Index

AGE DISCRIMINATION—Cont'd

ACCRUED BENEFITS

Parties, **8:15** Family and Medical Leave Act, 3:3 Remedies, 8:15 **ACQUISITION AGENCIES** Agreements, 10:2 Labor relations, 2:5 Assets, 2:3 Disability, 10:4 ALABAMA Modification, 10:4 Age discrimination, **8:15** Successor liability, 2:3 Assignments, 7:8 **ACTIVE DUTY** Compensation, 3:2, 3:3, 7:8, 8:15 Conditions, 7:8, 7:16 Family and Medical Leave Act, 3:3, 3:6, 3:8, 6:5 Court proceedings, 3:3 Holidays, 3:3 ADMINISTRATIVE LAW JUDGES Jury duty, 3:3 Executive Order 11246, 10:15 Life insurance, 3:2 **ADMINISTRATIVE** Overtime pay, 3:2 **PROCEEDINGS** Permits, 3:2, 8:15 Discovery, 8:6 Remedies, 8:15 State statutes, 8:6 **AFFIRMATIVE ACTION** Vacations, 7:8 Compliance, 10:2, 10:10, 10:11, Witness duty, 3:3 10:13 Coverage, 10:1, 10:2 **ALASKA** Enforcement, 10:10, 10:13 Board, 2:6 Job openings, 10:6 Compensation, 3:3 Notice, 10:2, 10:10, 10:11, 10:13 Court proceedings, 3:3 Outreach and recruitment activities, Enforcement, 2:6 10:6 Holidays, 3:3 Recruitment, 10:6 Jury duty, 3:3 Waivers, 10:2 Remedies, 2:6 Witness duty, 3:3 AGE DISCRIMINATION Benefits, 8:15 AMERICANS WITH Compensation, 8:15 **DISABILITIES ACT** Complaint, 8:15 Accommodations, **10:4**, **10:5** Computation, 8:15 Attorneys, 8:12 Employees, 8:15 Backpay, 8:12 Employers, 8:15 Complaints, 10:12, 10:13 Federal law, 8:15 Damages, **8:12** Government employers, 8:15 Determination, 5:2, 5:9, 10:12 Jurisdiction, 8:15 Disability, 5:2, 5:9, 10:4, 10:5, 10:13 Local government employers, 8:15 Disability benefits, 5:2 Notice. 8:15 Discovery, 8:12

ARBITRATION—Cont'd AMERICANS WITH DISABILITIES ACT—Cont'd Process, **8:15** Discrimination, 8:12, 10:13 Remedies, 8:15 Documentation, 10:12 Severability, 8:15 Drug testing, 10:5 Title VII, 8:15 Employers, 5:2, 8:12, 10:13 Waiver, 1:7, 8:15 Enforcement, 8:12, 10:12, 10:13 **ARIZONA Equal Employment Opportunity** Department of Labor, 5:2 Commission, 10:4 Essential job functions, 10:5 Evidence, 5:2 Estoppel, 5:2 Notice, 4:5, 5:2 Evidence, 2:12, 5:2 Terms, 5:2 Guidelines, 10:4 ARKANSAS Illegal drugs, 10:5 Age discrimination, 8:15 Job applicants, 2:12, 10:5 Compensation, 8:15 Job restructuring, 10:4 Notice, 8:15 Local governments, 8:12 Permits. 8:15 Medical examinations, 10:5 Remedies, 8:15 Modified work schedules, 10:4 Terms. 8:15 Notice, 5:2, 10:13 Parties, 2:12, 8:12 AT-WILL EMPLOYMENT Private employers, 8:12 Military service, 6:6 Proceedings, 10:12, 10:13 Qualified individuals, 10:13 ATTENDANCE Reasonable accommodation, 5:2, Discipline, 7:8 10:4, 10:5, 10:8 **ATTITUDE** Reassignment, 10:4 Rehabilitation act, 10:13 Discipline, 7:12 Remedies, 8:12 ATTORNEY GENERAL Request, 5:2, 10:8, 10:12, 10:13 Retirement plans, 1:3 Stress, **5:2** Substantially limits, 5:2 **ATTORNEYS** Treatment, 8:12, 10:5, 10:8 Discovery, 8:12, 8:14, 8:17 Undue hardship, **5:9, 10:4 BACKPAY** ARBITRATION Americans with Disabilities Act, 8:12 Agreements, 1:7, 8:15 Computation, 8:9, 8:12 Awards, 8:15 Front pay, 8:9 Binding arbitration, 8:15 Interest, 8:9, 9:7 Collective bargaining agreements, Interim employment, 8:9 8:15 Liquidated damages, 8:9, 9:7 Consideration, 1:7 Prejudgment interest, 8:9, 9:7 Contracts, 1:7, 8:15 Reasonable diligence, 9:7 Costs, 8:15

Recovery period, 8:9

rity Act, 7:8

Employee Retirement Income Secu-

BENEFICIARIES

Discovery, **1:7** Evidence, **1:7**, **8:15**

Jurisdiction, 8:15

Federal Arbitration Act, 8:15

BENEFITS CLASS ACTIONS—Cont'd Transportation, 1:3, 3:9, 4:11, 6:2, Certification, 8:14 7:8 Commonality, 8:14 Discovery, 8:14 BEREAVEMENT Notice, 8:14 Leave of absence, 3:3 Numerosity, 8:14 Pay, 3:3 Requirements, 8:14 **BONUSES** Settlement, 8:14 Collective bargaining agreements, Typicality, 8:14 6:1, 8:15 COLLECTIVE BARGAINING **CALIFORNIA** Agreement, 1:7, 2:5, 3:7, 5:8, 5:9, Assignments, 7:14 6:3, 6:4, 7:8, 8:1, 8:4, 8:14, Compensation, 8:9 8:15, 9:5 Complaints, 7:12, 7:14, 8:1 Americans with Disabilities Act, 5:9 Conditions, 1:7, 7:16 Disabilities, 5:9, 7:8 Contractors, 8:5 Joint employers, 2:5 Disclosures, 8:1 Negotiations, 2:5 Dispute, 4:19, 8:5 Remedies, 6:4, 8:15, 9:5 Evidence, 1:7, 4:19, 7:12, 7:14, 7:16, Waiver, 1:7, 5:8, 8:15 8:1 **COLLECTIVE BARGAINING** Fringe benefits, 8:9 **AGREEMENTS** Harassment, 7:14, 7:16 Arbitration, 8:15 Health, 7:14 Awards, 6:1, 8:15 Investigations, 8:1 Benefits, 3:7, 5:8, 6:1, 8:15 Layoffs, 4:19 Bonuses. 6:1, 8:15 Medical benefits, 8:9 Business, 5:8, 8:15 Notice, 1:7, 7:12 Changes, 5:8 Permits, 1:7 Compensation, **6:1**, **8:15** Privileges of employment, 7:16 Conditions, 5:8 Race discrimination, 8:1 Date, 3:7, 6:1 Remedies, 8:9 Eligibility, **3:7, 6:1** Taxes, 8:9 Establishment, 8:15 Terms, 1:7, 7:16, 8:1 Evidence, **6:1**, **8:15** Unemployment compensation, 8:9 **COLORADO CAUSATION** Appeals, 1:7, 2:5, 8:6, 8:9 Retaliation, 7:14 Board, 8:6 CIRCUMSTANTIAL EVIDENCE Compensation, 8:9 Discipline, 7:11 to 7:15 Conditions, 1:7, 2:5 Evidence, 7:7, 7:11 to 7:15 Dispute, 2:5 Evidence, 1:7, 2:12, 7:10, 8:6 CIVIL RIGHTS ACT Fringe benefits, 8:9 Employment practices, 7:17 Harassment, 8:6 Health, 2:5 National Labor Relations Act, 8:9 Jury duty, 2:5 **CLASS ACTIONS** Medical benefits, 8:9 Attorneys, 8:14 Notice, 1:7, 8:14

COLORADO—Cont'd

Permits, 1:7 Remedies, 8:9 Retaliation, 7:10 State statutes, 8:6 Terms, 1:7 Unemployment compensation, 8:9

COMPENSATION

Discrimination, 3:2, 7:8, 8:15, 10:1, 10:3, 10:10 ERISA, 6:4, 7:8 Establishment, 8:15

Family and Medical Leave Act, 3:3, 6:1

Longevity, 3:2, 6:1 to 6:3 Merit system, 7:8

Seniority system, 6:1

Service, 3:2, 3:3, 3:5, 4:18, 6:1 to 6:4, 7:8, 8:9, 8:15, 10:1, 10:3

Supervisors, 3:5 Title VII, 7:8, 8:15

COMPLAINTS

Americans with Disabilities Act, 10:12, 10:13 Parties, 8:1, 8:6, 9:5 Relief, 1:3, 7:8, 8:1, 8:6, 8:11, 9:3, 9:5 Retaliation, 1:1, 1:3, 7:2, 7:8, 7:12 to 7:14

CONCILIATION

Enforcement, 10:12 to 10:15 Rehabilitation Act, 10:13

CONGRESS

Fair Labor Standards Act, 2:12, 2:13, 8:5

CONNECTICUT

Appeals, 8:17 Disclosure, 8:17 Evidence, 8:17 Remedies, 8:17 Sanctions, 8:17

CONSTRUCTIVE DISCHARGE

At-will employment, **6:6** Resignation, 6:6, 7:6

CONTRACTORS

California, 8:5

COURTS

Collective bargaining agreements, 6:1, 8:15 Labor relations, 7:9, 8:9

COVERAGE

Medical benefits, 8:9

COWORKERS

Retaliation, 7:2, 7:11, 7:14, 7:16

DAMAGES Accommodation, 7:8 Americans with Disabilities Act, 8:12 Backpay, 8:9, 8:12, 9:7 Benefits, 1:1, 1:3, 3:6, 4:22, 6:4, 7:5, 7:8, 7:16, 8:1, 8:8 to 8:11, 8:16, 9:7, 9:12 Compensation, **6:4, 7:8, 8:9** Computation, 1:3, 6:4, 8:9, 8:12 Defined, 1:3, 6:4, 7:8, 8:11 Employment discrimination, 1:1 Family and Medical Leave Act, 3:6 Federal government, 4:22, 6:4, 7:8, 9:7, 9:12, 9:13 Fringe benefits, 8:9 Front pay, 8:8, 8:9, 8:11 Government employers, 7:8, 8:11 Liquidated damages, 1:1, 1:3, 3:6, 6:4, 7:8, 7:16, 8:7, 8:9, 8:11, 8:16, 9:7, 9:12, 9:13 Period, 3:6, 4:22, 6:4, 7:8, 8:1, 8:8, 8:9, 8:16, 9:7, 9:12, 9:13 Prejudgment interest, 1:3, 8:9, 8:11, 9:7, 9:12, 9:13 Punitive damages, 7:8, 8:9, 8:11, 9:7 Ratification, 8:5 Reinstatement, 1:1, 3:6, 4:22, 7:8, 8:8 to 9:12 Remedies, 1:1, 6:4, 8:7, 8:9, 8:11 to 9:13

Tax, 8:9, 8:12

Title VII, 7:8, 7:16 Wage loss, 7:16, 8:9

Restrictions, 9:7

Willfulness, 8:7, 8:11, 8:12

Index-4

DEFENSES Disparate treatment, 8:17 Harassment, 7:14, 8:6 Laches, 8:6 Legitimate nondiscriminatory reason, 6:6 Qualifications, 7:18 Reinstatement, 4:22, 6:6 Retaliation, 6:6, 7:14, 7:18, 8:17 Spoliation of evidence, 8:17 Undue hardship, 4:2, 7:14 DEGREE Violation, 5:5, 7:10, 8:15 DELAWARE Civil actions, 8:5 Disputa 8:5	DISABILITIES—Cont'd Injunctive relief, 7:8, 7:16 Inquiries, 10:5, 10:8 Insurance, 1:1, 1:2, 7:8 Interactive process, 10:4, 10:8 Interest, 7:8 Investigations, 1:1, 7:2 Job restructuring, 10:4 Judicial estoppel, 5:2 Leave of absence, 7:8 Major life activity, 5:2 Procedure, 8:12 Punitive damages, 7:8 Reasonable accommodation, 5:2, 7:2, 10:4, 10:5, 10:8 Reassignment, 10:4
Dispute, 8:5	Rehabilitation Act, 10:13
Remedies, 2:6 DEPARTMENT OF LABOR Exemptions, 6:4 Freedom of Information Act, 8:1, 8:17 Inspector General, 9:11 Secretary of Labor, 1:3, 8:1, 8:16, 9:10, 10:2, 10:10 Solicitor of Labor, 8:2, 10:12	Reinstatement, 1:1 to 5:2, 5:9, 7:8 Remedies, 1:1, 8:12 Remission, 5:2 Retaliation, 1:1 to 7:2, 7:8, 7:16 Rights of persons with, 1:2 Seniority, 5:2 Serious health condition, 3:10 Substantially limits, 5:2 Undue hardship, 5:9, 10:4
DISABILITIES 10.4.10.5	Waiver, 7:1
Accommodations, 10:4, 10:5 Age, 3:10 Americans with Disabilities Act, 2:12, 5:2, 5:9, 8:12, 10:4, 10:5, 10:8, 10:12, 10:13 Attendance, 7:8	DISABILITY BENEFITS Americans with Disabilities Act, 5:2 Compensation, 7:8 Employee Retirement Income Security Act, 2:4, 7:8
Awards, 1:1, 7:8, 8:12 Back pay, 8:12 Benefits, 1:1, 3:10, 5:2, 7:1, 7:2, 7:8, 7:16, 10:4, 10:12 Business necessity, 10:5 Certification requirements, 3:10, 5:9 Compensatory damages, 7:8, 7:16 Confidentiality, 10:5, 10:8 Costs, 2:12, 7:8, 8:12 Estoppel, 5:2 Evidence, 2:12, 5:2, 7:2, 7:8, 7:16 Examinations, 10:4, 10:5 Harassment, 7:8, 7:16 Health insurance, 1:1, 1:2	DISCIPLINE Burden of proof, 7:18 Compensation, 7:8 Evidence, 2:6, 2:9, 7:8, 7:11 to 7:15, 7:18 Harassment, 7:8, 7:14 Insubordination, 2:6 Iowa, 7:1 Prima facie case, 7:12, 7:15 Remedies, 2:6 Retaliation, 7:1, 7:8, 7:11 to 7:15, 7:18 State law, 2:6

DISCOVERY	DISCRIMINATION—Cont'd
Class action, 8:12, 8:14	Oklahoma, 7:8, 8:15
Class actions, 8:14	Oregon, 2:13
Defenses, 8:6, 8:17	Pennsylvania, 2:6, 7:8, 7:14, 8:6
Harassment, 8:6	South Carolina, 7:7
Relevance, 7:11	South Dakota, 2:5, 8:12
Relief, 8:6, 8:12, 8:14, 8:17	Tennessee, 7:6, 7:15, 7:16, 8:6
Sanctions, 8:17	Texas, 2:6, 8:6, 8:15
Scope of discovery, 8:17	Vermont, 7:7, 7:14
Spoliation, 8:17	Virginia, 7:3
Summary judgment, 8:6	Washington, 2:5, 2:6, 7:3, 7:8, 8:1,
DISCRIMINATION	8:6
Alabama, 3:2, 5:5, 7:2, 7:8, 7:13,	Wisconsin, 6:6, 7:14, 8:12
7:16, 8:6, 8:15	DISCRIMINATORY DISCHARGE
Alaska, 2:6	Retaliation, 7:10
Arkansas, 8:15	Retarration, 7.10
California, 7:12, 7:14, 7:16, 8:1	DISPARATE IMPACT
Colorado, 2:5, 7:10, 8:6	Civil Rights Act, 7:17
Connecticut, 8:17	Neutral employment practices, 7:17
Delaware, 2:6	Retaliation, 7:17
District of Columbia, 2:6, 2:9, 7:16,	DICDADATE TOEATMENT
8:6	DISPARATE TREATMENT
Florida, 7:2, 7:3, 7:7, 7:8, 7:13	Civil Rights Act, 7:11
Georgia, 7:15	Comparators, 7:15 , 8:17
Illinois, 2:6, 7:7, 7:8, 7:12, 7:14,	Defenses, 8:17
7:15, 8:6, 8:15	Discriminatory animus, 7:11, 7:15
Indiana, 7:17	Factual findings, 7:11
Iowa, 7:1	Hiring, 7:11, 8:17
Kansas, 2:6, 7:7, 8:15	Prima facie case, 7:15
Louisiana, 7:8	Protected class, 7:15
Maryland, 7:11	Remedies, 8:17
Massachusetts, 2:6, 7:12, 7:14, 8:6	Retaliation, 7:11, 7:15, 8:17
Michigan, 2:6, 7:8, 8:15	Statistical evidence, 7:11
Minnesota, 7:12	DISTRICT OF COLUMBIA
Mississippi, 2:5, 4:6, 8:6	Conditions of employment, 7:16
Missouri, 7:3 , 8:1 , 8:15	Evidence, 1:7, 2:6, 2:9, 7:16, 8:6
Montana, 7:10, 7:11, 8:1	
Nevada, 4:6, 7:16	Exemptions, 2:9
New Hampshire, 2:6	Family leave, 3:9
New Jersey, 2:6, 7:8	Harassment, 7:16 , 8:6
New Mexico, 7:8, 7:12	Health, 2:9, 3:9
New York, 2:6, 2:13, 7:1, 7:7, 7:8,	Notice, 1:7, 3:9
7:12, 7:14, 7:16, 7:17, 8:6,	Permits, 1:7, 3:9
8:12, 8:15	Privileges of employment, 7:16
North Carolina, 2:6	Remedies, 2:6
North Dakota, 7:5 , 7:13	Retaliation, 7:16
Ohio, 2:6, 7:3, 7:12, 8:12, 8:15	Terms, 1:7, 2:9, 7:16

Waiver, 8:15

Firefighters, 7:17

EMPLOYMENT PRACTICES

DRUGS EMPLOYMENT PRACTICES Testing, **10:5** -Cont'd Intentional discrimination, 7:17 **DURATION** Person, 10:13 Collective bargaining agreements, Supervisors, 10:11 3:7 EMPLOYMENT RELATIONSHIP EMPLOYEE RETIREMENT Retaliation, **6:6, 7:8** INCOME SECURITY ACT **ENFORCEMENT** Amendment, 7:8 Beneficiaries, 7:8 Arbitration, 1:7, 8:15 Discrimination, 7:8 Cause of action, 2:6, 6:5, 8:6, 8:11 Employees, 2:4, 6:4, 7:8 Civil suits, 8:6 Employment relationship, 7:8 De novo review, 9:9 Pension plans, 2:4, 6:4 **ERISA. 6:4** Plan, 2:4, 6:4, 7:8 Exhaustion of administrative remedies. 6:4 Remedies, 6:4 Removal, 7:8 Injunction, 8:8 Requirements, 2:4, 6:4, 7:8 Internal Revenue Service, 10:15 Settlement, 1:7, 8:1, 8:2, 8:11, 8:12, Retaliation, 7:8 8:14, 8:17, 9:6, 10:14 Severance pay, 7:8 Statute of limitations, 8:6, 8:9, 8:14, Termination, 2:4, 6:4, 7:8 8:15, 9:6 Vacations, 7:8 Venue, 8:2, 8:3, 8:5 **EMPLOYMENT** EQUAL ACCESS TO JUSTICE ACT DISCRIMINATION Judicial review, 9:9 Age, 8:15 Arbitration, 8:15 **EQUAL EMPLOYMENT** Collective bargaining agreement, **OPPORTUNITY** 8:15 COMMISSION Computation, 8:15 Americans with Disabilities Act, 10:4 Disability, 10:1 Reasonable accommodation, 10:4 Evidence, 2:9, 8:15 Undue hardship, 10:4 Executive, 2:9, 10:1 **ERISA** Forum, 8:15 Enforcement, 6:4 Grievance procedures, 8:15 Individual arbitration agreements, **ESSENTIAL FUNCTIONS** 8:15 Job descriptions, 5:9 Liability, 1:1 **EVIDENCE** Liquidated damages, 1:1 Admissibility, **8:1, 8:15** Procedure, 8:15 Burden of Proof, 3:2, 6:6, 7:9, 7:18 Reasonable accommodation, 10:1 Comparators, 7:15, 8:17 Relief, 8:15 Compromise, 7:11 Retaliation. 1:1. 10:1 Damages, 4:22, 7:8, 7:16, 8:1, 8:8, Retirement, 1:1 8:10, 8:11 Statute of limitations, 8:15 Defenses, 4:2, 4:22, 6:6, 7:14, 7:18,

8:6, 8:17

Direct evidence, 7:11, 7:14

Discovery, 1:7, 7:11, 8:6, 8:17

EVIDENCE—Cont'd EXTENT Disparate treatment, 7:11, 7:15, 8:17 Federal employment, 4:19 Education, 7:8, 7:18 Unions, 3:7 Employee Retirement Income Secu-FAIR LABOR STANDARDS ACT rity Act, 7:8 Answers, 2:12 Executive Order 11246, 10:15 Appeals, 3:5, 8:5 Individual actions, 7:8 Commerce, 8:5 Legitimate, **6:6, 7:9, 7:18** Congress, 2:12, 2:13, 8:5 Motions in limine, 7:14 Costs, 2:12 Objections, 7:6, 8:17 Coverage, 2:12, 2:13 Plaintiff, 1:7, 2:6, 2:12, 3:5, 5:5, 7:2, Damages, 8:5 7:7 to 7:12, 7:14 to 7:18, 8:6, Department of Labor, 2:12 8:8, 8:10, 8:11, 8:15, 8:17 Discrimination, 2:13 Pretext, 7:13, 7:14, 7:18 Employee, 2:12, 2:13, 3:5 Prima facie case, 7:12, 7:15 Employer, 2:12, 2:13, 3:5, 8:5 Privileges, 6:1, 7:8, 7:16 Enforcement, 8:5 Railway Labor Act, 8:15 Evidence, 2:12, 3:5 Remarks, 4:19, 7:8, 7:11, 7:12, 7:14, Federal law, 8:5 7:18, 8:11 Foreign country, 2:12 Retaliation, 6:6, 7:2, 7:4, 7:6 to 7:18, 8:17, 9:10 Independent contractors, 2:13 Jurisdiction, 8:5 Sanctions, **8:17**, **10:15** Similarly situated employees, 3:2, Legislative history, 8:5 3:5, 7:12 Materials, 2:13 Spoliation, 8:17 Public employees, 3:5 State law, 1:7, 2:6, 3:5, 4:22, 8:15 Regulations, 2:12, 2:13, 3:5 Statistical evidence, 7:11 Reports, 2:12 Stray remarks, 7:14 Seasonal employees, 2:12 Summary judgment, 4:2, 4:19, 6:6, United States, 2:12, 3:5, 8:5 7:7, 7:8, 7:13, 7:15, 7:18, 8:6 Venue, **8:5** Title VII, 7:6, 7:8, 7:9, 7:11, 7:16, Workweek, 3:5 8:15 FAMILY AND MEDICAL LEAVE USERRA cases, 7:10 to 7:13, 7:16, **ACT** 8:1, 8:6, 8:11, 9:5 Accrued benefits, 3:3 Weight, 8:15 Benefits, 3:3, 3:6, 3:8, 4:16, 4:21, Witnesses, 7:2, 8:6, 10:14 6:1, 6:5 Work history, **5:5, 7:18** Collective bargaining agreements, **EXECUTIVE ORDER 11246** Compensation, 3:3, 6:1 Administrative law judges, **10:15** Coverage, 2:5, 6:1 Conciliation, 10:15 Damages, 3:6 Evidence, 10:15 Daughter, 3:8 Hearings, 10:15 Department of Labor, 2:5, 3:3, 3:8, 6:1, 6:5 **EXPERT** Disability, **4:16**, **4:21** Costs, 8:12, 8:13, 9:9, 9:12, 9:13 Discrimination, 2:5, 3:6, 4:21 Discovery, 8:12 Duration, 3:3 Witness, 1:1, 7:10, 8:12, 8:13, 9:8, 9:9, 9:12, 9:13 Duration of leave. 3:3

FAMILY AND MEDICAL LEAVE FLORIDA—Cont'd ACT—Cont'd Conditions of employment, 7:3, 7:8 Employees, 2:5, 3:3, 3:6, 4:16, 6:1, Evidence, 7:2, 7:7, 7:8, 7:13 6:5 Harassment, 7:3, 7:8 Employers, 2:5, 3:6 Health, 7:3, 7:8 Enforcement, 6:5 Investigations, 7:2 Evidence, 6:1 Notice, 2:3, 7:8, 7:13 Family member, **3:6**, **3:8** Persons protected, 7:2 Joint employers, 2:5 Privileges of employment, 7:3, 7:8 Multi-employer, 2:5 Terms, 7:3, 7:8 Notice, 4:16 FORMER EMPLOYEES Paid leave, 3:3, 3:6 Retaliation, 7:4, 7:13 Purpose, 3:3 Reemployment rights, 4:16, 4:21 FREEDOM OF INFORMATION Regulations, 2:5, 3:6, 3:8, 6:5 ACT Reinstatement, 3:6, 4:21 Judicial review, 8:17 Requirements, 2:5, 4:21, 6:1, 6:5 FRONT PAY Retaliation, 4:21 Backpay, 8:9 Sick leave, 2:5, 3:3, 3:6 Compensatory damages, 8:9 Subsidiaries, 2:5 Liquidated damages, 8:9, 8:11 Types of leave, 3:3 Reinstatement, 8:8, 8:9, 8:11 FEDERAL DISTRICT COURTS **GEORGIA** National Labor Relations Act, 8:9 Health, 7:15 Railway Labor Act, 8:15 Notice, 2:3 FEDERAL EMPLOYMENT Union dues, 7:15 Courts, 4:19 **GOOD FAITH** Decisions, 4:19 Retaliation, 7:2 Duties, 4:19 **GOVERNMENT CONTRACTORS** Elections, 4:19 Evidence, 4:19 Training, 2:9 Issues, **4:19 GRIEVANCE PROCEDURES** Nature, 4:19 Jurisdiction, 8:15, 9:5 Officials, 4:19 Terms, 8:15 Proof, 4:19 Title VII, 8:15 Rights, 4:19 HIRING Service, **4:19** Advertising, 10:3 Affirmative action, 10:10, 10:11 Collective bargaining agreements, Agencies, **2:5, 9:7, 10:11** 8:14, 8:15 Business necessity, 10:3 Comparators, 8:17 **FILING** Defenses, 7:14, 7:18, 8:6, 8:17 Railway Labor Act, 8:15 Evidence, 2:6, 7:4, 7:11, 7:14, 7:18, **FLORIDA** 8:6, 8:8, 8:17 Assignments, 7:8 Insurance, 10:3 Compensation, 7:8 Interviews, 2:6, 8:17, 10:11 Complaints, 7:2, 7:8, 7:13 Pre-employment, 7:4

HIRING—Cont'd INDIANA—Cont'd Qualification standards, 5:3, 10:3 Evidence, 7:17 Reasonable accommodation, 10:10 Remedies, 8:7 Recruitment, 10:3, 10:7 Retaliation, 7:17 Reinstatement, 5:3, 5:6, 5:9, 7:11, **INJUNCTIONS** 8:8 Irreparable harm, 8:8 Remedies, 1:6, 2:6, 8:17 Preliminary injunctions, 8:8 Standing, 7:11, 7:18 Statistical evidence, 7:11 INSPECTOR GENERAL Statistics, 10:7 Department of Labor, 9:11 Tenure, 10:3 INSUBORDINATION Test scores, 7:18 Discipline, 2:6 Title VII, **7:11 INSURANCE HOLIDAYS** Discrimination claims, 3:2, 7:8 Leave of absence, 3:3 Unions, 3:7 HOSTILE WORK ENVIRONMENT INTENT Harassment, 7:8, 7:16, 8:11 Harassment, 7:8, 7:14, 7:16, 8:6, **IDAHO** 8:11 Summary judgment, 4:2, 7:7, 7:8, Notice, 8:14 7:18, 8:6 **ILLINOIS** Title VII, 2:13, 7:6, 7:8, 7:11, 7:16, Administrators, 7:7, 7:14 8:15 Age discrimination, 8:15 INVESTIGATIONS Assignments, 7:8, 7:14 Retaliation, 1:1, 7:2, 7:6 Collective bargaining agreements, 8:15 **IOWA** Compensation, 3:3, 3:5, 4:18, 7:8, Dispute, 4:14, 4:19 8:15 Evidence, 4:19 Conditions of employment, 7:8 Notice, 4:14 Court proceedings, 3:3 Persons protected, 7:1 Harassment, 7:8, 7:14, 8:6 Retaliation, 7:1 Health, 7:8, 7:14, 7:15 JOINT EMPLOYERS Holidays, 3:3 Jury duty, 3:3 Family and Medical Leave Act, 2:5 Notice, 7:8, 7:12, 8:15 **JURISDICTION** Permits, **8:15** Arbitration, 8:15 Privileges of employment, 7:8 Complaints, 1:3, 8:2, 8:6, 9:3, 9:5, Remedies, 2:6, 8:15 10:13 Retaliation, 7:7, 7:8, 7:12, 7:14, 7:15 Consent decrees, 8:2 State statutes, **3:5**, **8:6** Due process, 9:5 Terms, 7:8, 8:15 Investigation, 8:2, 8:3, 8:6, 9:3, 9:4, Union dues, 7:15 10:13 Vacations, 7:8 Subject matter jurisdiction, 8:5 Witness duty, 3:3 **KANSAS INDIANA** Age discrimination, 8:15

Compensation, 8:15

Employment practices, 7:17

INDEX

KANSAS—Cont'd LOUISIANA—Cont'd Dispute, **8:15** Retaliation, 7:8 Evidence, **2:6**, **7:7**, **8:15** Termination of employment, 2:4 Notice, 8:15 Terms, 7:8 Vacations, 7:8 Permits, **8:15** Remedies, 2:6, 8:15 **MARYLAND** Retaliation, 7:7 Evidence, 7:11 Terms, 8:15 **MASSACHUSETTS** LABOR RELATIONS Administrators, 7:14 Coverage, 2:5, 2:10, 8:9 Appeals, 2:6, 6:4, 7:12, 7:14, 8:6, 8:9 LEGISLATIVE HISTORY Assignments, 7:14 Fair Labor Standards Act, 8:5 Board, 2:6, 7:14, 8:6 LIQUIDATED DAMAGES Compensation, 6:4, 8:9 Backpay, 8:9, 9:7 Complaints, 7:12, 7:14, 8:6 Calculation, **6:4, 7:8** Credits, 6:4 Front pay, 8:9, 8:11 Evidence, 2:6, 7:12, 7:14, 8:6 Retaliation, 1:1, 1:3, 7:8, 7:16, 9:12, Exemptions, **6:4** 9:13 Family leave, 3:10 Willfulness, 8:7, 8:11 Fringe benefits, 8:9 Harassment, 7:14, 8:6 LITIGATION Health, 3:10, 7:14 Discovery, 8:12, 8:17 Medical benefits, 8:9 Plaintiff, 1:6, 7:3, 8:2, 8:12, 8:13, 8:17 Notice, 3:10, 6:4, 7:12 Permits, 3:10, 6:4 Remedies, 1:6, 8:12, 8:17, 9:5, 9:12 Supervisor, 8:17 Remedies, 2:6, 6:4, 8:9 Trial, 8:12, 8:13, 8:17 Sick leave, 3:10 State statutes, 8:6 LOCAL GOVERNMENTS Termination of employment, 6:4 Americans with Disabilities Act, 8:12 Terms, **6:4** Employee Retirement Income Secu-Time off, 7:14 rity Act, 2:4 Tips, 7:14 Title VII, **8:15** Unemployment compensation, 8:9 LOSS **MEDICAL BENEFITS** National Labor Relations Act, 8:9 Plan. 8:9 **LOUISIANA** Veterans, 8:9 Compensation, 7:8 **MERIT SYSTEM** Complaints, 7:8 Compensation, 7:8 Conditions of employment, 7:8 Disability benefits, 2:4, 7:8 **MICHIGAN** Evidence, 7:8 Age discrimination, 8:15 Exemptions, 2:4 Appeals, 2:6, 3:7, 7:8, 8:15 Harassment, 7:8 Assignments, 7:8 Health, 7:8 Compensation, **7:8, 8:15** Notice, 7:8 Conditions of employment, 7:8 Privileges of employment, 7:8 Credits, 3:7, 7:8

MISSOURI-Cont'd MICHIGAN—Cont'd Harassment, 7:8 Vacations, 7:3 Health, 3:7, 7:8 **MONTANA** Health insurance, 3:7 Appeals, 1:7, 7:11 Insurance, 3:7, 7:8 Board, 7:11 Notice, 3:7, 7:8, 8:15 Disclosures, 8:1 Permits, **8:15** Evidence, 1:7, 7:10, 7:11, 8:1 Privileges of employment, 7:8 Investigations, 8:1 Remedies, 2:6, 8:15 Notice, 1:7 Terms, 3:7, 7:8, 8:15 Permits. 1:7 Vacations, 7:8 Race discrimination, 8:1 MILITARY SERVICE Terms, 1:7, 8:1 At-will employment, 6:6 **MOTIONS** Compensation, 3:2, 3:3, 3:5, 4:18, Directed verdict, 8:17 6:1 to 6:4, 7:8, 8:9, 8:15, 10:1 New trial, **7:14 MINNESOTA MOTIVE** Appeals, 7:12, 8:5 Summary judgment, 7:7, 7:8, 7:13, Complaints, 7:12 7:15, 7:18 Damages, 8:5 NATIONAL LABOR RELATIONS Evidence, 7:12 ACT Notice, 7:12 Allowance, 8:9 Preference, 7:12 Appeals, 8:9 Retaliation, 7:12 Compensation, 8:9 **MISSISSIPPI** Courts, 7:9, 8:9 Appeals, 2:5, 4:6, 8:6 Coverage, 8:9 Jury duty, 2:5 Enforcement, 8:9 State statutes, 8:6 Limitations, 8:9 Terms, 4:6 Private employers, 8:9 **MISSOURI** Production, 7:9 Age discrimination, 8:15 Retirement, 8:9 Compensation, **8:9, 8:15** Rights, 5:6, 7:9 Sales, 8:9 Complaints, 8:1 Conditions of employment, 7:3 States, 8:9 Evidence, **8:1, 8:15** Status, 5:6, 7:9 Strikes, 5:6 Fringe benefits, 8:9 Harassment, 7:3 Temporary, 8:9 Health, 7:3 Termination, 5:6 Investigations, 8:1 Transportation, 7:9 Medical benefits, 8:9 Wages, 8:9 Notice, 8:15 NEUTRAL EMPLOYMENT Permits, 8:15 **PRACTICES** Privileges of employment, 7:3 Disparate impact, 7:17 Race discrimination, 8:1 **NEVADA** Remedies, 8:9, 8:15

Conditions of employment, 7:16

Constitutionality, 4:2

Terms, 7:3, 8:1, 8:15

Unemployment compensation, 8:9

NEVADA—Cont'd Evidence, 4:2, 4:19, 4:22, 7:16 Layoffs, 4:19 Notice, 4:22 Permits, 4:22 Privileges of employment, 7:16 Terms, 4:6, 7:16	NEW YORK—Cont'd Appeals, 2:6, 7:1, 7:7, 7:8, 7:12, 7:14, 7:16, 7:17, 8:3, 8:6, 8:11, 8:12, 8:15 Arbitration, 8:15 Assignments, 7:8, 7:14 Compensation, 7:8, 8:15 Conditions of employment, 7:8, 7:16
NEW HAMPSHIRE Compensation, 8:9 Evidence, 2:6 Medical benefits, 8:9 Remedies, 2:6, 8:9 Unemployment compensation, 8:9	Credits, 7:8 Employment practices, 7:17 Evidence, 2:6, 2:12, 7:7, 7:8, 7:12, 7:14, 7:16, 7:17, 8:6, 8:11, 8:15 Harassment, 7:8, 7:14, 7:16, 8:6, 8:11 Health, 7:8, 7:14
Assignments, 7:8 Compensation, 7:8 Complaints, 7:8 Complaints, 7:8 Conditions of employment, 7:8 Evidence, 2:6, 7:8 Harassment, 7:8 Health, 7:8 Interest, 7:8 Notice, 7:8 Privileges of employment, 7:8 Remedies, 2:6 Retaliation, 7:8 Terms, 7:8	Losses, 2:12, 8:11 Notice, 7:8, 7:12, 8:11, 8:15 Permits, 8:15 Persons protected, 7:1 Privileges of employment, 7:8, 7:16 Promotions, 7:7 Remedies, 2:6, 8:11, 8:12, 8:15 Reports, 2:12 Retaliation, 7:1, 7:7, 7:8, 7:12, 7:14, 7:16, 7:17 Severance pay, 7:8 State statutes, 8:6 Terms, 7:8, 7:16, 8:15 Time off, 7:14, 7:17 Vacations, 7:8
NEW MEXICO Appeals, 7:8, 7:12, 8:5 Assignments, 7:8 Compensation, 7:8 Conditions of employment, 7:8 Credits, 7:8 Evidence, 7:8, 7:12 Harassment, 7:8	NORTH CAROLINA Remedies, 2:6 NORTH DAKOTA Compensation, 8:9 Medical benefits, 8:9 Notice, 7:13 Remedies, 8:9 Unemployment compensation, 8:9
Notice, 7:8, 7:12 Privileges of employment, 7:8 Terms, 7:8 Vacations, 7:8 NEW TRIAL Motions, 7:14 NEW YORK Age discrimination, 8:15	NOTICE Advance notice, 1:1 to 1:3, 3:7, 4:1, 4:5, 4:7 to 4:9, 4:14, 4:20, 7:8 Americans with Disabilities Act, 5:2, 10:13 Family and Medical Leave Act, 4:16 Overtime, 6:4 Uniformed Services Employment and Reemployment Rights Act, 1:1

NOTICE—Cont'd Violation, 1:1, 3:7, 4:1, 4:13, 5:2, 5:3, 5:5, 6:6, 7:8, 7:12, 7:13, 8:11, 8:15, 8:16, 9:5, 9:10, 9:13, 10:10, 10:13, 10:14 OBLIGATIONS Benefits, 1:1, 1:3, 4:11, 6:4, 7:7, 7:12, 8:4, 8:6, 8:11, 8:16, 9:5, 9:10 Department of Defense, 4:11, 10:1 Enforcement, 1:1, 2:6, 6:4, 7:14, 8:3, 8:4, 8:6, 8:11, 8:16, 9:5, 9:10, 9:11	OKLAHOMA—Cont'd Notice, 7:8, 8:15 Permits, 8:15 Privileges of employment, 7:8 Remedies, 8:15 Retaliation, 7:8 Terms, 7:8, 8:15 Vacations, 7:8 ORGANIZING Access, 5:3 OVERTIME PAY Bonuses, 3:2
Tests, 7:7 OHIO	PARTICIPATION Retaliation, 7:1, 7:5
Age discrimination, 8:15 Appeals, 2:6, 3:3, 7:3, 7:12, 8:12, 8:15 Compensation, 3:3, 8:15	PARTIES Complaints, 8:1, 8:6, 9:5 Standing to sue, 8:4
Complaints, 7:12 Conditions of employment, 7:3 Costs, 8:12, 8:15 Court proceedings, 3:3 Evidence, 2:6, 7:12, 8:15 Harassment, 7:3 Health, 7:3 Holidays, 3:3 Jury duty, 3:3 Notice, 7:12, 8:15 Permits, 8:15 Privileges of employment, 7:3 Remedies, 2:6, 8:12, 8:15 Severance pay, 7:3 Terms, 7:3, 8:15 Vacations, 7:3 Witness duty, 3:3 OKLAHOMA	PENNSYLVANIA Assignments, 6:1, 7:8, 7:14 Compensation, 6:1 to 6:3, 7:8 Complaints, 7:8, 7:14, 8:6 Conditions of employment, 7:8 Credits, 6:2, 7:8 Evidence, 2:6, 6:1, 7:8, 7:14, 8:6 Harassment, 7:8, 7:14, 8:6 Jury duty, 6:2 Notice, 7:8 Permits, 6:3 Privileges of employment, 7:8 Remedies, 2:6, 8:7 Severance pay, 6:1, 6:2, 7:8 Sick leave, 6:3 State statutes, 8:6 Terms, 7:8 Time off, 6:3, 7:14
Age discrimination, 8:15 Assignments, 7:8 Compensation, 7:8, 8:15 Conditions of employment, 7:8	Vacations, 6:1, 6:3, 7:8 PENSIONS Discrimination, 1:2
Costs, 7:8 , 8:15 Credits, 7:8 Dispute, 8:15	PLANS Collective bargaining agreements, 3:7 PREFEMPTION
Evidence, 7:8, 8:15 Harassment, 7:8 Health, 7:8	PREEMPTION Plan, 1:6 Plans, 1:6

INDEX

PREEMPTION—Cont'd RACE—Cont'd Harassment, 7:3 State law, 1:6 Hiring, 8:17 PREJUDGMENT INTEREST Race discrimination, 8:1 Backpay, 8:9, 9:7 Remedies, 8:17, 9:5 **PRETEXT** Retaliation, 7:3, 8:17 Retaliation, 7:13, 7:14, 7:18 RAILWAY LABOR ACT PRIMA FACIE CASE Agreements, 8:15 Discipline, 7:12, 7:15 Arbitration, 8:15 Disparate treatment, 7:15 Awards, 8:15 Retaliation, 7:12, 7:15 Binding arbitration, 8:15 Summary judgment, 7:15 Claims, **8:15** Collective bargaining, 8:15 **PROFIT-SHARING** Collective bargaining agreements, Compensation, 3:3, 6:4 8:15 Contributions, 6:4 Compensation, 8:15 Earnings, 3:3, 6:4 Compulsory, 8:15 Repayment, 6:4 Discrimination, 8:15 **PROMOTIONS** Employees, 8:15 Qualifications, 5:5, 7:7 Enforcement, 8:15 Establishment, 8:15 **PROTECTION** Evidence, 8:15 National Labor Relations Act, 7:9 Factors, **8:15 PUERTO RICO** Federal district courts, 8:15 Bonuses, 7:8 Fees, 8:15 Clothing, 7:8 Jurisdiction, 8:15 Compensation, 7:8 Limitations, 8:15 Conditions of employment, 7:8 Minor disputes, 8:15 Harassment, 7:8 Modification, 8:15 Health insurance, 7:15 Notice, 8:15 Notice, 5:5, 7:8, 7:12 Parties, **8:15** Privileges of employment, 7:8 Proceedings, 8:15 Promotions, 5:5, 7:15 Protection, 8:15 Provisions, 7:8 Remedies, 8:15 Retaliation, 7:8, 7:11, 7:12, 7:15 Rights, 8:15 Terms, 5:5, 7:8 Scope, 8:15 Vacations, 7:8 Selection, 8:15 **PUNITIVE DAMAGES** State, 8:15 Title VII, 7:8 Status, 8:15 Statute of limitations, 8:15 QUALIFICATIONS Time, 8:15 Collective bargaining agreements, 5:8 Validity, **8:15** Waiver, 8:15 **RACE** Comparators, 8:17 REASONABLE ACCOMMODATIONS Defenses, 8:17 Evidence, 8:1, 8:17, 9:5 Training, 8:11, 10:4

RECRUITING

Affirmative action, **10:6**Qualification standards, **10:6**Reasonable accommodation, **10:6**

REHABILITATION ACT

Disabilities, 10:13 Notice, 10:13 Section 503, 10:13

REIMBURSEMENT

Benefits, 7:8

REINSTATEMENT

Discipline, 7:8, 7:11
Front pay, 8:8, 8:9, 8:11
Termination of employment, 6:6

REMEDIES

Age discrimination, 8:15
Arbitration awards, 8:15
Damages, 1:1, 6:4, 8:7, 8:9, 8:11 to 9:13
Front pay, 8:9, 8:11
Insurance, 1:1
Monetary, 8:7, 8:9, 8:11, 8:12, 8:17
Motions, 8:12, 8:15, 8:17
National Labor Relations Act, 8:9
Pleading, 8:11, 9:5
Reinstatement, 1:1, 8:9, 8:11, 9:12

REOPENING

Tax, 8:9, 8:12

Administrative proceedings, 8:1

Settlement, 8:11, 8:12, 8:17, 10:14

Retroactive seniority, 10:14

REPRESENTATIVES

Labor relations, 2:5

RETALIATION

Adverse action, 7:1, 7:4, 7:7 to 7:14, 7:18

Adverse actions, 7:3, 7:8, 7:14

Applicants, 2:7, 7:1, 7:4, 9:13

Causation, 7:14

Constructive discharge, 6:6, 7:6, 7:16, 7:18

Employees, 1:1 to 1:3, 4:6, 6:6, 7:1, 7:2, 7:4, 7:6 to 7:8, 7:11 to 7:15, 7:17 to 8:17, 9:10, 9:12, 9:13

RETALIATION—Cont'd

Evidence, 6:6, 7:2, 7:4, 7:6 to 7:18, 8:17, 9:10

Family and Medical Leave Act, **4:21** Former employees, **7:4**, **7:13**

Good faith, 7:2

Harassment, 7:3, 7:8, 7:14, 7:16 Insurance, 1:1 to 1:3, 4:21, 7:8, 7:15

Investigations, 1:1, 7:2, 7:6

Jurisdiction, 1:3, 7:1, 7:16

Liquidated damages, 1:1, 1:3, 7:8, 7:16, 9:12, 9:13

Participation, 7:1, 7:5

Persons protected, 7:1, 7:2

Pretext, 7:13, 7:14, 7:18

Prima facie case of retaliation, 7:12

Questions, 7:4, 7:14

Remedies, 1:1, 8:17, 9:12, 9:13

Summary judgment, **4:6**, **6:6**, **7:3**, **7:7**, **7:8**, **7:13**, **7:15**, **7:18**

Title VII, 7:3, 7:6, 7:8, 7:9, 7:11,

7:16

Uniformed Services Employment and Reemployment Rights Act, 1:1

RETENTION

National Labor Relations Act, 7:9

RHODE ISLAND

Appeals, **8:5** Dispute, **8:5**

SCHEDULE

Evidence, 7:8, 7:14

SECRETARY OF LABOR

Assistant Secretary of Labor, 8:1
Department of Labor, 1:3, 8:1, 8:16,
9:10, 10:2, 10:10

SECTION 1983

Jurisdiction, 8:3

SETTLEMENT

Agreements, 1:7, 8:14
Americans with Disabilities Act, 8:12
Collective bargaining agreements,
8:14

Consideration, **1:7** Costs, **8:12**, **8:17**

Dispute, 2:5

SETTLEMENT—Cont'd SOUTH DAKOTA—Cont'd Counsel, 1:7, 8:11, 8:12, 8:14, 8:17, Fringe benefits, 8:9 9:6 Jury duty, 2:5 Duress, 1:7 Medical benefits, 8:9 Enforcement, 1:7, 8:1, 8:2, 8:11, Remedies, 8:9, 8:12 8:12, 8:14, 8:17, 9:6, 10:14 Unemployment compensation, 8:9 Evidence, 1:7, 8:1, 8:11, 8:17, 10:14 STATISTICAL EVIDENCE Fraud, **1:7** Discipline, 7:11 Hiring, 8:17 Retaliation, 8:17 **SUBMISSION** Collective bargaining agreements, **SEVERANCE** 8:15 Damages, 7:8 **SUBSIDIARIES** SEVERANCE PAY Family and Medical Leave Act, 2:5 Agreements, 1:7, 6:1, 7:11 Amendment of, 7:8 **SUGGESTIONS** Cause, 7:8, 7:11 Benefits, 4:18 Discrimination, 7:3, 7:8, 7:11 SUMMARY JUDGMENT **ERISA**, 7:8 Intent, 4:2, 7:7, 7:8, 7:18, 8:6 Forms, **7:3** Motive, 7:7, 7:8, 7:13, 7:15, 7:18 Language, 1:7, 7:3, 7:8 Retaliation cases, 7:3, 7:18 Notification, 1:7 Pennsylvania, 6:1, 6:2, 7:8 SUPREME COURT Pension plan, 7:8 National Labor Relations Act, 7:9, Plan, 1:7, 6:2, 7:3, 7:8 8:9 Regulations, 7:8 TENNESSEE SICK LEAVE Appeals, 7:6, 7:15, 7:16, 8:5, 8:6 Accrued sick leave, 3:3, 3:6 Complaints, 8:6 Collective bargaining agreement, 2:5, Conditions of employment, 7:16 6:3 Evidence, 7:6, 7:15, 7:16, 8:6 Serious health condition, 3:10 Harassment, 7:16, 8:6 State law, 3:3, 3:10 Investigations, 7:6 Veterans, 3:3, 3:10, 6:3, 10:3 Privileges of employment, 7:16 SOCIAL SECURITY State statutes, 8:6 Employer, 5:2, 7:8, 7:12 Terms, 7:16 Employment, 5:2, 7:8, 7:12, 9:3 TERMINATION Wages, 7:8 Burden of proof, **6:6, 7:18** SOLICITOR OF LABOR Cause, 2:6, 4:13, 4:19, 4:21, 6:6, 7:6, Department of Labor, 8:2, 10:12 7:8, 7:11, 7:14, 8:6, 8:11 Consideration, 1:7, 4:19, 4:22 **SOUTH CAROLINA** Constructive discharge, 6:6, 7:6, Dispute, 8:5 7:18, 8:11 Promotions, 7:7 Damages, 4:22, 6:4, 7:8, 8:11 **SOUTH DAKOTA** Elimination of position, 4:19 Compensation, 8:9 Employee Retirement Income Secu-

rity Act, 2:4, 6:4, 7:8

7:1, 7:8, 7:11 to 7:15, 7:18

TERMINATION—Cont'd TITLE VII—Cont'd Evidence, 1:7, 2:6, 4:19, 4:22, 6:6, Arbitration proceedings, 8:15 7:6, 7:8, 7:10 to 7:15, 7:18, 8:6, Bonuses, 7:3, 7:8, 8:15 8:11, 8:17, 9:5 Complaints, 7:8 Federal employment, 4:19 Counsel, 7:8 Fraud, 1:7, 8:6 Damages, 7:8, 7:16 Front pay, 8:11 Discharge cases, 7:6 Insubordination, 2:6 Evidence, 7:6, 7:8, 7:9, 7:11, 7:16, Intolerable working conditions, 7:6 8:15 Labor Department, 7:13 Expenses, 7:8 Length of service, 4:13, 6:2 Federal agency, 7:8, 8:15 Motives, 7:13, 7:14, 7:18, 8:11 Harassment cases, 7:16 Multiemployer Plans, 6:4 Hiring, 7:11 Prima facie case, 7:12, 7:15 Investigations, 7:6 Punitive damages, 7:8, 8:11 Jurisdiction, 7:16, 8:15 Reinstatement, 4:19, 4:21, 4:22, 5:6, Local governments, 8:15 6:6, 7:6, 7:8, 7:11, 8:11, 10:16 Notice, 7:8, 8:15 Remedies, 2:6, 6:4, 8:11, 8:17, 9:5 Parties. 8:15 Settlement, 1:7, 8:11, 8:17 Private employers, 8:15 State law, 1:7, 2:6, 4:22 Punitive damages, 7:8 Substitution, 3:9 Retaliation, 7:3, 7:6, 7:8, 7:9, 7:11, Suspension, 3:9, 7:12 7:16 Timing, 4:22, 7:12, 7:14 Service, 2:13, 7:3, 7:6, 7:8, 7:9, 7:11, 7:16, 8:15 TERMS OF EMPLOYMENT Statistical evidence, 7:11 Defined, 4:6 Language, 4:6 Terms, 7:3, 7:8, 7:16, 8:15 Trial, 7:8, 7:9, 7:11, 8:15 **TEXAS** Age discrimination, 8:15 UNEMPLOYMENT Compensation, 3:3, 6:2, 6:4, 8:15 COMPENSATION Constitutionality, 8:4 National Labor Relations Act. 8:9 Court proceedings, 3:3 **USERRA** Credits, 6:2, 6:4 Attorneys, 8:2, 8:12 to 8:14, 8:17 Evidence, 2:6, 8:6, 8:15 Benefits, 1:1, 1:3, 1:6, 1:7, 2:4, 3:1 Exemptions, 6:4 to 3:7, 4:1 to 4:22, 5:2, 5:5, 5:8, Harassment, 8:6 5:11, 6:1 to 6:6, 7:1 to 7:3, 7:5, Holidays, 3:3 7:7, 7:8, 7:12, 7:16, 7:17, 8:1, Jury duty, **3:3, 6:2** 8:4, 8:6, 8:8 to 8:11, 8:13, 8:15, Notice, **6:4, 8:15** 8:16, 9:3, 9:5, 9:7, 9:8, 9:10, Permits, 6:4, 8:15 9:12 Remedies, 2:6, 6:4, 8:15 Civil actions, 8:5 State statutes, 8:6 Complaints, 1:1, 1:3, 7:2, 7:8, 7:12 to 7:14, 8:1, 8:2, 8:6, 8:11, 9:1, Termination of employment, 6:4 9:3, 9:5, 9:11 Terms, 6:4, 8:15 Disabled veteran, 7:1, 7:14, 7:16, Witness duty, 3:3 10:1 TITLE VII Discipline, 2:6, 2:9, 4:9, 4:13, 5:7,

Arbitration agreements, 8:15

USERRA—Cont'd WAGES Federal government, 2:9, 4:3, 4:19, Defined, 1:3, 2:9, 2:12, 6:2 to 6:4, 4:22, 5:15, 6:4, 7:8, 8:2, 9:1 to 7:3, 7:8, 8:11 9:13 National Labor Relations Act, 8:9 Independent contractors, 2:13 WAIVER Intelligence agencies, 2:9, 5:14, 9:1, Compulsory arbitration, 8:15 9:2, 9:11 Motions, 4:2, 8:13, 8:15 Notice requirement, 1:2, 4:7, 4:8, 8:11, 8:16, 9:10 WASHINGTON Parties, 1:6, 1:7, 2:12, 8:1, 8:4 to Appeals, 2:5, 2:6, 7:3, 7:8, 8:5, 8:6 8:8, 8:12, 8:14, 8:15, 8:17, 9:5, Assignments, 7:8 9:12 Compensation, 7:8 Persons protected, 7:1, 7:2 Complaints, 7:8, 8:1, 8:6, 10:12 Protected employee, 1:7 Conciliation, 10:12 Retaliation, 1:1 to 1:3, 2:7, 4:6, 4:21, Conditions of employment, 7:3, 7:8 6:6, 7:1 to 8:17, 9:10, 9:12, Costs. 7:8 9:13, 10:1 Evidence, 2:6, 7:8, 8:1, 8:6 Severance pay, 1:7, 6:1 to 7:3, 7:8, Harassment, 7:3, 7:8, 8:6 7:11 Investigations, 8:1 Termination of employment, 2:4, 6:4, Jury duty, 2:5 6:6 Notice, 7:8 Venue, **8:2, 8:3, 8:5** Privileges of employment, 7:3, 7:8 VACANCIES Race discrimination, 8:1 Federal employment, 4:19 Remedies, 2:6 Reports, 8:1 VACATIONS Sick leave, 2:5 Employee Retirement Income Secu-State statutes, 8:6 rity Act, 7:8 Uniformed services, 1:1, 3:6 Terms, 7:3, 7:8, 8:1 VERMONT WILLFULNESS Liquidated damages, 8:7, 8:11 Assignments, 7:14 Evidence, 7:7, 7:14 WISCONSIN Harassment, 7:14 Assignments, 7:14 VESTING At-will employment, 6:6 Employee Retirement Income Secu-Compensation, 8:9 rity Act, **6:4** Discrimination, 6:6, 7:14, 8:12 Evidence, 6:6, 7:14 VIRGIN ISLANDS Fringe benefits, 8:9 Fair Labor Standards Act, 8:5 Harassment, 7:14 VIRGINIA Health, 7:14 Conditions of employment, 7:3 Medical benefits, 8:9 Evidence, 1:7, 4:22, 5:2 Notice, 6:6 Harassment, 7:3 Remedies, 8:9, 8:12 Health, 7:3 Retaliation, 6:6, 7:14 Notice, 1:7, 4:22, 5:2 Retirement benefits, 8:9 Permits, 1:7, 4:22 Strike, 8:12 Privileges of employment, 7:3 Termination of employment, 6:6 Terms, 1:7, 5:2, 7:3 Unemployment compensation, 8:9

THE USERRA MANUAL

WITHHOLDING

Retaliation, 9:10

WORK ASSIGNMENTS

Collective bargaining agreements, **6:1**