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HUMAN RESOURCES GENERAL OVERVIEW
MODULE III ~ QUESTIONS

LESSON 1

1. You work for a small company and manage a group of independent contractors. You're wondering if your company is exempt from the FLSA, since all your product deliveries are within your state. However, you order parts from a few suppliers from a nearby state. What should you do?
   a. Adhere to FLSA guidelines because you conduct interstate commerce with another state.
   b. There is no need to adhere to FLSA guidelines since all product deliveries are within your state.
   c. There is no need to adhere to FLSA guidelines since you only use independent contractors.

2. Your company is going through a period of hyper-growth and all of your employees are putting in really long hours. You're worried all the overtime for non-exempt employees is going to break your budget. What should you do?
   a. Rethink and change job titles so all employees can be considered exempt employees.
   b. Schedule the work to ensure non-exempt employees don't work more than 40 hours a week.
   c. Tell your non-exempt employees that they'll be eligible for future bonuses in lieu of overtime pay.

3. Sidney, an employee in your department, found out she's being paid less than one of her co-workers, Alan, and is really angry about it. Even though they're doing the same job, Alan has been with the company longer and consistently performs better. Sidney is demanding equal pay for equal work, citing the Equal Pay Act (EPA). What should you do?
   a. Increase Sidney's pay to match Alan's so you are not in violation of the EPA.
   b. Promote Sidney to a position where she'll be in the same pay grade as Alan.
   c. Tell Sidney that the difference in Alan's salary is due to seniority and merit, and the EPA does not protect this situation.

4. Your company has a policy of paying employees for one week of vacation per year. Simone, one of your employees, believes the policy is against FLSA regulation and has stirred up employees' resentment over the issue. What should you do?
   a. Pay your employees for all vacation time stated in the company policy.
   b. Tell your employees that you're not required by the FLSA to pay for vacation time but you'll address their grievances.
   c. Tell your employees that they can take unpaid vacation if they wish.

5. The Fair Labor Standards Act (FLSA) is the complete body of law that governs workplace wages and hours.
   a. True
   b. False

6. Which of the following is not an example of an exempt position?
   a. Account Manager
   b. Bookkeeper
   c. Executive Assistant

7. Which of the following laws stating minimum wage requirements usually prevails?
   a. State law, if it's higher.
   b. County law, even if it's lower.
   c. Federal law always prevails.

8. Margaret, a non-exempt employee in your company, has worked more than 40 hours in a week. You want to compensate her for the extra work and she asks for time off in lieu of payment. What can you do?
   a. Offer her hour for hour compensatory time off.
   b. Offer her an extra week of vacation.
   c. Rearrange her weekly work schedule so she can have Fridays off.
9. When is an employer required to pay FLSA-covered employees for their time?
   a. Traveling to and from work.
   b. On-call time when off-site, if employee cannot use time for their own benefit.
   c. Company holiday party and annual weekend barbecue.

LESSON 2

1. You've worked a little more than a year when you find out you have a serious health condition. You'll need surgery and some time off. You wonder if you'll be covered under the Family and Medical Leave Act (FMLA). What should you do?
   a. Find out if you worked at least 1250 hours during the 12 months prior to the requested leave.
   b. Find out if the FMLA guidelines apply to your company. If so, obtain documented proof you worked 12 months since your employment.
2. One of your employees has a sick friend and wants to take time off to take care of her. She's submitted a WH-380 Form and wants you to sign it. What should you do?
   a. Sign the form as she has followed the correct procedure.
   b. Deny her request, since a FMLA leave only applies to immediate family.
3. You are the manager of your department. An employee's spouse has a serious health condition and needs to change his schedule to take care of his spouse. His new schedule cannot be changed, as it's disruptive to business. What can you do?
   a. Speak to the employee and give him the option to take a few weeks off, and hire a temporary replacement.
   b. Transfer the employee to a different job of equivalent pay.
4. You took time off work after adopting a 2-year-old boy. Your 12-week leave allotted by the Family and Medical Leave Act will soon expire and you're weighing the pros and cons of returning to work. You are a regular paid employee. What should you consider?
   a. If you quit, you may be required to pay back the health insurance premiums paid by the employer during your time off.
   b. If you return, you will resume the same job you had when you left.
5. One of your highest paid employees has been on FMLA leave for a serious health condition. The company has suffered some financial difficulties since his leave. He will be returning to work soon and your company can't pay his high salary. What should you do?
   a. Notify him in writing and explain that he cannot return because taking him back would economically hurt the company.
   b. Notify him you look forward to his return and eliminate another position within the department.
6. An employee who does not return to work because of an employer's notification of economic hardship is entitled to health benefits for the entire leave period.
   a. True
   b. False
7. When state and federal Family and Medical Leave laws conflict, which law is deemed the governing law?
   a. The law that provides the employer greater protection will be deemed the governing law.
   b. The federal Family and Medical Leave law will be deemed the governing law.
   c. The law that provides the employee greater protection will be deemed the governing law.

8. One of your employees just gives birth to a baby girl. She and her boyfriend are not married and both work for the company. In this particular situation, what kind of coverage does the Family and Medical Act provide?
   a. The mother and father each receive 12 weeks of leave.
   b. The mother and father each receive 6 weeks of leave.
   c. The mother is the only parent granted 12 weeks of leave.
9. What type of information does the Family and Medical Leave Act permit employers to require from employees to prove they have a serious health condition?
   a. Physician progress reports, stating whether the employee is recovering or not.
   b. Details as to how the employee contracted the condition.
   c. The diagnosis of the condition.
10. Employers and employees can agree on a flexible work schedule in lieu of a total leave.
    a. True
    b. False

LESSON 3

1. Deana is always blasting off about a particular political party and saying derogatory comments to co-workers she believes support the party. What should you do?
   a. Tell Deana to try to calm down.
   b. Tell Deana to stop making the comments immediately.
   c. Tell Deana she is being terminated as a result of her comments.
2. You work for the federal government and, Paula, one of your employees, wrote a letter to a newspaper criticizing your department's handling of finances. Her letter and comments now have employees taking sides. What should you do?
   a. Do nothing since Paula's actions qualify as a matter of public concern.
   b. Recommend Paula be terminated because of the disruption she created in the office.
   c. Reprimand Paula and tell her never to do it again, though you'll let her off the hook this time.
3. Carlos, an employee and a good friend, said some derogatory comments to you about another employee at the company picnic. Some of your other employees standing nearby overheard the comments and became upset. What should you do?
   a. No need to do anything since the incident was off company property and Carlos spoke to you as a friend.
   b. Tell Carlos to stop from expressing opinions in a way that abuses or harasses co-workers.
   c. Ask Carlos to apologize to those who overheard him.
4. All employees have constitutional rights to free speech in the workplace.
   a. True
   b. False
5. Which of the following is NOT an example of an employee's free speech involving a matter of public concern?
   a. Reporting complaints of sexual harassment.
   b. Reporting environmental violations of the company.
   c. Reporting employee misuse of company property.
6. After determining if an employee's free speech is a matter of public concern and applying the balancing test, what does the Supreme Court look for next?
   a. The time, place and manner of the employee's statement.
   b. Motivating factor of the statement.
   c. Public impact of the statement.

7. Since neither the federal or state constitutions govern the private sector, non-governmental employees have a very limited right to express their opinions.
   a. True
   b. False

8. What limitations to free speech have the courts recently upheld?
   a. Profanity
   b. Racial slurs
   c. Political jokes

LESSON 4

1. You're hiring for an open position in your department. One of the applicants wears a turban because of his religious beliefs. Although he has the best qualifications of all the applicants, you're concerned he won't project the right company image as this is a highly visible position. What should you do?
   a. Don't hire him. He doesn't have the right image for the job.
   b. Ask other managers if they think his turban will limit his effectiveness.
   c. Hire the most qualified person for the job, regardless of his or her religion.

2. Mike, one of your employees, is complaining that others in your department are harassing him because of his religious beliefs. He has complained about other work-related things in the past and you've just about had it with him. What should you do?
   a. Begin the termination process since he keeps making trouble.
   b. Interview other department members to find out if the harassment is actually taking place.
   c. Listen to his complaints and put a stop to the harassment.

3. You work in a company where customer service is vital to business. That means responding to customer requests immediately. Marisa, an employee, needs three 15-minute prayer breaks to pray during her shift. Since she will be missing some of her customer calls, what should you do?
   a. Find another employee to take the calls during her prayer breaks.
   b. Transfer her to a lower level position where she will have less interaction with customers.
   c. Terminate her employment since she's not meeting the job requirements.

4. Gwen has asked for a religious accommodation that you think will cause undue hardship to the company. It will be a substantial monetary loss and cause disruption to your department. What should you do?
   a. Tell Gwen you've thought about it and it can't be done.
   b. Tell Gwen she needs to figure out a way to make it work and get all her co-workers' approvals first before you'll consider it.
   c. Check with human resources to see if something can be done, before denying the request.

5. Only people who believe in a recognized and/or organized religion are protected from religious discrimination.
   a. True
   b. False

6. Which of the following is an example of coercion?
   a. Giving your department members presents at Christmas.
   b. Inviting co-workers to your daughter's christening.
   c. Organizing a mandatory offsite prayer meeting.

7. Which of the following should you do if an employee complains to you about the unwelcome and frequent religious comments from a co-worker?
   a. Tell the employee making the comments to stop immediately.
   b. Investigate the person's religion before confronting.
   c. Ask other employees for their thoughts about the behavior and comments.

8. Which of the following is NOT an example of a reasonable religious accommodation?
   a. Flexible arrival, departure and break times to accommodate prayer schedule.
   b. Hiring a temporary replacement to cover shifts missed by employee.
   c. Allowing employee to make up time lost due to observance of religious practices.
9. An employer's obligation to accommodate an employee's religious belief stops when it causes an undue hardship to the organization.
   a. True
   b. False

LESSON 5

1. Suzanne has applied for a transfer to your department for an administrative position. You've heard from a co-worker that she was treated many years ago for substance abuse. You want to hire her but have your doubts. What should you do?
   a. Have her tested for drugs before hiring her.
   b. Hire her since this the position is not a safety-sensitive job.
   c. Don't hire her since she may become a problem in the future.
2. Jonathan, one of your employees, recently tested positive during your company's random drug testing program. You suspect some of his co-workers of drug abuse since they wear the same type of clothes and are of the same ethnic group. What should you do?
   a. Institute random drug testing for your department and make sure everyone is tested.
   b. Have them tested for drugs since you have a reasonable suspicion.
   c. Continue to observe them for indications your company substance abuse policy is being violated.
3. Derek, one of your employees, told you in confidence that he had undergone psychiatric treatment in the past. You've noticed a change in his behavior recently. He's much slower in completing his assignments, though he still meets deadlines. What should you do?
   a. Ask him if he's taking any medication that's slowing him down.
   b. Ask him if he's able to perform the essential functions of his job.
   c. Ask him to take a drug test to confirm your suspicions.
4. Angie is generally one of your best workers. Unfortunately, she has started coming to work late, misses meetings and is acting erratic. You suspect she has a drinking problem. What should you do?
   a. Counsel Angie about substance abuse and help her find a treatment program.
   b. Observe and document Angie's unsatisfactory work performance.
   c. Have a heart-to-heart with Angie and ask her if she's drinking alcohol at work.
5. What is the most abused drug for patients receiving substance abuse treatment?
   a. Prescription drugs
   b. Alcohol
   c. Illegal drugs
6. Which of the following groups is protected from drug and alcohol testing?
   a. Employees in safety-sensitive jobs.
   b. Employees in government jobs.
   c. Applicants for any type of job.
7. It is permissible for an organization to test only those of a particular age or ethnic group for drugs and/or alcohol, based on past experience with similar employees.
   a. True
   b. False

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8. As a manager, when can you ask an employee if he or she is taking legal drugs?
   a. If the person tests positive for a drug test.
   b. If you know the person is under treatment for a particular illness.
   c. If the person exhibits signs of substance abuse.
9. When should you use drug or alcohol testing as part of your company substance abuse program?
   a. Testing should play a key role in your company's program.
   b. Testing should be the first step, as a screening for further action.
   Testing should be the last step of a comprehensive program.