 5:30, 6:54, 7:24, 8:5, 8:9, 9:4, 9:7, 9:9, State statutes, 3:53 9:10, 10:47, 10:69, 12:2, 12:3, **ARKANSAS** 12:6, 12:18, 12:36, 12:37, Conditions, 5:24 12:39, 12:43, 13:27, 14:11 to 14:13, 15:2 to 15:4, 15:7, 15:9, Medical examinations, 3:55, 3:69 15:11, 15:12, 16:27, 16:30, Notice, 3:69, 5:24 16:31 State statutes, 3:55 Federal Arbitration Act, 1:5, 9:1, 9:3 ASSOCIATIONS to 9:6, 9:9, 10:49, 15:8, 15:9 Handbooks, 4:45, 5:30, 15:3 Unions, 4:11 Judicial review, 10:46 ATTENDANCE Jurisdiction, 5:15, 7:25, 9:4, 10:47, Discipline, 3:27, 5:10, 7:15, 7:28, 12:18, 12:37, 12:43, 15:9, 12:17 15:12, 16:30, 16:31 Labor laws, 1:1 ATTITUDE Liquidated damages, 10:68, 12:18 Discipline, 3:35, 5:10 Litigation, 1:5, 2:1, 3:1, 6:10, 6:54, **ATTORNEYS** 9:3, 10:46, 10:47, 10:49, 10:68 Discovery, 4:46, 7:8, 9:10, 10:53, to 10:70, 12:32, 12:36, 12:43, 10:54, 10:56, 10:60, 12:43, 14:11, 15:1, 16:27, 16:30, 16:31 12:53, 13:42, 16:23, 16:27 to Motion to compel, 9:10, 10:49 16:31 Process, 1:1, 3:1, 3:74, 4:1, 5:21, Title VII actions, 3:22 7:10, 8:5, 9:5, 10:46, 10:72, 12:2, 14:12, 14:13, 15:2, 15:7, Unfair labor practices, 7:19

ATTORNEYS—Cont'd

Work product privilege, **4:36**, **4:46**, **10:51**, **16:27**, **16:31**

BACKPAY

Americans with Disabilities Act, **7:19** Interest, **7:19** Liquidated damages, **7:19** Title VII, **7:19**

BANKRUPTCY

Arbitration, **6:10**, **12:32**Garnishment, **12:49**Rejection, **6:10**WARN, **12:49**

BEHAVIOR

Unfair labor practices, 7:19

BENEFICIARIES

Employee Retirement Income Security Act, **12:44**

BENEFITS

Computers, **10:44**, **16:14**Publications, **7:16**Transportation, **3:4**, **3:31**, **3:58**, **4:19**Uniforms, **7:22**

BONA FIDE OCCUPATIONAL OUALIFICATIONS

Evidence, 12:3 National origin, 12:3 Race, 12:3 Religion, 12:3 Title VII, 12:3

BREAKS

Unfair labor practices, 12:41

BULLETIN BOARDS

National Labor Relations Board, 6:9

BUSINESS NECESSITY

Evidence, 3:20, 3:37, 7:3, 12:15

CALIFORNIA

Administrative subpoena, **12:34**Collective bargaining agreements, **3:53**Compared to **7:20** 8:7, **10:54**

Compensation, 7:20, 8:7, 10:54, 12:34, 13:3, 13:38 Complaints, 12:34

CALIFORNIA—Cont'd

Conciliation, 13:42

Conditions, **7:23**, **13:20**, **13:38**Constitutionality, **3:41**, **12:34**

Contractors, 7:23

Criminal penalties, 12:34

Disclosures, 12:34, 13:42

Dispute, 13:42

Employment practices, 7:20 Equipment, 3:53, 6:20, 13:13

Evidence, 3:3, 3:53, 3:54, 6:20, 10:54, 12:34, 13:13, 13:38,

13:42

Exemptions, 13:13

Harassment, 7:20, 13:38

Health, 3:41, 8:7, 12:34, 13:18, 13:20

Hearings, 13:38

Investigations, 7:23, 12:34, 13:3, 13:6, 13:42

Medical benefits, 8:7

Notice, 3:3, 6:20, 12:34, 13:13

Penalties, 12:34

Privacy, 3:3, 3:41, 3:53 to 3:55, 5:20, 5:26, 6:20, 7:20, 8:7, 12:34, 13:3, 13:6, 13:13, 13:18,

13:20, 13:38 Sanctions, 13:42

Sick leave, 12:34

State statutes, 3:53 to 3:55, 6:20, 13:13, 13:18, 13:20, 13:38, 13:42

Termination of employment, 10:54

Terms, 10:54, 13:42

Transfers, 12:34

Unemployment compensation, 13:38

CAPACITY

National Labor Relations Board, **7:19** Unfair labor practices, **7:19**

CAUSATION

Generally, **12:52**

Retaliation, 4:2, 12:52, 13:32

CAUSE

Unfair labor practices, 4:12

CIRCUMSTANTIAL EVIDENCE

Evidence, 12:38, 12:39, 12:52, 13:36

Index-8

CITIZENSHIP DISCRIMINATION

Citizenship, **12:47** Hiring, **12:47** National origin, **12:47**

CIVIL RIGHTS

National Labor Relations Board, 7:19

CIVIL RIGHTS ACT

Arbitration agreements, **12:2**, **12:3** Criminal sanctions, **7:19** Employment practices, **7:20**

CLAIMS

National Labor Relations Act, 1:4, 4:11, 4:23, 4:46, 5:1, 6:3, 6:45, 6:52, 7:22, 9:5, 12:41, 12:47

CLOCKS

Time clocks, 6:54, 15:11

COCAINE

Drug screening, 3:75, 10:10

COERCION

Discrimination, **6:48**, **12:41**, **13:27** Settlements, **12:41**

COLLECTIVE BARGAINING

Agreement, 2:6, 3:29, 3:44, 3:53, 3:72, 4:28, 4:44, 6:37, 7:4, 7:13, 8:9, 9:3 to 9:5, 10:72, 11:12, 11:13, 11:20, 11:23, 12:41, 12:45, 12:48, 13:27, 13:36, 14:7, 15:5, 15:9, 15:10

Americans with Disabilities Act, 7:13, 9:5

Disabilities, 7:13, 9:5

Fair representation, 3:6, 3:72

Good faith, 3:72

Remedies, 5:18, 7:4, 9:3, 9:5, 12:41, 12:45, 13:27, 15:9

Waiver, 2:6, 3:53, 9:3, 9:4, 13:27, 15:9

COLLECTIVE BARGAINING AGREEMENTS

Access, 3:9, 6:37, 7:30, 10:72 Alcohol, 3:26, 3:53, 3:74 Amendment, 3:9, 3:74 Arbitration, 3:26, 3:74, 9:4, 10:72, 15:9

Awards, 3:26, 15:9

COLLECTIVE BARGAINING AGREEMENTS—Cont'd

Changes, 7:30, 10:72

Checklist, 6:37, 7:30

Confidentiality, 7:30

Cooperation, **7:30, 10:72**

Date, 6:37, 10:72

Death, 3:74

Description, 6:36, 6:37

Discipline, 3:9, 7:30, 10:72

Drugs, 3:9, 3:53

Eligibility, 10:72

Employee assistance programs, 3:9

Evidence, 3:9, 3:53, 9:4, 13:36, 15:9

COLORADO

Conciliation, 13:42

Disclosures, 13:42

Dispute, 13:42

Evidence, 13:42

Investigations, 13:42

Mediation, 13:42

Sanctions, 13:42

State statutes, 3:55, 13:42

Terms, 13:42

COMMERCE

Labor Management Relations Act, 15:9

COMMON LAW

Social security, 1:1, 1:5, 4:11, 12:28, 12:34, 13:19, 14:3, 16:31

COMPENSATION

ADEA, **7:19, 7:31, 10:66**

Americans With Disabilities Act, 1:4, 3:1, 3:33, 3:58, 3:59, 3:77, 7:16, 7:19, 8:2, 8:6, 10:25, 10:60, 16:28

Defenses, 2:1, 3:61, 3:68, 4:13, 4:28, 4:34, 10:48, 12:3, 12:39, 13:27, 13:44

Disciplinary action, **3:4**, **8:6**, **10:44**, **16:21**

Discrimination, 1:1, 1:4, 3:1, 3:58, 3:61, 3:70, 4:13, 6:23, 7:6, 7:16, 7:19, 7:20, 7:22, 7:31, 10:47, 10:48, 10:60, 10:66, 12:3, 12:16, 12:18, 13:1, 13:11,

COMPENSATION—Cont'd 13:27, 13:38, 13:39, 14:14, 16:21

Drivers, 12:3

ERISA, 1:4, 7:19, 8:6, 8:11, 10:66, 12:16, 12:34

Family and Medical Leave Act, 3:1, 3:58, 7:19, 7:31, 8:2, 10:25, 10:60, 16:28

FMLA, 3:43, 7:19, 12:16

Managers, 3:77, 6:23, 7:19, 7:20, 10:5, 10:6, 10:60, 14:6

Service, 3:4, 7:6, 7:22, 10:38, 10:47, 10:48, 10:54, 10:55, 12:18, 13:27

Sex discrimination, 7:16, 7:31, 13:27 State laws, 1:1, 1:4, 3:1, 3:58, 3:59,

3:61, 6:23, 7:16, 7:20, 8:2, 8:7, 10:25, 12:16, 12:18, 12:34, 13:3, 13:11, 13:27, 13:38, 13:39

Supervisors, 1:1, 7:2, 7:16, 7:19, 7:20, 7:24, 10:5, 10:6, 12:3, 14:6

Title VII, 3:1, 4:13, 7:2, 7:16, 7:19, 7:20, 7:22, 7:31, 10:48, 10:66, 12:3, 12:16, 12:39

COMPLAINTS

Americans with Disabilities Act, **1:4**, **10:25**

Parties, 4:36, 6:9, 7:25, 9:9, 10:24, 12:34, 12:36, 12:41, 12:43, 15:9

Relief, 10:25, 10:58, 10:70, 12:34, 12:36, 12:41

Retaliation, 1:4, 4:13, 7:6, 10:24, 12:3, 12:34, 12:36, 12:40, 12:41, 12:43, 13:32, 13:34, 14:6

COMPLIANCE

Generally, 3:27, 12:52, 14:6

COMPUTERS

Benefits, 10:44, 16:14

CONCILIATION

Rehabilitation Act, 3:22

CONFIDENTIALITY

Age Discrimination in Employment Act, **4:1, 12:53**

Background check, 7:6, 12:3

CONFIDENTIALITY—Cont'd

Collective bargaining agreements, **7:30**

Equal Pay Act, 10:15, 10:68

Rehabilitation Act, 1:4, 3:27, 3:77, 12:16, 12:17, 13:28

CONGRESS

Fair Labor Standards Act, 7:19

CONNECTICUT

Disclosure, 16:29

Evidence, **5:27**, **16:29**

Harassment, 16:29

Health, 5:27, 16:29

Notice, 5:27, 16:29

Polygraph tests, 5:27

Privacy, 5:27, 16:29

Sanctions, 16:29

CONSIDERATION

Termination of employment, 10:54, 10:68

CONSPIRACY

Termination of employment, 16:21

CONSTRUCTIVE DISCHARGE

Employee Retirement Income Security Act, **8:5**

Resignation, **4:13**, **11:24**, **12:2**, **12:3**, **12:52**, **13:27**

CONTEST

Notice of, 13:8, 13:21

CONTRACTORS

California, 7:23

COOPERATION

Collective bargaining agreements, 7:30, 10:72

COURTS

Collective bargaining agreements, 3:6, 3:9, 3:26, 3:53, 6:36, 6:37, 9:4, 13:36, 15:9

Labor relations, 1:4, 3:19, 4:10 to 4:12, 4:46, 5:5, 5:18, 6:3, 6:9, 6:39, 6:40, 7:19, 7:22, 9:5, 12:41, 12:43, 12:47, 13:34

Worker Adjustment and Retraining Notification Act. **1:4**

COVERAGE DAMAGES—Cont'd Medical benefits, 8:7, 13:40 Intentional discrimination, 3:22, 12:3 Liquidated damages, 3:27, 6:4, 6:16, COWORKERS 7:19, 10:68, 12:5, 12:17, 12:18, Retaliation, 7:20 12:21, 12:24, 12:31 Mental damages, 16:21 CRIMINAL PENALTIES National Labor Relations Board, Consumer Credit Protection Act, 7:19, 12:43 12:49 National origin discrimination, 7:31 Privacy Act, 12:49 Period, 6:10, 8:5, 9:10, 10:50, 10:55, **DAMAGES** 10:65, 12:6, 12:17, 12:32, Accommodation, 3:22, 3:27, 3:38, 12:36, 12:37, 12:44, 16:31 4:13, 8:3, 12:3, 12:15 to 12:17, Punitive damages, 3:22, 3:27, 3:52, 13:28 3:67, 4:9, 4:13, 4:34, 5:15, Age discrimination, 3:22, 6:3, 7:19, 5:24, 6:4 to 6:6, 6:16, 7:5, 7:19, 7:31, 10:68, 12:6, 12:53 8:3, 10:48, 10:50, 11:27, 12:2, Americans with Disabilities Act, 1:4, 12:3, 12:5, 12:6, 12:15 to 3:22, 3:27, 3:38, 6:3, 7:19, 8:3, 12:17, 12:21, 12:24, 12:27, 12:15, 12:17, 12:26, 13:28 12:31, 12:32, 12:36, 12:37, Arbitration awards, 9:10 12:46, 13:28, 14:13, 16:34 Backpay, 7:19 Ratification, 4:34, 12:53 Benefits, 1:4, 3:27, 3:31, 5:15, 7:19, Rehabilitation Act, 1:4, 3:21, 3:22, 8:3, 8:5, 10:68, 12:15 to 12:18, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:36, 12:44, 12:45, 12:53, 12:26, 13:28 14:22, 16:21, 16:31 Reinstatement, 1:4, 3:27, 3:52, 4:9, Compensation, 1:4, 4:13, 4:25, 4:34, 4:13, 4:34, 5:15, 7:5, 7:31, 8:5, 5:25, 5:28, 7:6, 7:19, 7:31, 12:3, 12:5, 12:16 to 12:18, 10:38, 10:47, 10:48, 10:55, 12:36, 12:37, 12:39, 12:45, 12:3, 12:5, 12:16, 12:18, 12:39, 13:34, 14:13 14:6, 16:21 Remedies, 3:38, 3:52, 4:9, 4:13, 6:5, Defined, 3:38, 5:24, 6:6, 7:19, 10:8, 6:6, 6:11, 7:31, 8:5, 9:10, 10:47, 10:47, 12:18, 12:21, 12:32, 10:48, 11:27, 12:5, 12:15, 12:35, 12:45, 14:8, 16:31 12:16, 12:18, 12:24, 12:35 to Disability discrimination, 7:19, 7:31, 12:37, 12:39, 12:44 to 12:46, 8:3, 12:16, 13:28 13:8, 13:32, 14:11, 14:13 Emotional distress, 1:4, 3:27, 3:66, Restrictions, 3:22, 3:27, 3:38, 6:3, 4:25, 5:15, 5:24, 5:25, 7:6, 6:43, 9:10, 12:3, 12:16, 12:17, 10:48, 10:68, 12:5, 12:17, 12:32, 12:37, 13:28, 16:31 12:26, 12:37, 14:6, 14:8, 16:21 Tax. 2:11, 6:10, 7:28, 9:10, 10:55, Employment discrimination, 3:52 10:68, 12:32, 12:43, 12:53 Employment history, 4:13, 6:10, Title VII, 3:22, 3:27, 3:52, 4:9, 4:13, 6:11, 12:32 6:3, 6:10, 7:5, 7:19, 7:31, Expert witnesses, 16:31 10:48, 10:68, 12:3, 12:16, Family and Medical Leave Act, 3:27, 12:17, 12:39, 12:53, 13:32 6:3, 7:19, 7:31, 12:17 Tolling, 12:36 Federal government, 1:4, 6:10, Total, 16:22 12:26, 12:27, 12:45 Willfulness, 10:8, 10:29 Fringe benefits, 16:21

Front pay, 7:31, 10:50, 12:36, 12:39,

13:32

DEDUCTIONS

Social security, 13:35

DEFAMATION

National Labor Relations Act, **1:4**, **4:1**, **6:45**, **6:52**

DEFAULT JUDGMENT

Discovery, 7:8, 12:50

DEFENSES

Age Discrimination in Employment Act, **3:22**

Age discrimination, 3:22

Aliens, 12:46

Bona Fide Occupational Qualifications, **12:3**

Bona fide occupational qualifications, 12:3

Business Necessity, 3:20, 3:34, 12:15 Compensation, 2:1, 3:61, 3:68, 4:13, 4:28, 4:34, 10:48, 12:3, 12:39, 13:27, 13:44

Disability discrimination, 3:20, 3:57, 13:28

Disparate treatment, 13:27

Equal Pay Act, 12:43

Generally, **3:20 to 3:22**, **3:27**, **13:27**

Harassment, 3:22, 3:34, 4:13, 4:28, 4:29, 6:10, 10:48, 12:3, 12:8, 12:15, 12:37, 13:27, 13:28, 15:9

Laches, 10:48

Legitimate nondiscriminatory reason, 3:57

National origin discrimination, **12:47** Qualifications, **1:5**, **3:21**, **3:34**, **12:3**, **12:15**, **12:37**

Reinstatement, 3:27, 3:52, 4:13, 4:34, 12:3, 12:17, 12:37, 12:39, 12:45, 14:13

Retaliation, 3:20, 3:27, 3:52, 3:57, 3:61, 4:13, 10:48, 12:3, 12:15, 12:17, 12:37 to 12:39, 12:43 to 12:45, 12:47, 13:27, 13:28, 13:32, 14:13

Undue hardship, 3:20

DEGREE

Violation, 4:11, 4:28, 5:24, 10:11, 12:26, 14:6

DELAWARE

Employment practices, **10:50** Notice, **10:50**

DELAWARE—Cont'd Retaliation, 10:50

DEPARTMENT OF LABOR

Exemptions, **5:12**

Occupational Safety and Health Administration, **12:45**

Secretary of Labor, 5:15, 12:36

DISABILITIES

Accessibility, 10:73, 10:74

Accommodations, 3:1, 3:20, 3:22, 3:27, 3:32, 3:33, 3:36 to 3:38, 3:40, 3:57, 4:17, 4:21, 4:22, 7:13, 7:16, 8:3, 8:4, 12:10, 12:13, 12:15, 12:17, 13:28

Age, 3:22, 4:1, 4:10, 6:3, 7:19, 9:5, 10:49

Alcohol use, 3:40, 3:58, 4:22, 13:28 Americans with Disabilities Act, 1:4, 1:5, 3:1, 3:19, 3:20, 3:22, 3:27, 3:32 to 3:40, 3:47, 3:57 to 3:59, 3:77, 4:1, 4:10, 4:16 to 4:22, 6:3, 7:12, 7:13, 7:15, 7:16, 7:19, 8:2 to 8:4, 8:6, 9:5, 10:25, 10:49, 10:60, 11:36, 12:7, 12:15, 12:17, 12:26, 13:28, 16:18, 16:28, 16:29

Arbitration, 1:1, 1:4, 1:5, 3:1, 4:1, 9:5, 10:49, 10:73, 10:74, 12:18
Assessment, 3:21, 3:33, 3:34, 3:39, 4:19, 10:25

Attendance, 3:27, 3:33, 3:34, 4:17, 7:15, 7:16, 12:13, 12:17, 16:28

Benefits, 1:1, 1:4, 3:20, 3:27, 3:39, 3:58, 4:19, 7:15, 7:16, 7:19, 8:3, 8:4, 10:25, 10:49, 10:60, 12:8, 12:15, 12:17, 12:18, 13:41, 16:28

Burden of proof, 3:21, 12:15 Business necessity, 3:20, 3:33 to 3:35, 3:37, 3:40, 4:17 to 4:19, 4:22, 8:4, 12:11, 12:13 to 12:15

Choosing, 12:26

Compensatory damages, 3:22

Confidentiality, 1:4, 3:27, 3:33, 3:38, 3:47, 3:77, 4:1, 4:21, 10:60, 10:73, 10:74, 12:7, 12:11, 12:17, 13:19, 13:20, 13:28, 16:28

Costs, 3:39, 7:19, 8:2

DISABILITIES—Cont'd DISABILITIES—Cont'd Defenses, 1:5, 3:20 to 3:22, 3:27, 12:13, 12:15, 13:28 3:34, 3:57, 4:21, 12:8, 12:15, Interest, 3:18, 3:36, 3:58, 3:59, 7:13, 12:17, 13:28 7:15, 7:16, 7:19, 10:25, 11:36 Direct threat, 3:20, 3:21, 3:33, 3:34, Interference, 1:1, 1:4, 3:27, 4:1, 3:36, 3:37, 3:40, 4:19, 4:22, 7:16, 12:17 8:3, 8:4, 10:73, 10:74, 12:7, Investigations, 1:1, 1:4, 1:5, 3:47, 12:8, 12:10, 12:11, 12:14, 12:15 4:16, 4:20, 7:16, 7:19, 10:25, Drug use, 1:5, 3:19, 3:33, 3:35, 3:37, 12:7, 13:19 3:57, 4:16, 7:15, 7:16, 8:4, 8:6, Job restructuring, 8:4 12:12, 16:29 Leave of absence, 3:20, 3:36, 7:16, Estoppel, 3:27, 12:17 7:19, 8:3, 12:10, 12:15 Evidence, 1:1, 3:1, 3:19, 3:20, 3:27, Major life activity, 3:33, 3:35, 8:4, 3:36, 3:37, 3:57, 3:77, 7:15, 12:14 8:3, 8:6, 10:60, 12:15, 12:17, National Labor Relations Act, 1:4, 12:18, 13:28, 16:28, 16:29 3:19, 4:1, 4:10, 6:3, 9:5 Examinations, 1:1, 1:4, 1:5, 3:1, 3:18 Notices, 3:27, 3:40, 4:22, 12:17, to 3:22, 3:27, 3:32 to 3:40, 16:29 3:47, 3:57 to 3:59, 3:77, 4:19, Perceived disability, 3:57, 16:29 7:13, 7:15, 8:4, 11:36, 12:7, Physical requirements, 3:33, 12:7 12:11 to 12:13, 12:15, 12:17, Privacy rights, 1:4, 10:25, 16:28 12:18, 13:20 Procedure, 1:1, 1:5, 3:37, 3:77, Exclusions, **3:35**, **4:20**, **8:4**, **12:8** 10:49, 10:60, 12:14, 13:29 Family and Medical Leave Act, 3:1, Punitive damages, 3:22, 3:27, 7:19, 3:19, 3:27, 3:58, 4:19, 6:3, 8:3, 12:15, 12:17, 13:28 7:13, 7:19, 8:2, 9:5, 10:25, 10:49, 10:60, 12:17, 16:28 Qualification standards, 8:4 Harassment, 3:22, 3:34, 3:37, 4:20, Reasonable accommodation, 1:5, 6:3, 8:4, 12:8, 12:10, 12:11, 3:20, 3:27, 3:33, 3:35 to 3:37, 12:15, 13:28, 16:28, 16:29 3:40, 3:57, 4:17, 4:18, 4:22, 8:3, 8:4, 10:73, 10:74, 12:9 to Health insurance, 1:5, 3:1, 3:19, 12:15, 12:17, 13:28, 16:18 3:34, 3:39, 4:19, 7:13, 8:4, 10:25, 10:60, 12:8, 13:19, 16:28 Reassignment, 3:34, 3:36, 4:19, 8:4, 12:10 Immunity, 3:37, 12:11, 12:18 Rehabilitation Act, 1:4, 3:1, 3:19 to Impairment, 1:4, 3:20, 3:32, 3:33, 3:22, 3:27, 3:32, 3:36, 3:57, 3:35, 3:37, 3:47, 3:58, 4:17, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 4:20, 7:13, 8:4, 10:74, 12:7, 12:8, 12:13, 12:14 8:11, 12:15, 12:17, 12:26, 13:28 Rehabilitation services, 8:3 Individual defendants, **3:20** Reinstatement, 1:4, 3:27, 12:17, Injunctive relief, 12:18 12:18 Inquiries, 1:4, 1:5, 3:27, 3:34, 3:37 Remedies, 3:34, 3:37, 3:38, 9:5, to 3:39, 4:17, 4:19, 7:13, 8:4, 12:15, 12:18 12:7, 12:11, 12:15, 12:17 Remission, 12:14 Insurance, 1:5, 3:1, 3:19, 3:34, 3:39, 3:58, 3:77, 4:19, 7:13, 8:2, 8:4, Retaliation, 1:4, 3:20, 3:27, 3:36, 10:25, 10:49, 10:60, 12:8, 3:37, 3:57, 6:3, 7:19, 8:6, 8:11, 13:19, 16:28 11:36, 12:10, 12:13, 12:15, 12:17, 12:18, 13:28 Integrated enterprises, 1:1 Seniority, 12:18 Interactive process, 3:20, 3:36, 3:40, 3:57, 4:22, 8:3, 8:4, 12:10, Serious health condition, 3:27, 12:17

DISABILITIES—Cont'd

Statute of limitations, 12:17, 12:18
Substantially limits, 3:20, 3:32, 3:35, 4:20, 8:4, 12:8, 12:14
Undue hardship, 3:20, 8:3, 8:4, 10:73, 10:74, 12:10, 12:18
Unfair labor practices, 7:19
Waiver, 3:38, 10:49

DISABILITY BENEFITS

Compensation, 10:54

DISCIPLINE

Compensation, 3:4, 3:30, 3:58, 3:77, 4:13, 4:24, 4:28, 4:34, 7:20, 8:6, 10:44, 10:60, 12:3, 12:34, 12:40, 13:38, 14:14 Customers, 6:20, 6:48, 6:51, 10:10, 10:44, 10:72, 13:13, 14:11 Evidence, 2:9, 2:11, 2:15, 2:21, 3:4, 3:9, 3:11, 3:20, 3:27, 3:30, 3:36, 3:37, 3:54, 3:69, 3:77, 4:4, 4:12, 4:13, 4:15, 4:24, 4:28, 4:34, 4:45, 4:46, 5:10, 5:12, 5:18, 5:27, 5:30, 6:9, 6:20, 6:47, 6:48, 6:54, 7:15, 8:3, 8:6, 10:10, 10:44, 10:60, 10:63, 11:14, 11:32, 12:3, 12:17, 12:34, 12:40, 12:42, 12:45, 12:50, 13:13, 13:25, 13:37, 13:38, 14:11, 14:13, 15:3, 15:7, 15:11, 16:24

Forum, 12:41

Harassment, 3:30, 3:37, 4:13, 4:24, 4:28, 4:46, 6:42, 6:47, 6:48, 7:20, 8:4, 12:3, 12:8, 12:10, 12:11, 12:50, 13:15, 13:38, 14:14

Insubordination, 3:35, 4:11, 4:24, 4:45, 6:9, 7:32, 10:46, 15:3

Iowa, 5:27, 7:20, 10:46, 14:13

Labor Management Relations Act, 4:28, 12:49

National Labor Relations Board, 4:11, 5:18, 6:9, 12:41 Prima facie case, 12:3, 12:10

Protective orders, 3:30, 12:50 Remedies, 3:37, 3:38, 4:9, 4:11 to 4:13, 5:12, 5:18, 6:9, 12:41, 12:42, 12:45, 14:11, 14:13

DISCIPLINE—Cont'd

Retaliation, 2:15, 3:20, 3:27, 3:31, 3:36, 3:37, 4:2, 4:11 to 4:14, 4:31, 5:6, 6:47, 7:20, 8:6, 10:24, 10:72, 11:4, 12:3, 12:10, 12:17, 12:34, 12:40, 12:41, 12:45, 12:49, 14:13

State law, 2:11, 2:15, 2:21, 3:9, 3:20, 3:27, 3:54, 3:58, 3:66, 4:9, 4:12 to 4:14, 4:23, 4:24, 4:34, 6:20, 6:47, 7:20, 7:32, 10:10, 10:46, 10:60, 12:3, 12:34, 13:13 to 13:15, 13:19, 13:25, 13:37, 13:38, 13:41

Termination of employment, **10:10**, **10:72**

DISCLOSURES

Americans with Disabilities Act, **1:5**, **3:33**, **3:38**, **7:16**, **10:25**Employee Polygraph Protection Act, **1:5**, **5:14**Rehabilitation Act, **3:49**, **12:16**

Title VII, 3:49, 7:2, 7:3, 7:16, 12:16

DISCOVERY

Admissibility, **3:30**, **7:8**, **16:27**, **16:31**

Attorney-client privilege, **4:46**, **7:8**, **12:50**, **16:30**, **16:31**

Burdensome, 16:29

Class action, 7:13, 9:10, 15:9

Compelling discovery, 12:28

Defenses, 3:50, 12:43, 15:9

Depositions, 9:10, 16:26, 16:27, 16:29, 16:31

Expert witnesses, 16:31

Harassment, 3:30, 4:38, 4:46, 6:47, 7:31, 12:16, 12:50, 13:10, 15:9, 16:28, 16:29

Interrogatories, 10:54, 16:23, 16:27, 16:30

Names, 10:52 to 10:54, 10:56, 16:23, 16:27, 16:29, 16:31

National origin discrimination, 7:31

Privacy, 1:1, 3:12, 3:30, 3:44, 3:62, 4:38, 6:45, 6:47, 6:50, 7:8, 7:13, 7:26, 10:25, 10:53, 10:60, 12:16, 12:28, 12:30, 12:34, 12:50, 13:10, 16:28 to 16:31

DISCOVERY—Cont'd DISCRIMINATION—Cont'd Privilege, 3:30, 4:38, 4:39, 4:46, 7:8, Vermont, **7:20** 7:13, 10:52 to 10:54, 12:50, Virginia, **7:20** 13:42, 16:23, 16:27, 16:30, Washington, 7:20 16:31 West Virginia, 7:20 Privileged information, 16:31 Wisconsin, 7:19, 7:20 Production of documents, 16:26. DISCRIMINATORY DISCHARGE 16:29, 16:31 Protective orders, 3:30, 12:28, 12:50 Privacy, **10:60** Relevance, 7:8, 10:52, 10:53, 16:29, **DISCUSSIONS** 16:31 National Labor Relations Board, Relief, 6:47, 7:31, 9:6, 10:25, 10:60, 4:11, 6:9, 12:41 12:16, 12:34, 15:8, 16:26, 16:27, 16:29 DISMISSAL Sanctions, 7:8, 9:3, 9:10, 13:42, National Labor Relations Act, 1:4 16:29, 16:31 **DISPARATE IMPACT** Scope of discovery, 10:54, 10:60, 16:23, 16:28, 16:30 Adverse employment action, 12:3, 12:6 Sexual harassment claims, 4:46 Civil Rights Act, 12:3 Spoliation, 7:8 Comparators, 12:3 Work product privilege, 4:46, 16:27, Disability discrimination, 3:47, 3:49, 16:31 12:16 DISCRIMINATION Harassment, 3:49, 12:3, 12:16 California, 3:54, 7:20, 13:20, 13:38 Performance, 12:3, 12:6 Connecticut, 16:29 Pretext, 12:3, 12:6 Delaware, 10:50 Rehabilitation Act, 3:49, 12:16 District of Columbia, 7:20, 13:38 Remedies, 12:16 Florida, 7:20 Retaliation, 3:49, 12:3, 12:6, 12:16 Illinois, 7:20 Sexual orientation, 12:3 Iowa, 7:20, 10:46 Tests, 12:3, 12:16 Kansas, 7:20 DISPARATE TREATMENT Kentucky, 7:20, 13:38 Maine, 7:20 Defenses, 13:27 Massachusetts, 7:20 Harassment, 13:27 Michigan, 7:20 Pretext, 13:27 Minnesota, 7:20, 13:27, 13:28 Public policy, 13:27 Missouri, 7:20 Remedies, 13:27 Nevada, 7:20 Retaliation, 13:27 New Jersey, 7:20 Sexual orientation, 13:27 New York, 3:54, 7:20 DISTRICT OF COLUMBIA Ohio, 7:20 Compensation, 7:20, 13:38 Oregon, 7:20, 13:20 Employment practices, 7:20 Pennsylvania, 7:20 Evidence, **13:38** Rhode Island, 7:20, 13:20 Harassment, 7:20, 13:38 South Carolina, 3:54, 7:20 Hearings, 13:38 Tennessee, 7:20 Retaliation, 7:20 Texas. 7:20, 10:48, 10:49, 10:56, 10:60, 10:64, 13:38, 16:29 Unemployment compensation, 13:38

DRUGS

Testing, 1:4, 1:5, 2:3, 3:3, 3:4, 3:7, 3:9, 3:11, 3:12, 3:29, 3:34, 3:48, 3:53, 3:55, 3:58, 3:59, 3:69, 3:75, 3:76, 5:11, 5:18, 8:4, 8:6, 10:3, 10:7 to 10:10, 10:29, 11:10, 11:12, 11:17, 11:33, 12:12, 12:16, 13:3, 13:21, 13:28, 13:38, 16:20

DUE PROCESS

Punitive damages, 4:9, 10:48, 11:27, 12:2, 14:13

EARLY RETIREMENT

Age discrimination, 10:68
Benefits, 10:68
Discrimination, 10:68
Older Workers Benefit Protection
Act, 10:68
Release, 10:68
Separation, 10:68
Waiver, 10:68

EMPLOYEE BENEFITS

Social security, 10:60

EMPLOYEE POLYGRAPH PROTECTION ACT

Disclosures, 1:5, 5:14
Evidence, 4:6, 5:4, 5:22, 5:24, 5:27, 5:30, 6:34, 11:26, 14:8, 14:13
Notice, 1:4, 4:6, 5:4 to 5:6, 5:14, 5:15, 5:24, 5:27, 5:30, 5:31, 11:26
Parties, 5:15, 12:41

EMPLOYEE RETIREMENT INCOME SECURITY ACT

INCOME SECURITY ACT
Amendment, 1:4
Beneficiaries, 12:44
Discrimination, 1:4, 3:19, 3:31, 3:51, 6:3, 7:31, 9:5, 12:16, 12:44
Employees, 1:4, 3:19, 3:31, 3:51, 6:3, 7:31, 8:5 to 9:5, 12:16, 12:44
Exceptions, 12:16

Exceptions, 12:16
Fiduciary, 8:5, 12:44
Former employees, 1:4, 12:16
Independent contractors, 8:5
Interference, 1:4, 12:44

EMPLOYEE RETIREMENT INCOME SECURITY ACT

—Cont'd

Interference with, 1:4, 12:44
Medical benefits, 12:44
Plan, 1:4, 3:51, 8:5, 12:16, 12:44
Remedies, 7:31, 8:5, 9:5, 12:16, 12:44
Requirements, 8:5, 8:6
Retaliation, 1:4, 3:31, 6:3, 7:31, 8:5, 8:6, 12:16, 12:44
Termination, 1:4, 7:31

EMPLOYMENT AGENCIES

Employer, **12:4** Title VII, **12:4**

EMPLOYMENT DISCRIMINATION

Americans with Disabilities Act, **3:58, 10:60, 16:29**

Back pay, **3:52** Causation, **4:2** Civil Rights Act, **7:20**

Disability, 3:49, 3:58, 10:60, 16:29

Disparate impact, 3:49
Evidence, 10:60, 16:29
Former employees, 3:49
Harassment, 3:49, 7:20, 16:29
Injunctive relief, 3:52
Liability, 7:20
Preemption, 13:12
Pretext, 10:60

Procedure, **10:60**Punitive damages, **3:52**

Race, 10:60

Rehabilitation Act, 3:49 Relief, 3:52, 10:60, 16:29 Religion, 10:60, 11:3 Retaliation, 3:49, 3:52, 4:2, 7:20 Sexual orientation, 11:3 Torts, 16:29 Waiver, 13:12

EMPLOYMENT PRACTICES

Compensatory damages, 10:50 Intentional discrimination, 7:22 Interest, 7:20, 10:50 Number of employees, 7:20, 7:22

EMPLOYMENT PRACTICES

-Cont'd

Person, 7:20, 7:22 Supervisors, 7:20

EMPLOYMENT RELATIONSHIP

Retaliation, 7:23, 12:3

ENFORCEMENT

Access to information, 12:47 Arbitration, 1:4, 1:5, 2:33, 5:15, 5:21, 7:25, 9:4, 9:10, 12:18, 12:36, 12:37, 14:13, 15:3, 15:9, 16:30, 16:31

Attorney-client privilege, **6:4**, **7:17**, **16:30**, **16:31**

Cause of action, 1:4, 4:6, 5:21, 6:4, 6:11, 12:17, 12:21, 12:31, 12:34, 12:36, 12:40, 13:10, 13:32

Criminal penalties, 6:17, 9:4, 10:12, 12:34, 12:47, 15:9

Equitable estoppel, 3:27, 12:17

ERISA, 1:4, 12:16, 12:34

Injunction, 1:4, 5:15, 12:26, 14:13

Internal Revenue Service, 4:6, 11:21

Settlement, 1:5, 3:27, 5:12, 5:15, 12:17, 16:30

Statute of limitations, 9:10, 12:17, 12:18, 12:36

Venue, 7:25, 9:10

Worker Adjustment and Retraining Notification Act, 1:4

ENTITIES

National Labor Relations Board, 4:11, 12:43

EQUAL ACCESS TO JUSTICE ACT

National Labor Relations Board, 12:43 Parties, 12:43

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Admissibility, **16:27**Adverse employment action, **3:35**, **12:47**

Adverse impact, **4:15, 5:16**

EQUAL EMPLOYMENT OPPORTUNITY

COMMISSION—Cont'd

Americans with Disabilities Act, 3:35, 3:37

Appeals, 9:3

Arbitration provisions, 9:3

Complaints, 10:46

Discovery, 9:3, 10:56, 16:27

District, 9:3, 10:48, 10:56, 10:64, 16:27

Employers, 3:35, 3:37, 9:3, 10:46, 10:48, 10:56, 10:64, 12:47, 16:16

Equal Pay Act, 4:15

Evidence, 3:37, 4:15, 5:16, 10:48, 10:64, 16:27

Exemptions, 16:16

Freedom of Information Act, **4:15**, **16:15**, **16:16**

General counsel, 12:47

Investigation, 4:15, 5:16, 10:46

Jurisdiction, 10:48, 12:47

Laches, 10:48

Medical examinations, 3:35, 3:37

Objections, 10:46, 16:27

Parties, 4:15, 9:3, 16:27

Privacy Act, **4:15**

Reasonable accommodation, 3:35, 3:37

Records, 12:47, 16:15, 16:16

Remedies, 3:37, 9:3, 10:48, 12:47

Retaliation, 3:37, 5:16, 10:48, 10:56, 12:47

Sexual harassment, **10:48** Vicarious liability, **10:48**

EQUAL PAY ACT

Compensation, 7:19

Criminal sanctions, 7:19

Defenses, 12:43

Evidence, **4:15**, **12:43**

Experience, 10:15

Investigations, 7:19

Jurisdiction, 12:43

Parties, 4:15, 10:15, 10:68, 12:43

Prima facie case, 12:43

Proceedings, 7:19, 10:15

Retaliation, 7:19, 12:43

ERISA

Enforcement, 1:4, 12:16, 12:34 HIPAA, 3:41, 3:51, 12:16, 12:34

ESSENTIAL FUNCTIONS

Job descriptions, 3:36

EVIDENCE

Admissibility, 2:16, 3:30, 3:54, 7:8, 9:7, 16:27, 16:31 Affidavits, 10:55, 16:24, 16:30 Arbitration decisions, 3:1, 5:30, 6:54,

Authentication, 6:34, 6:47, 12:17 Burden of Proof, **10:69**, **12:15**

8:9, 14:13, 15:11

Business necessity, 3:20, 3:37, 7:3, 12:15

Comparators, **4:13**, **12:3**

Compromise, 16:27

Cross-examination, 16:30, 16:33

Damages, 2:11, 3:27, 3:67, 4:13, 4:34, 5:24, 6:43, 6:45, 6:50, 7:31, 8:3, 8:5, 9:10, 10:47, 10:48, 10:55, 12:2, 12:3, 12:6, 12:15, 12:17, 12:18, 12:36, 12:37, 12:39, 12:43, 12:45, 12:53, 13:8, 13:28, 14:6, 14:8, 14:11, 14:13, 14:22, 16:22, 16:31

Defenses, 2:1, 3:20, 3:27, 3:57, 3:61, 3:67, 4:13, 4:28, 4:32, 4:34, 10:48, 12:3, 12:15, 12:17, 12:37 to 12:39, 12:43, 12:45, 13:13, 13:27, 13:28, 14:13, 15:9

Demonstrative evidence, 16:24 Direct evidence, **12:38**, **12:39**

Disciplinary proceedings, 2:6, 4:4, 4:6, 4:12, 11:11

Discovery, 1:1, 3:30, 3:62, 4:46, 6:45, 6:47, 6:50, 7:8, 7:26, 7:31, 9:10, 10:52, 10:54, 10:60, 10:63, 12:34, 12:43, 12:50, 12:53, 13:37, 13:42, 15:9, 16:14, 16:23, 16:27 to 16:31

Disparate treatment, 13:27, 13:36

Education, 3:29, 3:48, 4:13, 4:15, 7:3, 10:44, 12:15

Employee Polygraph Protection Act, 4:6, 5:4, 5:22, 5:24, 5:27, 5:30, 6:34, 11:26, 14:8, 14:13

EVIDENCE—Cont'd

Employee Retirement Income Security Act, 3:19, 7:31, 8:5, 8:6 Employment agency, 10:48 Employment history, 4:13, 7:3, 11:30 Exhibits, 16:22, 16:27, 16:30, 16:31, 16:33

Expert witnesses, 16:31 Hearsay rule, 6:43

Legitimate, 2:12, 2:33, 3:17, 3:27, 3:36, 3:53, 3:57, 3:61, 3:69, 3:75, 4:4, 4:12, 6:9, 6:34, 6:40, 8:6, 10:60, 11:32, 11:33, 12:3, 12:6, 12:15, 12:17, 12:18, 12:40, 12:43, 12:52, 12:53, 15:4, 15:7

Motions in limine, 16:27

Objections, 10:60, 10:61, 12:36, 12:37, 12:45, 13:42, 16:27, 16:29

Personal knowledge, 10:54, 16:23 Plaintiff, 2:15, 3:20, 3:30, 3:54, 3:57, 4:13, 4:28, 4:41, 5:16, 5:22, 5:24, 8:3, 9:10, 10:47, 10:48, 10:52, 10:54, 10:55, 10:60, 10:61, 10:64, 12:2, 12:3, 12:36, 13:28, 13:38, 13:42, 15:9, 16:22 to 16:24, 16:27 to 16:29, 16:31, 16:33

Pretext, 3:27, 3:36, 3:61, 4:13, 6:52, 10:60, 11:30, 12:3, 12:6, 12:15, 12:17, 12:18, 12:43, 12:52, 13:27, 13:28

Prima facie case, 5:16, 12:2, 12:3, 12:6, 12:15, 12:18, 12:43, 12:52

Privileges, 1:1, 3:30, 3:67, 4:13, 4:32, 12:2, 12:3, 12:36, 12:39, 12:50, 13:27, 14:11, 16:29, 16:31

Remarks, 15:3

Retaliation, 2:15, 3:20, 3:27, 3:36, 3:37, 3:57, 3:61, 3:62, 4:12, 4:13, 5:16, 6:47, 6:52, 7:31, 8:5, 8:6, 10:48, 12:1 to 12:3, 12:6, 12:15, 12:17, 12:18, 12:34, 12:36 to 12:40, 12:43, 12:45, 12:52, 12:53, 13:27, 13:28, 13:39, 14:6, 14:13

Sanctions, 4:4, 7:8, 9:9, 9:10, 13:42, 16:29, 16:31

EVIDENCE—Cont'd	FAIR LABOR STANDARDS ACT
Similarly situated employees, 3:27 ,	—Cont'd
10:60, 12:17	Arbitration agreements, 12:43
Spoliation, 7:8	Assignments, 7:22
State law, 2:1, 2:3, 2:5, 2:11, 2:12,	Bankruptcy, 7:19
2:15, 2:16, 2:21, 3:1, 3:9, 3:17,	Collective bargaining agreements,
3:20, 3:27, 3:54, 3:57, 3:61,	10:72
3:62, 4:5, 4:12, 4:13, 4:24, 4:34, 6:30, 6:34, 6:43, 6:45	Common law, 5:1
4:34, 6:20, 6:34, 6:43, 6:45, 6:47, 6:50, 7:3, 9:4, 10:10,	Common ownership, 7:22
10:60, 12:2, 12:3, 12:34, 12:36,	Complaints, 12:43
12:39, 12:43, 12:53, 13:8,	Congress, 7:19
13:13, 13:25, 13:27, 13:28,	Costs, 7:19
13:36 to 13:39, 13:42, 14:6,	Counterclaims, 12:43
15:9	Coverage, 7:22 , 9:5
Summary judgment, 5:24, 8:5, 14:8	Credit, 3:19 , 4:15 , 5:1 , 5:5 , 5:19
Title VII, 2:15, 3:1, 3:19, 3:27, 3:48,	Damages, 3:31, 7:19, 12:43
4:13, 5:16, 7:2, 7:3, 7:31,	Date, 10:72
10:48, 12:1, 12:3, 12:17, 12:38,	Defenses, 12:43
12:39, 12:50, 12:53	Discovery, 12:43
Weight, 5:24, 5:30, 12:50, 13:27,	Discrimination, 3:19, 3:31, 4:10,
14:8, 15:3	4:15, 7:19, 7:22, 9:5, 10:72,
Witnesses, 3:17, 4:15, 4:28, 4:34,	13:41
4:46, 9:10, 10:44, 10:55, 10:64,	Emotional distress, 5:1
10:69, 11:25, 12:2, 13:8, 14:11,	Employee, 3:19, 3:31, 4:10, 4:15,
16:12, 16:24, 16:27, 16:29, 16:31	5:1, 5:5, 5:19, 7:19, 7:22, 9:5,
Work history, 5:10	10:72, 12:43, 13:41
work history, 5.10	Employer, 3:19, 3:31, 4:10, 4:15,
EXAMINATION	5:1, 5:5, 5:19, 7:19, 7:22, 9:5, 10:72, 12:43, 13:41
Labor Management Relations Act,	Employment contracts, 9:5 , 12:43
3:65, 7:13	Enterprise, 7:22
EXECUTIVE ORDERS	Evidence, 3:19 , 4:15 , 12:43
National Labor Relations Board,	Exceptions, 4:15
12:41	÷
	Exemptions, 10:72
EXPERT	Federal law, 7:19 , 10:72 , 13:41
Costs, 12:36, 12:45	Fine, 7:19
Discovery, 10:53, 13:10, 16:27,	Foreign country, 12:43
16:31	Fraud, 4:15 , 7:19
Selection, 10:53	Government employees, 5:5
Witness, 6:34, 10:51, 10:57, 12:36,	Imprisonment, 7:19
12:45, 16:27	Joint employers, 7:22 , 12:43
EXTENT	Jurisdiction, 12:43
Federal employment, 6:11	Knowledge, 4:15, 7:22
ž •	Liquidated damages, 7:19
Labor Management Relations Act, 7:13	Materials, 3:31, 7:19
1.13	Minimum wage, 3:31, 12:43
FAIR LABOR STANDARDS ACT	National Labor Relations Board,
Approval, 10:72, 12:43	7:19, 12:43

FAIR LABOR STANDARDS ACT FAMILY AND MEDICAL LEAVE —Cont'd ACT—Cont'd Employees, 3:19, 3:27, 3:58, 4:19, Notice, 5:5, 7:22, 10:72 6:3, 7:13, 7:19, 7:31, 9:5, Police, 7:19 10:49, 10:60, 12:17, 13:24, Prima facie case, 12:43 Punitive damages, 7:19 Employers, 3:1, 3:27, 3:58, 4:19, Recordkeeping, 7:22 6:3, 7:13, 7:19, 8:2, 10:25, Regulations, 3:19, 3:31, 4:15, 5:5, 10:49, 10:60, 12:17, 13:24 10:72, 12:43 Enactment, 7:31 Remedies, 9:5 Enforcement, 3:27, 10:25, 12:17 Reports, 7:19 Equivalent position, 3:27, 12:17, Retaliation, 3:31, 7:19, 10:72, 12:43 13:24 Settlement, 12:43 Evidence, 3:1, 3:19, 3:27, 7:31, Settlements, 12:43 10:60, 12:17, 16:28 Successor employers, 7:22, 12:43 Family member, 3:27, 12:17 Transportation workers, 9:5 Federal government, 3:58, 10:49 Trial. 10:72 Group health plan, 10:25 United States, 4:15, 5:1, 7:19, 7:22, Health benefits, 4:19, 10:25 9:5, 12:43 Health conditions, 7:13 FAIR REPRESENTATION Immunity, 7:31 Claims, **3:72** Intermittent leave, 3:27, 12:17 Procedure, **3:6** Involuntary leave, 3:27, 12:17, 13:24 Job restoration, 3:27, 12:17 FALSE CLAIMS ACT Joint employers, 3:27, 12:17 Whistleblowing, 1:4, 7:19, 12:49 Litigation, 3:1, 3:27, 7:13, 7:19, FALSE STATEMENTS 10:49, 10:60, 16:28 Criminal penalties, 12:47, 12:49 Medical certifications, 3:27, 12:17 Notice, 3:27, 3:58, 10:25, 12:17, FAMILY AND MEDICAL LEAVE 13:24, 16:28 ACT Notices, 3:27, 12:17 Benefits, 3:27, 3:58, 4:19, 7:19, Public policy, 7:31, 10:49 10:25, 10:49, 10:60, 12:17, 16:28 Purpose, 3:27, 4:19, 10:25 Birth, 10:25, 16:28 Recertification, 3:27, 12:17 Burden of proof, 13:24 Reemployment rights, 9:5 Certification, 3:27, 10:25, 12:17 Regulations, 3:1, 3:19, 3:27, 3:58, 4:19, 10:25, 10:60, 12:17, 16:28 Compensation, 3:1, 3:58, 7:19, 7:31, 8:2, 10:25, 10:60, 16:28 Reinstatement, 3:27, 7:31, 12:17, Coverage, 9:5, 10:25 Remedies, 7:31, 9:5, 13:24 Damages, 3:27, 6:3, 7:19, 7:31, 12:17 Requirements, 3:27, 4:19, 7:19, 12:17 Daughter, 3:27, 12:17 Retaliation, 3:27, 6:3, 7:19, 7:31, Disability, 3:1, 3:58, 4:19, 7:13, 12:17, 13:24 7:19, 7:31, 10:25, 10:60, 16:28 Same or equivalent position, 3:27, Discrimination, 3:1, 3:19, 3:27, 3:58, 12:17, 13:24 6:3, 7:13, 7:19, 7:31, 9:5, Serious health condition, 3:27, 12:17 10:49, 10:60, 12:17, 13:24 Sick leave, 4:19 Duration, 3:27, 12:17

FAMILY AND MEDICAL LEAVE

ACT—Cont'd

State laws, 3:1, 3:27, 3:58, 8:2, 10:25, 13:24

Statute of limitations, 12:17

Types of leave, 12:17

Vacation time, 16:28

Waiver, 10:49

FEDERAL ARBITRATION ACT

Labor Management Relations Act, 9:9, 15:9

FEDERAL EMPLOYMENT

Agencies, 6:11

Courts, **6:11**

Eligibility, 6:11

Enforcement, 6:11

Exceptions, 6:11

Parties, **6:11**

Record, 6:11

Regulations, 6:11

Remedies, 6:11

Service, 6:11

FEDERAL STATUTES

Americans with Disabilities Act, 1:5, 3:1, 3:19, 3:20, 3:22, 3:27, 3:32 to 3:40, 3:47, 4:1, 4:10, 4:16 to 4:22, 6:3

Arbitration, 1:5, 3:1, 3:26, 4:1, 4:12, 4:13, 5:1, 6:10, 15:8

Collective bargaining agreement, 3:29, 3:44, 4:44

Color of state law, 2:15, 3:23, 4:14

Due process, 3:1, 3:23, 4:1, 4:14, 11:1, 12:49

Equal protection, 2:15, 3:1, 4:14, 11:1

Family and Medical Leave Act, 3:1, 3:19, 3:27, 4:19, 6:3

Genetic Information Non-discrimination Act, 3:1, 3:19, 3:47 to 3:52

Parties, 3:30, 3:49, 4:11, 4:15, 6:20, 6:23

Pregnancy discrimination, 3:22

Rehabilitation Act, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:49

Remedies, 3:34, 3:37, 3:38, 3:52, 4:11 to 4:13, 13:12

FEDERAL STATUTES—Cont'd

Restoration, 3:27

FILING

National Labor Relations Act, 4:11

FIRES

Unfair labor practices, 7:19

FIRST AMENDMENT

Retaliation claims, 12:2

FLORIDA

Compensation, 7:20

Employment practices, 7:20

Evidence, 5:24

Harassment, 7:20

Investigations, 7:23

Notice, 5:24

FORMER EMPLOYEES

Employee Retirement Income Security Act, 1:4, 12:16

Negligent hiring, 1:4, 7:16

Retaliation, 1:4, 3:49, 7:6, 12:3, 12:16, 12:36, 12:52, 12:53

FORMS

Unions, 16:34

FRONT PAY

Compensatory damages, 10:50, 12:36

Reinstatement, 7:31, 12:36, 12:39

GARNISHMENT

Discipline, 12:49

GENDER DISCRIMINATION

Adverse actions, **4:13, 12:3**

Comparators, 4:13, 12:3

Discharge, 4:13, 12:3

Evidence, **4:13**, **12:3**

Harassment, 4:13, 12:3

Pregnancy, 12:3

Remedies, 4:13

Retaliation, **4:13**, **12:3**

Sexual orientation, 12:3

Tenure, 4:13

GOOD CAUSE

Discipline, 3:69, 4:9, 4:24, 12:40, 13:38, 14:13, 15:3

GOOD FAITH

Preemption, 3:69, 3:72, 4:1, 4:13, 4:26, 4:29, 4:30, 13:12, 13:28, 14:13

Retaliation, 3:27, 3:57, 4:13, 10:48, 12:17, 12:34, 12:38, 12:52, 13:28, 13:32, 14:13

GOVERNMENT CONTRACTORS

Training, 7:3

GRIEVANCE PROCEDURES

Terms, **9:3**Title VII, **7:13, 9:3**

GRIEVANCES

National Labor Relations Act, 6:54

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

Alcohol abuse, 3:19

Coverage, 3:42, 3:43, 10:25, 12:34 Disclosures, 1:5, 3:42, 3:44, 3:46, 10:23, 10:25, 12:34, 16:5

Discrimination, 3:1, 3:19, 7:13, 10:60

Eligibility, **3:43**, **10:25**, **12:34**

Medical benefits, 10:60, 16:28

Notice, 3:44 to 3:46, 10:23 to 10:26, 10:28, 10:29, 12:34, 16:28, 16:31

Premiums, 3:43, 10:25

Privacy, 1:5, 3:1, 3:19, 3:41, 3:42, 3:44 to 3:46, 7:13, 10:1, 10:23 to 10:29, 10:60, 12:34, 16:28, 16:31

HIRING

Affirmative action, 8:3, 12:15

Agencies, 4:13, 6:10, 7:3, 8:3, 12:2, 12:3, 12:15, 12:16

Arrest and conviction records, 1:1, 7:3

Business necessity, 3:33, 7:3, 12:15

Citizenship status, 12:47

Comparators, 4:13, 12:3

Credit check, 6:10

Defenses, 3:68, 4:13, 6:10, 12:3, 12:15, 12:47

HIRING—Cont'd

Evidence, 1:1, 4:13, 5:16, 7:3, 8:3, 12:2, 12:3, 12:15, 12:18

Genetic Information Nondiscrimination Act, 10:8

Genetic testing, **1:1**, **12:16**, **13:23** Immigration status, **12:47**

Impairments, 3:33, 3:49, 12:16

Insurance, 6:55, 7:22, 10:29

Internet, 1:1, 6:10, 7:3, 12:16, 12:51

Interviews, 1:1, 4:13, 6:10, 7:16, 12:2, 12:3, 12:18

Medical examinations, 1:1, 1:4, 3:33, 3:47, 3:49, 3:68, 3:71, 6:55, 10:8, 12:3, 12:15, 12:18, 12:51, 13:23

National origin discrimination, **12:47** Prima facie case, **5:16**, **12:2**, **12:3**, **12:15**, **12:18**, **12:47**

Reasonable accommodation, 3:33, 4:13, 8:3, 12:3, 12:15, 12:16

Reinstatement, 1:4, 4:13, 7:5, 12:3, 12:16, 12:18

Remedies, **4:13**, **12:15**, **12:16**, **12:18**, **12:47**

Scope of protection, **12:3**, **12:51**

Selecting employees, **5:16**

Sex discrimination, 5:16, 7:16

Sexual orientation, 12:3

Standing, 4:13, 6:10, 12:2, 12:3

Statistics, 7:16

Tenure, 4:13

Title VII, 3:49, 4:13, 5:16, 6:10, 7:3, 7:5, 7:16, 7:22, 7:23, 12:3, 12:16

HIV

Alcohol, **3:34**, **3:36**, **10:62**, **11:12**, **11:33**, **13:3**

Amendment, **3:4, 11:12, 11:33**

Americans with Disabilities Act, **3:34, 3:36, 3:38, 4:19**

Analysis, **3:4, 11:33**

Appeals, 7:20

Assessment, 3:34, 4:19

Assistance, 11:12

Attendance, 3:34, 3:65

Attorneys, 3:65, 7:20

Bargaining, 11:12

HIV—Cont'd	HIV—Cont'd
Behavior, 3:4 , 3:34 , 3:65 , 4:19 ,	Evidence, 3:4, 3:36, 11:12, 11:33,
11:33	14:3
Benefits, 3:4, 4:19	Examination, 3:4 , 3:34 , 3:38 , 3:65 ,
Business, 3:34, 3:65, 4:19, 12:11,	4:19, 11:12, 11:33, 12:11, 13:3
14:3	Exercise, 3:34
Care, 3:34 , 3:65 , 4:19 , 7:20 , 10:62	Experience, 11:33
Centers, 12:11	Exposure, 3:38 , 3:65 , 11:12 , 14:3
Certification, 3:34	Facilities, 11:33
Change, 3:36	Factors, 7:20, 11:33
Claims, 3:34, 3:36, 3:65, 4:19, 7:20,	Facts, 3:4, 3:65, 4:19, 11:12, 11:33,
13:22, 14:3	14:3
Clearance, 11:33	Fair, 7:20
Cocaine, 11:12	Family, 3:36, 4:19, 10:62
Collection, 3:4	Family and Medical Leave Act, 4:19
Collective bargaining, 11:12	Family and medical leave, 4:19
Common law, 3:65 , 7:20 , 14:3	Files, 3:38, 3:65, 4:19, 11:12
Compensation, 3:4, 3:65, 7:20, 13:3	First aid, 3:38, 11:12, 11:33
Complaints, 11:12	Fitness, 3:4 , 3:34 , 4:19 , 12:11
Compliance, 3:38, 10:62	Fmla, 3:36, 4:19
Concerns, 3:65 , 11:33	Follow-up, 11:33
Conditions, 3:36, 4:19	Food, 4:19
Conducting, 11:12	Forms, 3:38, 4:19, 10:62, 12:11
Constructive discharge, 3:36, 12:11	Gathering, 3:65
Contents, 11:12	Harassment, 3:34, 3:65, 7:20, 12:11,
Corrective action, 7:20	14:3
Coverage, 3:65	Health, 3:34, 3:38, 3:65, 4:19, 10:62,
Creating, 13:3	11:33, 12:11
Data, 11:12, 12:11	Health care, 3:34, 3:65, 4:19, 10:62
Defamation, 7:20	Hours, 11:12
Denial, 3:4	Identification, 3:4
Dependents, 3:65	Information, 3:4, 3:34, 3:36, 3:38, 3:65, 4:19, 10:62, 11:33, 12:11,
Discipline, 3:4, 3:36, 3:38, 4:19,	13:3, 14:3
7:20, 12:11	Inquiry, 3:34 , 3:38 , 4:19 , 12:11
Discrimination, 3:36, 7:20, 13:22	Insubordination, 11:12
Diseases, 3:38 , 4:19 , 10:62 , 11:12 , 12:11	Insurance, 3:34, 4:19, 7:20
Disputes, 11:33	Interviews, 4:19
Drugs, 3:4, 3:34, 3:36, 11:12, 11:33,	Investigations, 13:3
13:3	Issues, 3:36 , 3:65 , 7:20 , 11:33
Duration, 3:36	Job descriptions, 3:36
Elements, 3:36 , 10:62	Laws, 3:34 , 3:36 , 4:19 , 7:20 , 13:3
Eligibility, 4:19	Liability, 3:34 , 3:65 , 7:20 , 12:11
Emergency, 3:38	Machinery, 11:33
Enforcement, 11:33	Making, 3:34, 4:19
Essential functions, 3:34 , 3:36 , 4:19	Management, 3:4, 3:65, 14:3
Establishing, 3:34 , 4:19	Managers, 3:38, 7:20, 14:3
Evaluation, 10:62	Marijuana, 11:12
Lyanuanon, 10.02	manguana, 11.12

HIV—Cont'd	HIV—Cont'd
Media, 14:3	Restrictions, 3:38, 3:65, 12:11, 13:22
Medical records, 3:65 , 4:19 , 11:33 , 14:3	Rights, 3:4, 3:34, 7:20, 11:12, 11:33, 12:11, 13:3, 13:22, 14:3
Methods, 3:36, 11:12	Rules, 3:34, 3:36, 3:38, 10:62, 11:33
Minimum, 11:12	Safety, 3:4, 3:34, 3:36, 3:38, 3:65,
Misconduct, 3:36, 11:12	4:19, 11:12, 11:33, 12:11, 13:3
Modification, 3:36	Screening, 11:33
Monitoring, 3:34 , 3:65	Searches, 3:65, 11:12
Needs, 3:4 , 11:12 , 12:11	Selection, 11:12
Notice, 3:36	Services, 3:65 , 10:62 , 14:3
Number, 3:65, 7:20, 14:3	Sexual harassment, 3:65, 14:3
Operation, 3:34, 3:65, 12:11	Short, 3:36 , 11:33
Operators, 11:33	Significance, 3:36
Osha, 4:19	Social, 10:62, 14:3
Overview, 3:4 , 3:36 , 3:38 , 3:65 ,	Social Security, 10:62 , 14:3
4:19, 12:11, 13:3, 13:22	Standards, 3:4, 3:34, 4:19, 11:12
Paid, 3:36	State, 3:34, 3:36, 3:38, 3:65, 4:19,
Parking, 11:12	7:20, 10:62, 11:12, 11:33,
Pay, 3:36 , 7:20 , 12:11	12:11, 13:3, 13:22, 14:3
Payment, 10:62	Statements, 10:62
Performance, 3:4 , 3:36 , 3:65 , 11:12 , 13:3	Statutes, 3:34, 3:36, 3:38, 3:65, 4:19, 7:20, 13:22
Personal protective equipment, 12:11	Stress, 3:36
Place, 3:36, 11:12	Style, 10:62
Policies, 3:34 , 3:36 , 3:65 , 14:3	Substance abuse, 3:36
Posting, 14:3	Supervisors, 3:38, 7:20, 12:11
Practices, 7:20	Support, 3:4
Prevention, 12:11	Surveillance, 11:12 , 11:33
Privilege of employment, 3:34	Techniques, 7:20, 11:33
Programs, 4:19	Time, 3:36, 4:19, 7:20, 10:62, 13:3
Property, 3:4, 3:65, 11:12, 11:33,	Training, 3:36
13:3	Transportation, 3:4 , 3:34 , 4:19 , 11:12
Protection, 3:34, 3:36, 3:65, 4:19,	Types, 7:20
11:33, 12:11, 13:3	Unauthorized, 10:62, 13:22
Public employers, 3:4, 11:33	Unlawful employment practices, 7:20
Publishing, 14:3	Use, 3:4, 3:34, 3:36, 3:38, 3:65,
Questions, 3:34 , 3:38 , 3:65 , 4:19 , 12:11	4:19, 10:62, 11:12, 11:33, 12:11, 13:3, 13:22, 14:3
Records, 3:65 , 4:19 , 10:62 , 11:33 , 13:3 , 14:3	Violations, 3:65
Refusal, 3:4, 3:36, 3:65, 10:62, 11:12	Voluntary, 3:34, 3:38, 4:19
Regulation, 3:36, 11:12	Wages, 7:20
Rehabilitation, 3:36, 11:33	Whistleblowing, 7:20
Reporting, 12:11	Work rules, 3:36
Reports, 3:38	Wrongful discharge, 3:65, 7:20, 13:3
Requests, 3:4, 3:36, 3:38, 3:65	HOSTILE WORK ENVIRONMENT
Response, 3:38, 12:11	Harassment, 3:22, 3:34, 12:10, 12:15

HOSTILITY

Unfair labor practices, 4:12, 12:41

HOURS

Unions, 5:12, 6:35

IDENTIFICATION

Collective bargaining agreements, **6:36, 6:37**

ILLINOIS

Compensation, 7:20

Employment practices, 7:20

Harassment, 7:20

Health, 5:27

Notice, 5:27

Polygraph tests, **5:27**

Privacy, 3:55, 5:27, 7:20

Reports, 5:27

Retaliation, 7:20

State statutes, 3:55

IMPAIRMENT

Collective bargaining agreements, 3:74

IMPLEMENTATION

National Labor Relations Board, 5:18

IMPOSITION

National Labor Relations Board, 6:9

IMPRESSION OF SURVEILLANCE

Unfair labor practices, 12:41

INDEPENDENT CONTRACTORS

Employee Retirement Income Security Act, **8:5**

INDIANA

Conciliation, 13:42

Disclosures, 13:42

Evidence, **13:42**, **16:22**

Investigations, 7:23, 13:42

Notice, 16:22

Permits, 16:22

Retaliation, 7:23

Sanctions, 13:42

State statutes, 13:42

Terms, 13:42

INFORMATION

Railway Labor Act, 12:41

INJUNCTIONS

Discipline, 6:47

INSUBORDINATION

Discipline, 3:35, 4:11, 4:24, 4:45, 6:9, 7:32, 10:46, 15:3

INSURANCE

Discrimination claims, 3:58, 3:61,

7:22, 10:60, 13:35

Notice requirements, 16:31

Public policy, 7:20, 10:49, 13:1,

13:11

INTENT

Age Discrimination in Employment Act, **7:19**

Harassment, **4:20**, **7:20**, **8:4**, **10:40**, **14:6**

Rehabilitation Act, 1:4, 3:27, 3:32,

7:19, 12:17Summary judgment, **12:44**

Title VII, 3:27, 7:3, 7:19, 7:20, 12:17

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Labor Management Relations Act, 4:28, 14:7

National Labor Relations Act, 1:4, 5:1, 6:42

INTEREST

Employment practices, 7:20, 10:50 Preemption, 3:29, 3:53, 3:65, 3:69, 4:28, 4:29, 12:41

INTERFERENCE

National Labor Relations Act, **1:4**, **4:1**, **6:52**, **12:41**

National Labor Relations Board, 12:41

DEDDOG ATION

INTERROGATION

Unions, 4:11, 12:41

INVASION OF PRIVACY

Labor Management Relations Act, 3:65, 6:34

INVESTIGATIONS

Collective bargaining agreements, **7:30, 10:72**

Equal Pay Act, 7:19

INVESTIGATIONS—Cont'd Family and Medical Leave Act, 7:19,	JURISDICTION—Cont'd Investigation, 4:28, 5:15, 7:25, 7:29,
10:25	12:18, 12:37, 12:43, 12:49, 14:6
Jurisdiction, 5:15, 12:49, 14:6	Mootness, 15:9
Labor Management Relations Act, 12:49	National Labor Relations Act, 12:47 Res judicata, 10:47 , 15:9
Railway Labor Act, 12:41	Retaliation claims, 12:18
Retaliation, 1:4, 3:10, 4:2, 4:12,	Settlements, 12:43
4:13, 5:6, 6:52, 7:19, 7:23,	Subject matter jurisdiction, 16:22
10:72, 12:1, 12:3, 12:6, 12:16,	KANSAS
12:34, 12:36, 12:41, 12:45, 12:49, 12:52, 13:10, 13:34,	Compensation, 7:20
13:39, 14:6	Employment practices, 7:20
INVOLVEMENT	Harassment, 7:20
Unfair labor practices, 12:41	Retaliation, 7:20
IOWA	KENTUCKY
Compensation, 7:20	Appeals, 7:20, 13:38
Complaints, 10:46	Compensation, 7:20, 13:38
Conditions of employment, 10:46	Employment practices, 7:20
Dispute, 10:46	Evidence, 5:22 , 13:38
Employment practices, 7:20	Harassment, 7:20, 13:38
Evidence, 5:27 , 14:13	Hearings, 13:38
Harassment, 7:20	Investigations, 7:23
Health, 5:27 , 14:13	State statutes, 13:38
Mental retardation, 5:27 , 14:13	Unemployment compensation, 13:38
Notice, 5:27 , 10:46	LABOR MANAGEMENT
Polygraph tests, 5:27	RELATIONS ACT
Probable cause, 10:46	Agreements, 15:9
Remedies, 14:13	Amendment, 6:34
Retaliation, 7:20, 14:13	Arbitration, 9:9, 15:9
Terms, 10:46, 14:13	Authority, 9:9, 15:9
JOINT EMPLOYERS	Awards, 9:9, 15:9
	Benefits, 12:49
Employment practices, 7:22 Family and Medical Leave Act, 3:27,	Breach, 15:9
12:17	Breach of contract, 15:9
National Labor Relations Act, 7:22	Business, 3:65, 6:34, 7:13, 12:49
National Labor Relations Board,	Cause, 3:65 , 4:28 , 6:34 , 12:49
12:43	Claims, 3:65 , 4:28 , 6:34 , 7:13 , 12:49 , 14:7 , 15:9
JURISDICTION	Collective bargaining, 4:28, 7:13,
Arbitration, 5:15, 7:25, 9:4, 10:47,	14:7, 15:9
12:18, 12:37, 12:43, 15:9,	Collective bargaining agreements,
15:12, 16:30, 16:31	15:9
Collateral estoppel, 10:47	Complaints, 9:9, 15:9
Complaints, 7:25, 12:43, 14:6, 15:9	Complete 4.65 U.U 15.U
	Complete, 3:65, 9:9, 15:9
Due process, 10:48 , 12:49 Federal court decisions, 16:22	Conditions, 7:13 Continuing, 15:9

LABOR MANAGEMENT LABOR MANAGEMENT RELATIONS ACT—Cont'd RELATIONS ACT—Cont'd Corruption, **9:9**, **15:9** Validity, **15:9** Coverage, 3:65 Violations, 3:65, 12:49 Decisions, 3:65, 9:9 Wrongful discharge, 3:65 Defenses, 4:28, 15:9 LABOR RELATIONS Distress, 4:28, 14:7 Contracts, 1:4, 5:5, 6:51, 7:19, 9:5, Duties, 3:65 12:43 Employers, 3:65, 6:34, 7:13, 12:49, Coverage, 7:22, 9:5 15:9 **LACHES** Enforcement, 15:9 Evidence, 4:28, 6:34, 9:9, 14:7, 15:9 Defined, 10:47 Existence, 7:13 LAST CHANCE AGREEMENTS Facts. 3:65 Collective bargaining agreements, Federal Arbitration Act, 9:9, 15:9 3:9 Fraud, 9:9, 12:49, 15:9 LIABILITY Individuals, 7:13, 15:9 Intentional infliction of emotional Worker Adjustment and Retraining distress, 4:28, 14:7 Notification Act, 1:4, 12:49 Invasion of privacy, 3:65, 6:34 LIFE INSURANCE Jurisdiction, 4:28, 12:49, 15:9 Payments, 10:67 Jury trial, 12:49, 15:9 LIQUIDATED DAMAGES Liability, 3:65, 6:34, 12:49 Limitations, 15:9 Backpay, 7:19 Loss, 12:49 Retaliation, 3:27, 7:19, 12:5, 12:17, 12:18 Members, 3:65, 7:13 Nature. 9:9 Tax consequences, 10:68 Unfair labor practices, 7:19 Notice, 4:28, 12:49 Parties, 9:9, 15:9 LITERATURE Policy, **3:65**, **6:34**, **9:9**, **15:9** Distribution, 10:10 Powers, 9:9, 15:9 Proceedings, 9:9, 15:9 LITIGATION Public policy, 3:65, 9:9, 15:9 Deposition, 10:49, 10:53, 10:58, Purpose, 3:65, 12:49 10:61, 10:63, 16:26 to 16:31, 16:33 Refusal, 3:65 Discovery, 3:30, 3:44, 6:45, 6:47, Regulation, 7:13 6:50, 7:8, 7:13, 9:3, 10:52 to Remand, 9:9 10:54, 10:56, 10:60, 10:63, Requests, 3:65 12:34, 12:43, 12:50, 13:42, Res judicata, 15:9 16:23, 16:25 to 16:31 Restrictions, **3:65**, **7:13** Limitations period, 12:36, 16:30 Review, 3:65, 9:9, 15:9 Physician, 3:7, 3:27, 3:30, 3:37, Rights, 6:34, 7:13, 9:9, 12:49, 14:7, 3:44, 6:44, 6:51, 10:54, 10:57 15:9 to 10:60, 16:28 Safety, 3:65, 6:34, 12:49 Plaintiff, 2:28, 3:30, 6:2, 6:10, 6:16, Scope, 15:9 7:19, 9:3, 10:47 to 10:61, Service, 12:49 10:64, 10:65, 12:31, 12:36, State laws, 6:34 13:42, 16:21 to 16:29, 16:31 to Threats, 4:28, 12:49, 14:7 16:34

LITIGATION—Cont'd
Pleadings, 10:50, 16:31
Remedies, 3:37, 4:9, 9:3, 10:47,
10:48, 10:51, 10:69, 12:36,
12:45, 12:47, 14:11
Settlements, 3:27, 12:43, 13:42
Strategy, 4:37, 10:51
Supervisor, 3:7, 3:37, 6:4, 7:8, 7:18,
7:19, 10:43, 10:44, 12:36,
12:40, 12:43, 14:11, 16:24,
16:32, 16:34
Trial, 9:3, 10:48, 10:51, 10:55,
10:57, 10:65, 12:36, 12:45,
13:42, 16:21, 16:24, 16:27 to
16:29, 16:31, 16:33, 16:34

LOCAL GOVERNMENTS

Title VII, 7:2

LOSS

National Labor Relations Act, 1:4, 4:23, 4:46, 5:5, 5:18, 6:45 Worker Adjustment and Retraining Notification Act, 1:4, 12:49

LOUISIANA

Evidence, 5:22, 5:27, 16:22 Health, 5:27 Notice, 5:27, 16:22 Permits, 16:22 Privacy, 5:27

MAINE

Compensation, **7:20**Employment practices, **7:20**Harassment, **7:20**Privacy, **7:20**

MANAGEMENT

Collective bargaining agreements, **15:9**

MANAGERS

Compensation, 3:77, 6:23, 7:19, 7:20, 10:5, 10:6, 10:60, 14:6

MARIJUANA

Drug screening, 3:54, 3:75, 10:10

MASSACHUSETTS

Appeals, **7:20**Compensation, **7:20**Employment practices, **7:20**

MASSACHUSETTS-Cont'd

Harassment, 7:20

State statutes, 5:21, 12:29, 13:16

MEDIA

Unfair labor practices, **12:41** Unions, **4:11**, **6:9**, **12:41**

MEDICAL BENEFITS

Employee Retirement Income Security Act, 12:44
For employees, 16:28
Plan, 12:44, 13:40
United States, 10:60

MENTAL HEALTH

Medical benefits, 10:60, 13:40, 16:28

MICHIGAN

Appeals, 7:20
Compensation, 3:65, 7:20, 14:6
Disclosures, 3:65
Employment practices, 7:20
Harassment, 3:65, 7:20, 14:6
Health, 3:65
Insurance, 7:20
Medical examinations, 3:53, 3:55, 3:65, 14:6
Notice, 14:6
State statutes, 3:53, 3:55, 3:65

MILITARY SERVICE

Compensation, 12:18, 13:27

MINITRIALS

Alternative dispute resolution, 13:42

MINNESOTA

Appeals, 7:20
Blacklisting, 13:27
Compensation, 7:20, 13:27
Damages, 5:24, 13:28, 14:8
Disclosure, 13:27
Employment practices, 7:20
Evidence, 5:24, 13:27, 13:28, 14:8
Garnishment, 13:27
Harassment, 7:20, 13:27, 13:28
Losses, 5:24
Marital status, 13:27
Notice, 5:24

Privacy, 5:20, 7:20

Index-28

MINNESOTA—Cont'd NATIONAL LABOR RELATIONS ACT—Cont'd Privileges of employment, 13:27 Remedies, 13:27 Determinations, 4:46 Drivers, 3:31 Retaliation, 7:20, 13:27, 13:28 Sex discrimination, 13:27 Enforcement, 1:4, 6:40, 6:51, 12:47 State statutes, 13:27, 13:28 Entities, 4:11, 7:22 Terms, 13:27 Exercise, 4:11, 5:18, 6:9, 6:54, 12:41, 12:47, 15:11 **MISCONDUCT** Forum. 12:41 Front pay, **7:31, 12:36** Fraud, 1:4, 6:39, 6:42, 6:45, 12:47 **MISSISSIPPI** Government, 1:4, 3:19, 3:31, 4:23, State statutes, 3:55 4:46, 5:5, 6:42, 12:47 Guards, 5:18 **MISSOURI** Health care, 6:51 Compensation, 7:20 Impact, 3:31, 6:52 Employment practices, 7:20 Independent contractors, 6:9 Evidence, 5:24 Injury, 3:31, 5:5, 7:22 Harassment, 7:20 Insurance, 3:19, 7:22 Notice, 5:24 Intent, 1:4 **MOOTNESS** Interference, 1:4, 4:1, 6:52, 12:41 Jurisdiction, 15:9 Interpretation, 4:46, 6:9, 6:52 NATIONAL LABOR RELATIONS Issues, 3:19, 4:46, 6:52, 7:22 **ACT** Joint employer, 7:22 Activities, 4:11, 4:46, 6:3, 6:9, 6:42, Jurisdiction, 12:47 6:51, 6:52, 6:54, 12:41, 12:47, Limitations, 1:4 15:11 Managers, 4:11, 4:46, 6:3 Agencies, 4:23, 6:42 Members, **4:46**, **6:54** Agents, 6:54, 7:22, 15:11 Nature, 4:12, 5:18, 6:45, 12:41 Agreements, 1:4, 6:54, 12:41 Officials, 1:4 Amendment, 1:4, 4:1, 4:23, 6:52 Organizations, 1:4, 6:3, 6:40, 6:42, Arbitration, 1:4, 4:1, 4:12, 5:1, 6:54, 6:51 9:5, 12:41, 15:11 Organizing, 6:52, 12:41 Authority, **4:46, 7:22** Participation, 1:4 Collective bargaining, 5:18, 9:5, Personnel, 7:22 12:41 Precedent, 4:12, 12:41 Compensation, 1:4, 7:22 Preemption, 4:1, 4:11, 4:23, 12:41 Contractors, **6:9**, **12:47** Control, 1:4, 3:31, 4:46, 6:42, 6:45, Private employers, 1:4, 4:10, 4:46, 7:22, 12:47 5:5, 6:3 Production, 6:9, 7:22 Corporations, 7:22 Purpose, 3:31, 4:11, 4:12, 4:46, 6:42, Courts, 1:4, 3:19, 4:10 to 4:12, 4:46, 6:51, 12:41 5:5, 5:18, 6:3, 6:9, 6:39, 6:40, 7:22, 9:5, 12:41, 12:47, 13:34 Regulation, 3:31, 6:54, 12:47 Coverage, 7:22, 9:5 Restrictions, 4:1, 4:23, 5:1, 6:3 Decisions, 4:1, 4:11, 4:23, 5:1, 5:18, Retirement, 1:4, 3:19, 3:31, 6:3, 9:5 6:9, 6:40, 6:45, 6:54, 7:22, Rights, 1:4, 3:19, 3:31, 4:1, 4:10 to 12:41, 13:34, 15:11 4:12, 4:23, 4:46, 5:1, 5:5, 5:18,

Defamation, 1:4, 4:1, 6:45, 6:52

6:3, 6:9, 6:40, 6:42, 6:51, 6:54,

NATIONAL LABOR RELATIONS	NATIONAL LABOR RELATIONS
ACT—Cont'd	BOARD—Cont'd
9:5, 12:41, 12:42, 12:47, 13:34,	Benefits, 7:19
15:11	Care, 4:11
Schools, 12:41	Change, 5:18
Services, 1:4, 5:5, 6:42, 6:45, 6:51,	Choice, 4:11
7:22, 9:5, 12:47	Collective bargaining, 5:18, 12:41
States, 1:4, 4:12, 4:23, 5:1, 6:3, 6:39,	Common law, 4:11
6:42, 6:45, 6:52, 7:22, 9:5,	Compensation, 7:19
12:47, 13:34	Complaints, 6:9 , 12:41 , 12:43
Status, 4:1, 6:3, 12:47	Conditions, 12:41
Subcontractors, 1:4	Consent, 12:41
Successor, 7:22	Counsel, 6:9
Supervisors, 4:11 , 4:23 , 6:54 , 12:41 , 15:11	Courts, 4:11 , 5:18 , 6:9 , 7:19 , 12:41 , 12:43
Temporary, 6:45 , 7:22	Decisions, 4:11, 5:18, 6:9, 7:19,
Termination, 1:4, 6:52	12:41
Torts, 4:1	Defenses, 12:43
Transportation, 3:19 , 3:31 , 9:5 , 12:41	Discipline, 4:11, 5:18, 6:9, 12:41
Unions, 4:11 , 6:9 , 12:41	Discovery, 12:43
United States, 1:4, 4:12, 5:1, 6:3,	Discrimination, 4:11, 7:19, 12:41
6:39, 6:45, 6:52, 7:22, 9:5,	Discussions, 4:11, 6:9, 12:41
12:47	Disputes, 4:11, 12:41, 12:43
Violations, 4:11, 4:12, 4:46, 5:18,	Documents, 12:41
6:3, 6:9, 6:39, 6:51, 6:52, 12:41	Election, 12:41
Violence, 4:46	Employers, 4:11 , 6:9 , 7:19 , 12:41 ,
Wages, 3:31, 6:9, 12:41	12:43
Worker Adjustment and Retraining	Entities, 4:11, 12:43
Notification Act, 1:4	Equal Access to Justice Act, 12:43
Working conditions, 7:22	Evidence, 5:18 , 6:9 , 12:43
Wrongful termination, 1:4	Examination, 12:41, 12:43
NATIONAL LABOR RELATIONS	Exceptions, 12:41
BOARD	Executive Orders, 12:41
Absence, 7:19	Exercise, 4:11 , 5:18 , 6:9 , 12:41
Access, 5:18, 6:9, 7:19, 12:41, 12:43	Factors, 4:11 , 12:41
Activities, 4:11 , 6:9 , 12:41	Facts, 5:18 , 12:41
Agents, 7:19	Fair Labor Standards Act, 7:19,
Agreements, 12:41, 12:43	12:43
Aliens, 12:41	Federal district courts, 7:19
Amendment, 7:19	Fees, 7:19 , 12:43
Americans with Disabilities Act, 7:19	Filing, 4:11, 7:19
Amount, 7:19	Fraud, 7:19
Arbitration, 12:41, 12:43	General Counsel, 6:9
Associations, 4:11	Individuals, 4:11, 7:19, 12:41, 12:43
Attorneys, 7:19, 12:43	Information, 4:11, 5:18, 7:19, 12:41,
Backpay, 7:19	12:43
Bankruptcy, 7:19	Interviews, 4:11 , 12:41 , 12:43
Bargaining, 4:11 , 5:18 , 6:9 , 12:41	Investigations, 6:9 , 7:19 , 12:41
0,,,,,,	

NATIONAL LABOR RELATIONS BOARD—Cont'd Issues, 7:19, 12:43 Joint employers, 12:43 Jurisdiction, 12:43 Lack, 4:11, 6:9, 12:41, 12:43 Liability, 4:11, 7:19, 12:43 Limitations, 12:43 Materials, 7:19	NATIONAL LABOR RELATIONS BOARD—Cont'd Transportation, 12:41 Unfair labor practices, 7:19, 12:41 Use, 4:11, 5:18, 6:9, 12:41, 12:43 Violations, 4:11, 5:18, 6:9, 7:19, 12:41, 12:43 Withholding, 5:18 Work, 6:9, 7:19, 12:41, 12:43
Money, 5:18 Nature, 5:18, 12:41 Notice, 5:18 Offer, 4:11, 12:43 Officers, 7:19 Operations, 7:19 Orders, 7:19, 12:41 Organization, 12:41 Parties, 4:11, 5:18, 6:9, 12:41, 12:43 Place, 4:11, 12:41 Private settlements, 12:43 Production, 6:9 Purpose, 4:11, 12:41 Railway Labor Act, 12:41 Record, 4:11, 6:9, 12:41 Regulations, 12:43 Relief, 7:19, 12:41 Response, 5:18, 12:41	NATIONAL ORIGIN DISCRIMINATION Citizenship, 12:47 Citizenship discrimination, 12:47 Compensation discrimination, 7:31 Damages, 7:31 Defenses, 12:47 Discrimination, 7:31, 12:47 Enforcement, 12:47 Harassment, 7:31 Immigration Reform and Control Act, 12:47 Remedies, 7:31, 12:47 Retaliation, 7:31, 12:47 NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS Termination of employment, 16:21 NEVADA Compensation, 7:20 Employment practices, 7:20
Review, 12:41 Rights, 4:11, 5:18, 6:9, 7:19, 12:41,	Privacy, 3:55 , 7:20 State statutes, 3:55
12:43 Role, 7:19 Rules, 4:11 Sanctions, 7:19 Scope, 7:19, 12:43 Security, 4:11, 5:18, 12:41, 12:43 Services, 7:19 Settlements, 12:41, 12:43 Severance, 6:9, 12:41 Standards, 7:19, 12:43 State, 7:19, 12:41, 12:43 Statements, 4:11, 6:9, 12:41 Status, 12:43 Supervisors, 4:11, 7:19, 12:41, 12:43 Surveillance, 6:9, 12:41 Termination, 7:19	NEW JERSEY Compensation, 7:20, 13:3 Disclosures, 4:4 Employment practices, 7:20 Evidence, 3:53, 4:4 Harassment, 7:20 Interest, 3:53, 7:20 Investigations, 13:3 Medical examinations, 3:53 Retaliation, 7:20 Sanctions, 4:4 State statutes, 3:53 NEW YORK Appeals, 7:20

NEW YORK—Cont'd NOTICE—Cont'd 12:2, 12:3, 12:10, 12:17, 12:18, Arbitration, 7:10 12:21, 12:27, 12:28, 12:32, Compensation, 7:20, 14:6 12:34, 12:36, 12:47, 12:49, Disclosures, 4:4 13:13, 13:21, 13:32, 13:34, Employment practices, 7:20 14:6, 14:12, 15:7, 15:11 Evidence, 3:54, 4:4, 4:5, 11:19, 13:7, 14:6 **NURSING MOTHERS** Fines, 7:10 Reasonable break time, 12:5 Harassment, 7:20, 14:6 **OBLIGATIONS** Investigations, **7:23**, **14:6** Benefits, 3:27, 3:58, 7:19, 8:3, 8:7, Medical examinations, 3:54, 14:6 10:15, 10:44, 12:15, 12:17, Notice, **14:6** 12:53, 13:39, 16:21, 16:31 Privacy, 3:54, 7:10, 7:20, 13:7, 14:6 Department of Transportation, 3:58, Retaliation, 7:20, 7:23, 14:6 7:25 Sanctions, 4:4 Direct threat, 8:3, 10:74, 12:15 State statutes, 3:54 Enforcement, 1:5, 3:27, 3:44, 6:7, Terms, 4:5, 11:19 6:48, 7:25, 10:16, 12:17, 16:31 Medical records, 3:44, 7:28, 16:31 **NONEMPLOYEES** Pregnancy, 12:3 Railway Labor Act, 12:41 Protected disability, 13:28 Statutory, **6:9**, **12:16**, **12:41** Safe performance, 12:15 Unions, 4:11, 6:9, 12:41 Safety standards, 7:19 NOTICE Tests, 1:5, 3:58, 4:13, 7:19, 10:44, Advance notice, 12:18, 14:12 10:74, 12:3, 12:15, 13:28, 13:39 Americans with Disabilities Act, 1:4, OCCUPATIONAL SAFETY AND 3:20, 3:22, 3:27, 3:36, 3:58, **HEALTH ADMINISTRATION** 4:22, 10:25, 12:15, 12:17, Department of Labor, 12:45 16:28, 16:29 Employee Polygraph Protection Act, **OFF-DUTY** 1:4, 4:6, 5:4 to 5:6, 5:14, 5:15, Unions, 4:11 5:24, 5:27, 5:30, 5:31, 11:26 Family and Medical Leave Act, 3:27, OHIO 3:58, 10:25, 12:17, 13:24, 16:28 Appeals, 7:20 Labor Management Relations Act, Compensation, 7:20, 13:3 4:28, 12:49 Employment practices, 7:20 Medical benefits, 16:28 Evidence, 3:53, 13:7 Overtime, 10:16, 10:40, 10:44, 12:10 Harassment, 7:20 Uniformed Services Employment and Investigations, 13:3 Reemployment Rights Act, Medical examinations, 3:53 12:18 State statutes, 3:53 Violation, 1:4, 2:2, 2:14, 2:17, 3:3, 3:17, 3:20, 3:22, 3:23, 3:25, **OKLAHOMA** 3:27, 3:36, 3:69, 4:6, 4:28, 5:4, Compensation, 3:65 5:12, 5:15, 5:24, 5:27, 5:31, Evidence, 3:53, 3:69 6:4, 6:10, 6:12, 6:15, 6:18, Harassment, 3:65 6:20, 6:42, 6:44, 6:46, 6:54, Health, 3:65 7:25, 10:10, 10:12, 10:29, Medical examinations, 3:53, 3:65, 10:39, 10:40, 10:42, 10:43, 3:69 10:72, 11:13, 11:24, 11:25,

OKLAHOMA—Cont'd

Notice, **3:69**

Physical examinations, **3:65** State statutes, 3:53, 3:65

OLDER WORKERS BENEFIT **PROTECTION ACT**

Age Discrimination in Employment Act, 12:6

OPERATIONS

National Labor Relations Act, 3:19, 3:31, 4:46, 7:22

OPIATES

Drug screening, 3:75

OPINIONS

National Labor Relations Act, 6:54 Unions, 5:12

OPPORTUNITY

Unfair labor practices, 4:12

OREGON

Compensation, 7:20 Employment practices, 7:20 Harassment, 7:20 Health, 13:20 Privacy, 7:20, 13:20 Reports, 13:20

Retaliation, 7:20 State statutes, 13:20

ORGANIZING

Access, 6:52, 10:15, 12:41 Casual workers, 10:15 Discharge, 6:52, 12:41

Discipline, 12:41

Discrimination, 12:41 Enforcement, 16:30

Exceptions, 12:41

Litigation, 16:30

National Labor Relations Board. 12:41

Remedies, 12:41

Retaliation, 6:52, 12:41

Safety, 6:52, 10:15

Threats, **6:52**

Unfair labor practice, 12:41

Waiver. 16:30

PARENTS

National Labor Relations Act, 7:22

PARTICIPATION

Retaliation, 1:4, 3:20, 4:13, 8:5, 12:2, 12:3, 12:15, 12:34, 12:44

PARTIES

Age Discrimination in Employment Act, 12:53

Complaints, 4:36, 6:9, 7:25, 9:9, 10:24, 12:34, 12:36, 12:41, 12:43, 15:9

Employee morale, 8:11

Equal Access to Justice Act, 12:43 Private organizations, 7:25

PAYROLL

National Labor Relations Board, 7:19

PCP

Drug screening, 3:75, 10:10

PENALTIES

Collective bargaining agreements, 9:4, 15:9

Worker Adjustment and Retraining Notification Act, 12:49

PENNSYLVANIA

Compensation, 7:20

Employment practices, 7:20

Evidence, 3:53

Harassment, 7:20, 13:10

Investigations, 13:10

State statutes, 3:53, 3:55, 5:21, 13:30

Terms, 13:10

PERFORMANCE

Labor Management Relations Act, 3:65, 4:28, 7:13, 14:7

National Labor Relations Act, 7:22

PERSONALITY

Discipline, 3:35, 8:3, 8:4, 12:11

POLYGRAPH TESTS

Cooperation, 5:27

Hiring, 12:51

Notice, 5:27

Polygraph, 5:27, 12:51

Written statements, 5:27

POSTING

Unions, 12:41

POWER

Statistics, 7:28

PREEMPTION

First Amendment, **4:1, 13:13** Labor Management Relations Act. 3:65, 4:28 National Labor Relations Act, 4:1, 4:11, 4:23, 12:41 Plan, 3:65, 12:3, 12:41, 13:19 Railway Labor Act, 12:41 State law, 3:61, 3:66, 4:1, 4:13, 4:23, 4:25, 4:44, 12:3, 13:12, 13:13, 13:19 to 13:21, 13:27 to 13:29, 13:35, 13:36

PREMIUMS

Family and Medical Leave Act, 10:25

PRETEXT

Act, 12:6 Retaliation, 3:27, 3:36, 3:61, 4:13, 6:52, 12:3, 12:6, 12:10, 12:15, 12:17, 12:18, 12:43, 12:52,

13:27, 13:28, 13:32

Age Discrimination in Employment

PRIMA FACIE CASE

Age discrimination, 12:6 Discipline, 12:3, 12:10 Education, 12:15 Equal Pay Act, 12:43 Hiring, 5:16, 12:2, 12:3, 12:15, 12:18, 12:47 Rehabilitation Act, 3:21, 12:15 Retaliation, 3:52, 5:16, 12:2, 12:3, 12:6, 12:10, 12:15, 12:18, 12:43, 12:44, 12:47, 12:52 Summary judgment, 12:44

PRIVACY

Labor Management Relations Act, 3:65, 6:34, 7:13, 12:49

PRIVACY ACT

Records, 3:31, 6:5, 6:7, 6:11, 6:13, 6:32, 6:38, 6:43, 6:45, 6:50, 7:7, 12:17, 12:26, 12:27

PRIVACY ACT—Cont'd

Third parties, 4:15, 6:11, 6:42, 7:7, 12:26

PRODUCTION OF DOCUMENTS

Discovery, 16:26, 16:29, 16:31

PROGRAMS

National Labor Relations Act, 3:19, 3:31

PROMOTIONS

Qualifications, 4:46 Title VII, 6:10

PROTECTION

National Labor Relations Act, 1:4, 4:1, 4:10, 4:11, 4:23, 5:1, 5:5, 6:3, 6:9, 6:42, 6:45, 6:51, 6:52, 9:5, 12:41, 12:47 Unions, 3:26, 4:11, 5:12, 5:30, 6:9, 12:41

PROTECTIVE ORDERS

Discipline, 3:30, 12:50

PUBLIC CONTRACTS

Materials, **4:4** United States, 4:4, 13:35

PUBLICATIONS

Benefits, 7:16

PUERTO RICO

Compensation, 13:38 Harassment, 13:38 Unemployment compensation, 13:38

PUNITIVE DAMAGES

12:17

Americans with Disabilities Act, 3:22, 3:27, 7:19, 8:3, 12:15, 12:17, 13:28 Rehabilitation Act, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 13:28 Termination of employment, 5:15 Title VII, 3:22, 3:27, 3:52, 4:9, 4:13, 7:5, 7:19, 10:48, 12:3, 12:16,

RACE

Bona fide occupational qualifications,

Comparators, 12:3 Defenses, 10:46, 12:3, 12:45, 13:35

RACE—Cont'd	RAILWAY LABOR ACT—Cont'd
Evidence, 5:16, 10:44, 10:60, 11:30, 12:2, 12:3, 12:45, 13:11, 16:23	Violations, 12:41
Harassment, 12:3	REASONABLE
Hiring, 5:16, 12:2, 12:3	ACCOMMODATION
Insurance, 7:28, 10:60, 12:45, 13:11,	Generally, 3:20 , 3:27
13:35	REASONABLE
Marital status, 7:28, 13:11	ACCOMMODATIONS
Remedies, 12:45	Training, 3:36, 7:16, 8:4, 12:3
Retaliation, 3:23, 5:16, 12:2, 12:3, 12:45	REASONS
	National Labor Relations Board, 5:18
RADIO	
National Labor Relations Act, 6:45 Unions, 16:34	RECRUITING
,	Agencies, 7:3
RAILROAD EMPLOYEES	Arrest and conviction records, 7:3
Railroad, 9:4, 15:9	Business necessity, 7:3
RAILWAY LABOR ACT	Internet, 7:3
Agreements, 12:41	REGULATIONS
Arbitration, 12:41	National Labor Relations Board,
Claims, 12:41	12:43
Class, 12:41	REHABILITATION
Collective bargaining, 12:41	National Labor Relations Act, 1:4,
Conditions, 12:41 Discrimination, 12:41	3:19, 3:31
Employees, 12:41	REHABILITATION ACT
Employees, 12.41	
Factors, 12:41	
Factors, 12:41 Individuals, 12:41	Burden of proof, 3:21 , 12:15
Factors, 12:41 Individuals, 12:41 Interference, 12:41	Burden of proof, 3:21 , 12:15 Damages, 1:4 , 3:21 , 3:22 , 3:27 , 7:19 ,
Individuals, 12:41	Burden of proof, 3:21 , 12:15
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22,
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board,	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77,
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11,
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Representation, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Representation, 12:41 Review, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17 Notice, 1:4, 3:20, 3:22, 3:27, 3:36,
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Representation, 12:41 Review, 12:41 Rights, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17 Notice, 1:4, 3:20, 3:22, 3:27, 3:36, 12:15, 12:17
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Representation, 12:41 Review, 12:41 Rights, 12:41 Security, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17 Notice, 1:4, 3:20, 3:22, 3:27, 3:36, 12:15, 12:17 Parties, 3:49, 8:11, 12:16, 12:26
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Representation, 12:41 Review, 12:41 Rights, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17 Notice, 1:4, 3:20, 3:22, 3:27, 3:36, 12:15, 12:17 Parties, 3:49, 8:11, 12:16, 12:26 Prima facie case, 3:21, 12:15
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Review, 12:41 Review, 12:41 Rights, 12:41 Security, 12:41 Settlement, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17 Notice, 1:4, 3:20, 3:22, 3:27, 3:36, 12:15, 12:17 Parties, 3:49, 8:11, 12:16, 12:26 Prima facie case, 3:21, 12:15 Punitive damages, 3:22, 3:27, 7:19,
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Representation, 12:41 Review, 12:41 Rights, 12:41 Security, 12:41 Settlement, 12:41 State, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17 Notice, 1:4, 3:20, 3:22, 3:27, 3:36, 12:15, 12:17 Parties, 3:49, 8:11, 12:16, 12:26 Prima facie case, 3:21, 12:15 Punitive damages, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 13:28
Individuals, 12:41 Interference, 12:41 Investigations, 12:41 National Labor Relations Act, 12:41 National Labor Relations Board, 12:41 Nature, 12:41 Parties, 12:41 Protection, 12:41 Remedies, 12:41 Representation, 12:41 Review, 12:41 Rights, 12:41 Security, 12:41 Settlement, 12:41 System, 12:41 System, 12:41	Burden of proof, 3:21, 12:15 Damages, 1:4, 3:21, 3:22, 3:27, 7:19, 8:3, 12:15 to 12:17, 12:26, 13:28 Disabilities, 1:4, 3:1, 3:19 to 3:22, 3:27, 3:32, 3:36, 3:57, 3:77, 7:13, 7:19, 8:2, 8:3, 8:6, 8:11, 12:15, 12:17, 12:26, 13:28 Disclosures, 3:49, 12:16 Evidence, 3:1, 3:19, 3:20, 3:27, 3:36, 3:57, 3:77, 8:3, 8:6, 12:15, 12:17, 13:28 Intent, 1:4, 3:27, 3:32, 7:19, 12:17 Notice, 1:4, 3:20, 3:22, 3:27, 3:36, 12:15, 12:17 Parties, 3:49, 8:11, 12:16, 12:26 Prima facie case, 3:21, 12:15 Punitive damages, 3:22, 3:27, 7:19,

REHABILITATION ACT—Cont'd Retaliation, 1:4, 3:20, 3:27, 3:36, 3:49, 3:57, 7:19, 8:6, 8:11, 12:15 to 12:17, 13:28

REIMBURSEMENT

Benefits, 3:39, 10:15

REINSTATEMENT

Discipline, 3:27, 4:9, 4:12, 4:13, 4:34, 5:6, 5:12, 5:27, 5:30, 10:41, 12:3, 12:17, 12:42, 12:45, 14:13 Front pay, 7:31, 12:36, 12:39 Rehabilitation Act, 1:4, 3:27, 12:16, 12:17 Termination of employment, 5:15

RELATIONSHIPS

Retaliation, 13:24

RELEVANCE

Common law. **16:31**

RELIGION

Unions, 16:34

RELIGIOUS DISCRIMINATION

Compensation discrimination, 7:31 Harassment, 3:22, 7:31, 12:3, 12:19 Hiring, 7:16, 12:3 National origin discrimination, 7:31 Prima facie case, 12:3 Reasonable accommodation, 12:3 Remedies, 7:31 Retaliation, 7:31, 12:3

REMEDIES

Affirmative action, 12:15
Age discrimination, 7:31, 9:5
Arbitration awards, 9:10
Damages, 3:38, 3:52, 4:9, 4:13, 6:5,
6:6, 6:11, 7:31, 8:5, 9:10, 10:47,
10:48, 11:27, 12:5, 12:15,
12:16, 12:18, 12:24, 12:35 to
12:37, 12:39, 12:44 to 12:46,
13:8, 13:32, 14:11, 14:13
Family and Medical Leave Act, 7:31,
9:5, 13:24
Front pay, 7:31, 12:36, 12:39, 13:32
Generally, 13:27
Insurance, 3:34, 8:5, 12:45

REMEDIES—Cont'd

Monetary, 12:16, 12:37 National Labor Relations Act, 4:11, 4:12, 5:18, 6:9, 9:5, 12:41, 12:42, 12:47

National origin discrimination, 7:31, 12:47

Pleading, 12:36

Rehabilitation Act, 12:15, 12:16 Reinstatement, 3:52, 4:9, 4:12 to 5:12, 7:31, 8:5, 12:5, 12:16, 12:18, 12:36, 12:37, 12:39, 12:42, 12:45, 13:24, 14:13

Settlement, 5:12, 6:9, 10:47, 10:51, 12:41, 13:27

Tax, 9:10 Tenure, 4:13 Unions, 4:11, 5:12, 6:9, 12:41

REPLY

National Labor Relations Board, **4:11, 12:41**

RETALIATION

Adverse action, 3:20, 3:27, 3:57, 4:2, 4:13, 6:3, 6:47, 8:6, 10:72, 11:4, 12:3, 12:5, 12:6, 12:10, 12:15, 12:17, 12:36, 12:38 to 12:40, 12:43 to 12:45, 12:52, 13:27, 13:28, 13:32

Adverse actions, 3:27, 4:2, 4:13, 5:6, 7:17, 12:3, 12:36, 12:37, 12:43 to 12:45, 12:47, 12:52, 13:27, 13:32

Age Discrimination in Employment Act, 6:3, 7:19, 7:31, 12:6, 12:53

Americans With Disabilities Act, 1:4, 3:20, 3:27, 3:36, 3:37, 3:57, 6:3, 7:19, 8:6, 11:36, 12:15, 12:17, 13:28

Americans with Disabilities Act, 1:4, 3:20, 3:27, 3:36, 3:37, 3:57, 6:3, 7:19, 8:6, 11:36, 12:15, 12:17, 13:28

Applicants, 1:4, 3:20, 3:49, 4:13, 5:6, 5:16, 7:6, 12:10, 12:13, 12:15, 12:16, 12:38, 12:47, 12:52, 13:27, 13:34, 14:13

Arbitration, 1:4, 4:12, 4:13, 8:5, 9:2, 10:72, 12:2, 12:3, 12:6, 12:18, 12:36, 12:37, 12:39, 12:41,

RETALIATION—Cont'd	RETALIATION—Cont'd
12:43, 12:44, 13:27, 14:13, 15:8	Jurisdiction, 10:48, 10:50, 12:18,
Causation, 4:2, 12:52, 13:32	12:37, 12:43, 12:47, 12:49, 14:6
Constructive discharge, 3:36, 3:57,	Labor Management Relations Act,
4:13, 8:5, 12:2, 12:3, 12:15,	12:49
12:18, 12:39, 12:43, 12:52,	Liquidated damages, 3:27, 7:19,
13:27, 13:32, 14:13	12:5, 12:17, 12:18
Disability discrimination, 3:20, 3:49,	National origin discrimination, 7:31,
3:57, 7:19, 7:31, 12:16, 13:28	12:47
Employees, 1:4, 2:15, 3:10, 3:14,	Participation, 1:4, 3:20, 4:13, 8:5,
3:20, 3:27, 3:31, 3:36, 3:37,	12:2, 12:3, 12:15, 12:34, 12:44
3:49, 3:52, 3:61, 3:62, 4:2, 4:7,	Persons protected, 4:14
4:11 to 4:14, 5:6, 5:16, 6:3,	Pregnancy, 1:4, 10:72, 12:3, 13:27
6:47, 6:52, 7:6, 7:17, 7:19,	Pretext, 3:27, 3:36, 3:61, 4:13, 6:52,
7:20, 7:31, 8:5 to 8:7, 8:11, 9:2,	12:3, 12:6, 12:10, 12:15, 12:17,
10:24, 10:48, 10:50, 10:72, 11:4, 11:36, 12:1 to 12:3, 12:5,	12:18, 12:43, 12:52, 13:27,
11:4, 11:30, 12:1 to 12:3, 12:5, 12:6, 12:10, 12:13, 12:15 to	13:28, 13:32
12:18, 12:34, 12:36 to 12:41,	Prima facie case of retaliation, 12:15,
12:43 to 12:45, 12:47, 12:49,	12:52
12:52, 12:53, 13:10, 13:24,	Protected conduct, 12:6, 12:15,
13:27, 13:28, 13:32, 13:34,	12:36, 12:37, 12:44, 12:45,
13:39, 14:6, 14:13, 15:8	12:52
Equal Pay Act, 7:19, 12:43	Questions, 1:4, 3:20, 3:37, 4:2, 4:12,
Evidence, 2:15, 3:20, 3:27, 3:36,	4:13, 7:31, 12:3, 12:13, 12:16, 12:17, 12:41, 12:47
3:37, 3:57, 3:61, 3:62, 4:12,	12:17, 12:41, 12:47 Rehabilitation Act, 1:4, 3:20, 3:27,
4:13, 5:16, 6:47, 6:52, 7:31,	3:36, 3:49, 3:57, 7:19, 8:6, 8:11,
8:5, 8:6, 10:48, 12:1 to 12:3,	12:15 to 12:17, 13:28
12:6, 12:15, 12:17, 12:18,	Remedies, 3:37, 3:52, 4:11 to 4:13,
12:34, 12:36 to 12:40, 12:43,	7:31, 8:5, 10:48, 12:5, 12:15,
12:45, 12:52, 12:53, 13:27,	12:16, 12:18, 12:36, 12:37,
13:28, 13:39, 14:6, 14:13	12:39, 12:41, 12:44, 12:45,
Family and Medical Leave Act, 3:27,	12:47, 13:24, 13:27, 13:32,
6:3, 7:19, 7:31, 12:17, 13:24	14:13
Former employees, 1:4, 3:49, 7:6,	Settlements, 3:27, 12:41, 12:43,
12:3, 12:16, 12:36, 12:52, 12:53	12:53
Good faith, 3:27, 3:57, 4:13, 10:48,	Sexual orientation, 12:3, 13:27
12:17, 12:34, 12:38, 12:52, 13:28, 13:32, 14:13	Summary judgment, 8:5, 12:44
Harassment, 3:37 , 3:49 , 4:13 , 6:3 ,	Title VII, 2:15, 3:27, 3:49, 3:52,
6:47, 6:52, 7:20, 7:31, 10:48,	4:13, 4:14, 5:16, 6:3, 7:19,
12:3, 12:10, 12:15, 12:16,	7:20, 7:23, 7:31, 10:48, 10:56,
12:37, 13:10, 13:27, 13:28, 14:6	11:36, 12:1, 12:3, 12:16, 12:17,
Insurance, 3:61, 7:20, 8:5, 8:7,	12:38, 12:39, 12:53, 13:32
10:24, 12:34, 12:45	Uniformed Services Employment and
Investigations, 1:4, 3:10, 4:2, 4:12,	Reemployment Rights Act,
4:13, 5:6, 6:52, 7:19, 7:23,	12:18
10:72, 12:1, 12:3, 12:6, 12:16,	Unlawful employment practices,
12:34, 12:36, 12:41, 12:45,	7:20, 10:50
12:49, 12:52, 13:10, 13:34,	RETENTION
13:39, 14:6	National Labor Relations Act, 6:51

REVOCATION

Title VII, 9:3

RHODE ISLAND

Appeals, 7:20
Civil Rights Act, 7:20
Compensation, 7:20
Employment practices, 7:20
Harassment, 7:20
Health, 13:20
Privacy, 7:20, 13:20
Retaliation, 7:20

State statutes, 13:20

RULINGS

Labor Management Relations Act, **15:9**

SAFETY

Inspections, 10:10, 10:25 National Labor Relations Act, 1:4, 3:19, 3:31, 4:1, 4:10, 6:3, 6:52, 6:54, 15:11

SCHEDULE

Collective bargaining agreements, 10:72
Evidence, 3:36, 4:34, 4:46, 16:29
Sanctions, 16:29

SEARCH

Computers 1:5 2:13 2:14 6:44

Computers, 1:5, 2:13, 2:14, 6:44, 6:45, 7:6, 7:8, 10:12, 10:44, 10:53

Consent, 1:5, 2:1, 2:2, 2:4, 2:6, 2:13, 2:14, 2:16, 2:19, 2:22, 2:23, 2:35, 3:3, 3:6, 3:7, 3:24, 3:65, 6:5, 6:7, 6:8, 6:10, 6:32, 6:43 to 6:45, 6:48, 6:49, 7:6, 7:10, 7:25, 10:7, 10:12, 10:28, 10:53, 11:11 to 11:13, 12:23, 12:32, 12:47, 14:5, 14:6, 14:11, 14:15

Equal Employment Opportunity commission, **12:47**

Generally, 3:3, 3:4, 3:6, 3:7, 3:24, 13:2, 14:6

Offices, 7:6, 7:32, 10:10

Records, 1:5, 2:2, 2:11, 2:14, 2:20, 3:50, 3:65, 6:5, 6:7, 6:10, 6:32, 6:38, 6:43, 6:45, 6:48, 6:52,

SEARCH—Cont'd

7:6, 7:8, 10:10, 10:28, 10:44, 10:45, 10:60, 11:10, 11:11, 11:14, 12:16, 12:27, 12:32, 12:47, 12:50, 13:3 to 14:5, 14:11

SECRETARY OF LABOR

Department of Labor, 5:15, 12:36

SETTLEMENT

Agreements, 1:5, 3:27, 7:6, 10:68, 12:3, 12:17, 12:41, 12:43, 12:53, 13:42

Americans with Disabilities Act, 1:5, 3:27, 12:17

Charges, 12:3

Coercion, 12:41, 13:27

Consideration, 10:47, 10:68, 16:27

Costs, 5:6, 5:12, 5:15

Counsel, 5:12, 6:9, 10:51, 13:27, 13:42, 16:27, 16:30

Discipline, 3:27, 5:6, 5:12, 6:9, 12:3, 12:17, 12:41

Employee Polygraph Protection Act, 1:5, 5:6, 5:15, 12:41

Enforcement, 1:5, 3:27, 5:12, 5:15, 12:17, 16:30

Equal Pay Act, 10:68, 12:43

Evidence, 3:27, 5:12, 6:9, 10:47, 12:3, 12:17, 12:43, 12:52, 12:53, 13:27, 13:42, 16:27, 16:30

Fraud, 10:47, 10:68

Hiring, 12:3

Railway Labor Act, 12:41

Retaliation, 3:27, 5:6, 7:6, 12:3, 12:17, 12:41, 12:43, 12:52, 12:53, 13:27

SEVERANCE

Damages, 4:13, 12:18, 12:53

SEXUAL HARASSMENT

Generally, 3:22, 3:30, 14:6

SEXUAL ORIENTATION

Benefits, 11:3, 16:21

Collective bargaining, 13:27

Comparators, 12:3

Contracts, 7:25

SEXUAL ORIENTATION—Cont'd STATE GOVERNMENTS Emotional and mental distress, 16:21 Title VII, **7:7** Gender identity, 13:27 STOCK OPTIONS Harassment, 12:3, 13:27 Accounting, 10:44 Hiring, 12:3 Stock, 10:44 Medical conditions, 12:3, 13:27 SUCCESSOR EMPLOYERS Retaliation, 12:3, 13:27 Employment practices, 7:22 Sexual orientation, 7:25, 10:36, 11:3, 11:30, 12:3, 13:27, 16:21 National Labor Relations Act, 7:22 Title VII. 12:3 National Labor Relations Board. 12:43 SICK LEAVE SUGGESTIONS Accrued sick leave, 10:72 Benefits, 7:16 Disability discrimination, 3:20 State law, 3:7, 3:20, 3:43, 12:34 SUMMARY JUDGMENT Intent, 12:44 **SLEEPING** SUPREME COURT Work rules, 8:4 Labor Management Relations Act, **SMOKING** 3:65, 7:13, 15:9 Discrimination, 7:15 National Labor Relations Act, 4:12, 4:23, 9:5 SOCIAL SECURITY National Labor Relations Board, 7:19 Common law, 1:1, 1:5, 4:11, 12:28, 12:34, 13:19, 14:3, 16:31 **TELEPHONE** Deductions, 13:35 Companies, 6:10, 6:23, 7:22, 10:53, 12:32, 13:16 Employer, 1:1, 1:3, 1:5, 3:44, 4:11, 6:23, 6:42, 6:51, 7:1, 7:4, 7:6, **TENNESSEE** 7:7, 10:2, 10:3, 10:8, 10:10, Appeals, 7:20 10:22, 10:25, 10:27, 10:29, 10:31, 10:33, 10:37, 10:44, Compensation, 7:20 10:53, 10:60 to 10:63, 11:30, Employment practices, 7:20 11:35, 12:2, 12:3, 12:34, 12:41, Evidence, 3:53 12:47, 13:6, 13:16, 13:19, 14:3, Harassment, 7:20 16:19 Investigations, 7:23 Employment, 1:1, 1:3, 1:5, 3:44, Privacy, 3:53, 7:20 6:51, 7:1, 7:6, 7:7, 10:2, 10:3, State statutes, 3:53 10:8, 10:10, 10:25, 10:29, 10:31, 10:33, 10:37, 10:60, **TERMINATION** 10:61, 10:63, 11:30, 11:31, Backpay, 7:19 12:2, 12:3, 12:34, 12:41, 12:47, Cause, 1:4, 2:33, 3:17, 3:27, 3:69, 13:1, 13:35, 16:19, 16:28 4:42, 4:44, 5:21, 5:24, 5:27, National Labor Relations Board, 5:30, 6:4, 6:15, 6:20, 6:28, 4:11, 12:41 7:24, 10:8, 10:10, 10:15, 10:20, Wages, 10:33, 10:37, 12:41, 16:19 10:29, 10:31, 10:46, 10:51, 10:54, 10:55, 10:61, 10:67, SOUTH CAROLINA 11:24, 12:17, 12:36, 13:13, Compensation, 7:20 13:38, 14:16, 16:21, 16:23, Employment practices, 7:20 16:24, 16:27, 16:28, 16:30, State statutes, 3:54 16:31

TERMINATION—Cont'd	TERMINATION—Cont'd
Consideration, 10:8, 10:21, 10:29,	Privacy, 1:4, 3:16, 3:17, 3:27, 3:69,
10:37, 10:38, 10:54, 10:68,	5:27, 5:30, 6:4, 6:15, 6:20,
16:27	6:52, 7:19, 10:10, 10:11, 10:15
Conspiracy, 14:19 , 16:21	to 10:17, 10:20, 10:21, 10:29,
Constructive discharge, 4:13, 5:24,	10:55, 10:68, 10:72, 11:30,
11:24	12:17, 13:13, 13:38, 14:19,
Customers, 6:20 , 10:10 , 10:21 ,	16:21, 16:28, 16:30, 16:31
10:44, 10:68, 10:72, 13:13,	Promissory estoppel, 3:27 , 4:34 ,
16:30	12:17
Damages, 1:4, 3:27, 4:13, 4:34, 5:15,	Punitive damages, 3:27, 4:13, 4:34,
5:24, 6:4, 7:19, 7:31, 10:8,	5:15, 5:24, 6:4, 7:19, 12:17, 12:36
10:29, 10:31, 10:38, 10:55,	Reinstatement, 1:4, 3:27, 4:13, 4:34,
10:65, 10:68, 12:17, 12:36,	5:15, 5:27, 5:30, 7:31, 10:41,
12:45, 14:19, 16:21, 16:31	12:17, 12:36, 12:45
Employee Retirement Income Secu-	Release of liability, 10:40
rity Act, 1:4, 7:31 Errors, 3:17, 4:34, 10:10, 10:40,	Remedies, 4:13, 7:31, 10:51, 12:36,
11:25	12:45
Evidence, 2:33, 3:17, 3:27, 3:69, 4:4,	Settlement, 3:27, 5:15, 10:51, 10:68,
4:13, 4:34, 5:24, 5:27, 5:30,	12:17, 16:27, 16:30
6:20, 6:52, 7:24, 7:31, 10:10,	State law, 3:17, 3:27, 4:13, 4:34,
10:44, 10:54, 10:55, 10:61,	4:44, 5:21, 6:4, 6:20, 10:10,
11:25, 11:30, 12:17, 12:36,	10:46, 12:36, 13:13, 13:25,
12:45, 13:13, 13:25, 13:38,	13:38, 15:8
16:12, 16:23, 16:24, 16:27,	Suspension, 3:17, 3:27, 11:24, 16:21
16:28, 16:30, 16:31	Tax, 10:55, 10:68
Fair dealing, 3:69, 4:34, 5:27, 11:25,	Wrongful termination, 1:4, 4:44,
16:21	6:20, 7:33, 9:2, 13:13
Forum, 12:36	TERMS OF EMPLOYMENT
Fraud, 1:4, 7:19, 7:24, 10:68, 12:36,	Defamation, 16:21
15:8 Front pay, 7:31, 12:36	
Good faith and fair dealing, 3:69 ,	TESTS
4:34, 5:27, 11:25, 16:21	Disparate impact, 12:3 , 12:16
Insubordination, 10:46	TEXAS
Intentional infliction of emotional	Age Discrimination in Employment
distress, 1:4, 5:24, 10:68, 16:21,	Act, 10:49
16:28	Age discrimination, 10:49
Internal Revenue Service, 10:55	Compensation, 7:20, 10:48, 10:60,
Invasion of privacy, 1:4, 5:30, 6:52,	12.20 16.20
	13:38, 16:28
10:55, 10:68, 14:19	Criminal sanctions, 16:29
Lost earnings, 16:28	Criminal sanctions, 16:29 Employment practices, 7:20
Lost earnings, 16:28 Malicious prosecution, 7:24	Criminal sanctions, 16:29 Employment practices, 7:20 Evidence, 5:22 , 5:27 , 10:48 , 10:60 ,
Lost earnings, 16:28	Criminal sanctions, 16:29 Employment practices, 7:20 Evidence, 5:22 , 5:27 , 10:48 , 10:60 , 10:64 , 13:38 , 13:42 , 14:13 ,
Lost earnings, 16:28 Malicious prosecution, 7:24 Negligent discharge, 5:27, 11:24, 11:25	Criminal sanctions, 16:29 Employment practices, 7:20 Evidence, 5:22 , 5:27 , 10:48 , 10:60 , 10:64 , 13:38 , 13:42 , 14:13 , 16:22 , 16:27 to 16:29 , 16:33
Lost earnings, 16:28 Malicious prosecution, 7:24 Negligent discharge, 5:27, 11:24,	Criminal sanctions, 16:29 Employment practices, 7:20 Evidence, 5:22 , 5:27 , 10:48 , 10:60 , 10:64 , 13:38 , 13:42 , 14:13 ,
Lost earnings, 16:28 Malicious prosecution, 7:24 Negligent discharge, 5:27, 11:24, 11:25 Negligent infliction of emotional	Criminal sanctions, 16:29 Employment practices, 7:20 Evidence, 5:22 , 5:27 , 10:48 , 10:60 , 10:64 , 13:38 , 13:42 , 14:13 , 16:22 , 16:27 to 16:29 , 16:33 Harassment, 7:20 , 10:48 , 10:64 ,

TEXAS—Cont'd TITLE VII—Cont'd 12:17, 12:39, 12:53, 13:32 Investigations, 13:42 Life insurance, 10:49 Disclosures, 3:49, 7:2, 7:3, 7:16, Mail, 10:48, 10:49, 10:56, 10:58, 16:22, 16:25, 16:29, 16:33 Employment agencies, 12:4 **Equal Employment Opportunity** Medical benefits, 10:60, 16:28 Commission, 5:16, 9:3, 10:46, Notice, 5:27, 10:56, 10:57, 16:22, 10:48, 10:56 16:25, 16:26, 16:28, 16:29, 16:33 Estoppel, 3:27, 10:48, 10:66, 12:17 Permits, 16:22, 16:28 Evidence, 2:15, 3:1, 3:19, 3:27, 3:48, Remedies, 10:48, 14:13 4:13, 5:16, 7:2, 7:3, 7:31, 10:48, 12:1, 12:3, 12:17, 12:38, Sanctions, 13:42, 16:29 12:39, 12:50, 12:53 State statutes, **3:55**, **13:38**, **13:42** Expenses, 10:48 Terms, 10:49, 10:57, 13:42, 14:13, Hiring, 3:49, 4:13, 5:16, 6:10, 7:3, 16:26, 16:33 7:5, 7:16, 7:22, 7:23, 12:3, Unemployment compensation, 13:38, 12:16 16:28 Investigations, 4:13, 6:10, 7:3, 7:16, THEFT 7:19, 7:23, 12:1, 12:3, 12:16 Retirement plans, 13:16 Jurisdiction, 10:48 Unfair labor practices, 7:19 Laches, 10:48 Local governments, 7:2 THREATS Labor Management Relations Act, Notice, 3:22, 3:27, 4:9, 5:5, 6:10, 7:7, 7:22, 10:46, 10:56, 12:3, 4:28, 12:49, 14:7 12:17, 13:32 Violence, 3:4, 3:7, 4:24, 4:27, 4:46, Parties, 3:49, 7:7, 7:22, 7:23, 7:33, 6:48, 7:16, 10:25, 11:4, 13:28, 9:3, 10:68, 12:16, 12:50, 12:53 14:13, 14:15 Private employers, **4:9, 4:10, 4:14,** TITLE VII 5:5, 6:3, 6:10, 7:2 Administration, 3:19 Public employers, 4:9, 7:2, 7:13, Age Discrimination in Employment 7:22 Act, 3:22, 4:1, 6:3, 7:19, 7:31, Punitive damages, 3:22, 3:27, 3:52, 9:5, 12:53 4:9, 4:13, 7:5, 7:19, 10:48, Arbitration agreements, 4:13, 9:3, 12:3, 12:16, 12:17 12:3 Retaliation, 2:15, 3:27, 3:49, 3:52, Attorneys, 3:22, 7:19, 7:20, 10:48, 4:13, 4:14, 5:16, 6:3, 7:19, 10:56, 12:53 7:20, 7:23, 7:31, 10:48, 10:56, 11:36, 12:1, 12:3, 12:16, 12:17, Backpay, **7:19** 12:38, 12:39, 12:53, 13:32 Bona fide occupational qualifications, Service, 7:5, 7:22, 7:23, 9:3, 10:46, 10:48, 10:56 Complaints, 4:13, 10:46, 12:3, 13:32 Settlements, 3:27, 12:53 Conciliation, 3:22, 4:13, 12:3 State governments, 7:7 Confidentiality, 3:27, 4:1, 4:13, 7:7, 10:68, 12:3, 12:16, 12:17, 12:53 State laws, 3:1, 3:27, 7:16, 7:20, 7:23, 12:16, 13:32 Counsel, 3:1, 6:10 Subpoenas, 3:22, 12:16, 13:32 Criminal sanctions, 7:19 Terms, 4:13, 6:10, 9:3, 10:46, 10:68, Damages, 3:22, 3:27, 3:52, 4:9, 4:13, 12:3, 12:16, 12:53 6:3, 6:10, 7:5, 7:19, 7:31, Trial, 3:22, 9:3, 10:48, 12:3 10:48, 10:68, 12:3, 12:16,

UNFAIR LABOR PRACTICES TORTS National Labor Relations Act, 4:1 —Cont'd Factors, 12:41 Preemption, 2:30, 3:66, 4:1 Fees, 7:19 TRANSPORTATION Filing, 7:19 Drivers, 3:31, 12:35, 13:19 Formation, 12:41 **UNDERSTANDING** Hostility, 4:12, 12:41 Identity, **7:19** Absenteeism, 10:10 Impression of surveillance, 12:41 UNEMPLOYMENT Individuals, 7:19, 12:41 COMPENSATION Information, 4:12, 7:19, 12:41 Misconduct, 4:24, 13:38 Intent, 7:19 Interference, 12:41 UNFAIR LABOR PRACTICES Interview, 4:12, 12:41 Ability, **7:19** Investigations, 4:12, 7:19, 12:41 Access, 7:19, 12:41 Knowledge, 4:12 Agents, 7:19 Liability, 7:19 Agreements, 12:41 Liquidated damages, 7:19 Amendment, 7:19 Management, 12:41 Arbitration, **4:12**, **12:41** Managers, 7:19 Attorneys, 7:19 Manner, 12:41 Backpay, 7:19 Materials, 7:19 Bargaining, **4:12**, **12:41** Misconduct, 12:41 Benefits, 7:19 National Labor Relations Act, 4:12, Breaks, 12:41 12:41 Business, 7:19, 12:41 Nature, 4:12, 12:41 Choice, 4:12 Nonemployees, 12:41 Claims, 7:19, 12:41 Number, 7:19 Coercion, 12:41 Officers, 7:19 Collective bargaining, 12:41 Organization, 4:12, 12:41 Compensation, 7:19 Organizing, 12:41 Concerted activity, 12:41 Parties, 12:41 Conditions, 12:41 Pay, 7:19 Confidentiality, 12:41 Place, 4:12, 12:41 Consumer, 7:19 Position, 4:12, 7:19, 12:41 Control, 7:19 Practices, 4:12, 7:19, 12:41 Courts, 4:12, 7:19, 12:41 Presence, 4:12 Damages, 7:19 Proceedings, 4:12, 7:19 Decisions, 7:19, 12:41 Protection, 7:19, 12:41 Devices, 12:41 Railway Labor Act, 12:41 Discipline, 4:12, 12:41 Recognition, 7:19 Discrimination, 7:19, 12:41 Record, 12:41 Disputes, 12:41 Recording, 12:41 Election, 12:41 Rehire, 4:12 Employees, 4:12, 7:19, 12:41 Reinstatement, 4:12

Relief, 4:12, 7:19, 12:41

Representation, 4:12, 12:41

Reports, 7:19

Evidence, 4:12

Exercise, 12:41

Employers, 4:12, 7:19, 12:41

UNFAIR LABOR PRACTICES —Cont'd Requests, 4:12 Response, 12:41 Retaliation, 4:12, 7:19, 12:41 Rights, 4:12, 7:19, 12:41 Rights of employees, 4:12, 12:41 Role, 4:12, 7:19	USERRA—Cont'd Benefits, 7:19, 10:42, 10:68, 12:18, 12:53 Parties, 7:33, 10:68, 12:53 Protected employee, 7:19 Retaliation, 7:19, 12:18, 12:53 Termination of employment, 10:68 UTAH
Safety, 7:19	Investigations, 7:23
Scope, 7:19 Security, 12:41 Services, 7:19 Settlement, 12:41 Signs, 7:19 Standards, 7:19 State, 4:12, 7:19, 12:41	VERIFICATION Age Discrimination in Employment Act, 7:19 Irca, 7:19, 13:35 National Labor Relations Board, 7:19 Unfair labor practices, 7:19
Statements, 12:41 Subcontractors, 7:19 Supervisors, 7:19, 12:41 Support, 7:19, 12:41 Surveillance, 12:41 Sympathies, 12:41 Termination, 7:19 Unions, 12:41 Use, 12:41	VERMONT Compensation, 3:65, 7:20 Employment practices, 7:20 Harassment, 3:65, 7:20 Medical examinations, 3:65 Privacy, 3:65, 7:20 Records, 3:65 State statutes, 3:65
Violations, 4:12, 7:19, 12:41	VICARIOUS LIABILITY
Wages, 12:41	Due process, 10:48
Waiver, 4:12	Harassment, 10:48
Work, 4:12 , 7:19 , 12:41	VIRGIN ISLANDS
UNIFORMS	Compensation, 13:38
Benefits, 7:22	Evidence, 13:38
UNION MEMBERS	Harassment, 13:38
Discovery, 7:13	Hearings, 13:38
Employee, 3:7, 6:54, 7:13 Employer, 3:7, 6:54, 7:13 Enforcement, 3:7 Litigation, 3:7, 6:54, 7:13 Notice, 6:54 Officers, 3:7 Waiver, 3:7 UNITED STATES National Labor Relations Act, 1:4, 4:12, 5:1, 6:3, 6:39, 6:45, 6:52, 7:22, 9:5, 12:47	VIRGINIA Compensation, 7:20 Conciliation, 13:42 Employment practices, 7:20 Evidence, 13:42 Harassment, 7:20 Investigations, 13:42 Privacy, 7:20 Sanctions, 13:42 State statutes, 13:42 Terms, 13:42
USERRA	WAGE AND HOUR DIVISION
Attorneys, 7:19, 12:53	Unions, 5:12

WAGES

Defined, 5:6, 7:20, 12:18 Generally, 3:27, 3:31, 13:27 National Labor Relations Act, 3:31, 6:9, 12:41

WAIVER

Age Discrimination in Employment Act, 10:49
Generally, 3:7, 13:16, 13:27
Labor Management Relations Act, 3:65, 15:9
Motions, 16:30
National Labor Relations Act, 4:12, 12:42

Privilege, 3:7, 3:61, 3:67, 4:4, 4:33, 4:36, 4:37, 7:6, 10:47, 10:51 to 10:53, 12:36, 16:30, 16:31

WASHINGTON

Appeals, 7:20 Compensation, 7:20 Employment practices, 7:20 Harassment, 7:20 Privacy, 7:20

WEST VIRGINIA

Appeals, **7:20**Compensation, **7:20**Employment practices, **7:20**Harassment, **7:20**

WHISTLEBLOWING

Dodd-Frank Wall Street Reform and Consumer Protection Act, 1:4, 7:19

False Claims Act, **1:4, 7:19, 12:49** Sarbanes-Oxley Act, **1:4, 7:19**

WISCONSIN

Age Discrimination in Employment Act, 7:19

Age discrimination, 7:19
Compensation, 7:19, 7:20
Conciliation, 13:42
Discrimination, 7:19, 7:20
Employment practices, 7:20
Evidence, 13:13, 13:42
Exemptions, 13:13
Harassment, 7:20
Investigations, 7:19, 13:42

WISCONSIN—Cont'd

Notice, 13:13 Reports, 7:19 Retaliation, 7:19, 7:20 Sanctions, 7:19, 13:42 State statutes, 13:13, 13:42 Terms, 13:42

WITHHOLDING

National Labor Relations Act, 5:18

WITNESSES

National Labor Relations Act, 4:46

WORK PRODUCT PRIVILEGE

Discovery, 4:46, 16:27, 16:31

WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT

Benefits, 1:4, 12:49
Employees, 1:4, 12:49
Employers, 1:4, 12:49
Employment losses, 12:49
Liability, 1:4, 12:49
National Labor Relations Act, 1:4
Penalties, 12:49
Purpose, 12:49
Violations, 12:49

WORKING CONDITIONS

Job descriptions, **4:22**National Labor Relations Act, **7:22**

WORKPLACE SAFETY

Access, 1:1 Agencies, 3:58 Agreements, 1:1 Answers, 1:1 Applications, 1:1 Ban. 3:58 Cause, 3:58 Checklists, 1:1 Claims, 3:58 Commerce, 3:58 Conduct, 1:1, 3:58 Contractors, 3:58 Courts, 3:58 Covers, 1:1 Defense, 3:58 Devices. 1:1

INDEX

Procedure, 1:1

Protection, 1:1, 3:58

WORKPLACE SAFETY—Cont'd WORKPLACE SAFETY—Cont'd Discovery, 1:1, 3:58 Records, 1:1 Evidence, 1:1 Reporting, 1:1 Filing, 1:1 Reports, 1:1 Food, **3:58** Restrictions, 1:1 Good faith, 1:1 Rights, 1:1, 3:58 Health, 3:58 Rules, 1:1 Information, 1:1 Scope, 1:1 Investigations, 1:1 Signs, 1:1 Laws, 1:1, 3:58 State, 1:1, 3:58 Liability, 1:1 States, 3:58 Mail, 1:1 Status, 1:1, 3:58 Materials, 1:1 Statutes, 1:1, 3:58 Substances, 3:58 Monitoring, 1:1 Necessity, 3:58 Surveillance, 1:1 Occupational safety and health, 3:58 Transportation, 3:58 Osha, 3:58 Treatment, 3:58 Place, 3:58 Use, 1:1, 3:58 Plans, 3:58 WRONGFUL DISCHARGE Pleadings, 1:1 National Labor Relations Act, 1:4, Possession, 3:58 5:1, 6:52 Privileges, 1:1

Preemption, 3:53, 3:65, 3:69, 4:30,

13:27, 14:13

4:43, 4:44, 12:3, 13:12, 13:21,