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enforceability of the arbitration agreement if a party specifically challenges the enforceability of the entire agreement the arbitrator would consider the challenge If however the party only challenges the enforceability of the arbitration provision the challenge must be heard by a court Rent A Center West Inc v Jackson 130 S Ct 2772 2010 The lack of timeliness in filing a discrimination action is an affirmative defense and the burden of proof is on the employer Salas v Wisconsin Department of Corrections 493 F 3d 913 922 7th Cir 2007 A federal employee s premature filing of a sexual harassment employment discrimination and retaliation complaint did not constitute a failure to exhaust administrative remedies so as to deprive the district court of subject matter jurisdiction Brown v Snow 440 F 3d 1259 11th Cir 2006 A majority of states impose a shorter period for filing with their agencies though so the filing deadline is not always extended when a state has its own agency The and quot single filing rule and quot under which a party who has not filed an EEOC charge or received a right to sue notice may and quot piggyback and quot his or her judicial action on the claim of a party who has satisfied those prerequisites has been described as a andquot carefully limited exception and quot to Title VII s procedural requirements Price v Choctaw Glove and Safety Co 459 F 3d 595 5th Cir 2006 Provided that an act contributing to the claim occurs within the filing period the court may consider the entire period of the hostile environment for purposes of determining liability Jordan v City of Cleveland 464 F 3d 584 6th Cir 2006 The Supreme Court has held that a plaintiff s timely filing of an EEOC intake questionnaire which was followed by an affidavit stating and quot Please force Federal Express to end their age discrimination and quot constituted a charge cautioning however that its permissiv Public Employee Discharge and <u>Discipline</u> Isidore Silver, 2001-01-01 Managing public employment cases in today s volatile fast changing legal arena is no easy task Just keeping up with the complex developments in constitutional labor civil service administrative and common law can be a full time job Aspen Publishers Public Employee Discharge and Discipline is the definitive work on every aspect of public employment law This invaluable two volume resource is the only one of its kind to deal with all public employment disciplinary and discharge issues for federal state and municipal employees The Third Edition offers thorough analysis and in depth discussion of such essential topics as First Amendment and whistleblowing Public sector collective bargaining and arbitration Due process in discipline and discharge Administrative and judicial review Title VII ADA FMLA and other discrimination laws Sexual harassment under 1983 Title IX and Title VII Drug testing Invasion of privacy Applicability of common law tort and contract principles of wrongful discharge Summaries of federal and state cases Also with Public Employee Discharge and Discipline you will also get a BONUS CD ROM containing over 30 easy access customizable forms as well as current surveys of state and federal cases Public Employee Discharge and Discipline has been updated with the latest developments including Latest developments in the movement to limit or abrogate public employment collective bargaining Gross v FBL Financial Services a Supreme Court decision requiring an employee to prove that age discrimination was andquot the soleandquot and andquot but for andquot cause of discharge under the ADEA 29 U S C and 623 a Adoption

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practices problems Administrative Decisions Under Employer Sanctions & Unfair Immigration-related Employment Practices Laws United States. Department of Justice, 1994 **EEOC Compliance Manual** United States. Equal Employment Opportunity Commission, 1987 Administrative Decisions Under Employer Sanctions, Unfair Immigration-related Employment Practices, and Civil Penalty Document Fraud Laws United States. Department of Justice, 1994 The **Essential Guide to Workplace Investigations** Lisa Guerin, 2025-06-01 Learn how to conduct a complete and fair workplace investigation Workplace complaints carry serious legal and financial risks to a company so it s essential to act fast when you receive an employee complaint But an ineffective or poorly handled investigation can land your company in even more trouble than not performing one at all It's more important than ever to ensure your investigation is complete impartial and timely The Essential Guide to Workplace Investigations shows you how to legally and successfully investigate and resolve any type of complaint or problem It covers common issues such as harassment discrimination violence drug and alcohol use and theft The book guides you through each step of an effective investigation including deciding whether to investigate planning an investigation interviewing witnesses gathering and evaluating evidence documenting the investigation and more

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