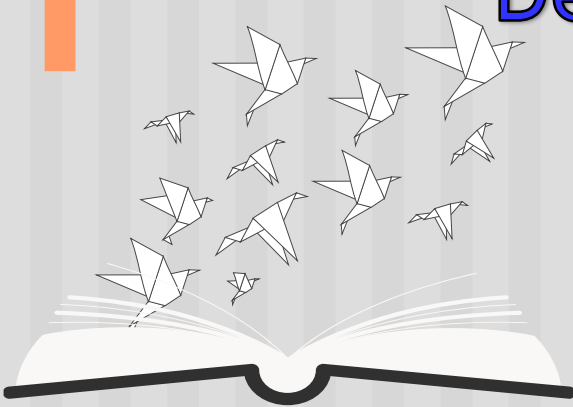


M.B.A. (Innovation in Human Capital and Entrepreneurship Management)

MHE5516

Developing Human Capital to be an Entrepreneur



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THE LEGAL ENVIRONMENT



The legal environment, particularly the laws affecting the management of people.



EQUAL EMPLOYMENT OPPORTUNITY

Equal employment opportunity (EEO) refers to the government's attempt to ensure that all individuals have an equal chance for employment, regardless of race, color, religion, sex, age, disability, or national origin. To accomplish this, the federal government has used constitutional amendments, legislation, and executive orders, as well as the court decisions that interpret these laws. (However, equal employment laws are not the same in all countries.)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

The government commission established to ensure that all individuals have an equal opportunity for employment, regardless of race, color, religion, sex, age, disability, or national origin.



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

Utilization analysis

A comparison of the race, sex, and ethnic composition of an employer's workforce with that of the available labor supply.

timetables

The part of a written affirmative action plan that specifies the percentage of women and minorities that an employer seeks to have in each job group and the date by which that percentage is to be

Action steps

The part of a written affirmative action plan that specifies what an employer plans to do to reduce underutilization of protected groups.



TYPES OF DISCRIMINATION

Disparate treatment: A theory of discrimination based on different treatment given to individuals because of their race, color, religion, sex, national origin, age, or disability status.

Bona fide occupational qualification (BFOQ): A job qualification based on race, sex, religion, and so on that an employer asserts is a necessary qualification for the job.



TYPES OF DISCRIMINATION

Disparate impact: A theory of discrimination based on facially neutral employment practices that disproportionately exclude a protected group from employment opportunities.

Four-fifths rule: A rule that states that an employment test has disparate impact if the hiring rate for a minority group is less than four-fifths, or 80%, of the hiring rate for the majority group.



TYPES OF DISCRIMINATION

Standard deviation rule: A rule used to analyze employment tests to determine disparate impact; it uses the difference between the expected representation for minority groups and the actual representation to determine whether the difference between the two is greater than would occur by chance.

Reasonable accommodation: Making facilities readily accessible to and usable by individuals with disabilities.

CURRENT ISSUES REGARDING DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY

Sexual harassment: Identify behavior that constitutes sexual harassment, and list things that an organization can do to eliminate or minimize it.

LGBT Issue: Society, in general, and most large business have developed much more inclusive attitudes toward lesbian, gay, bisexual, transgender and queer (LGBTQ) individuals. Most large companies state that they do not discriminate on the basis of sexual orientation, and many have opened up benefit packages to same-sex partners of their employees, even prior to the Obergefell Supreme Court decision legalizing same-sex marriage. However, the state of employment law has not completely caught up yet.

EMPLOYEE SAFETY

Occupational Safety and Health Act (OSHA): The 1970 law that authorizes the federal government to establish and enforce occupational safety and health standards for all places of employment engaging in interstate commerce.

General duty clause: The provision of the Occupational Safety and Health Act that states an employer has an overall obligation to furnish employees with a place of employment free from recognized hazards.



EMPLOYEE SAFETY

OSHA is responsible for inspecting businesses, applying safety and health standards, and levying fines for violations. OSHA regulations prohibit notifying employers of inspections in advance

Safety awareness programs: Employer programs that attempt to instill symbolic and substantive changes in the organization's emphasis on safety.

EMPLOYEE SAFETY

Job hazard analysis technique: A breakdown of each job into basic elements, each of which is rated for its potential for harm or injury.

Technic of operations review (TOR): Method of determining safety problems via an analysis of past accidents.

