
Advanced Certificate in Employment Law

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Advanced Certificate in Employment Law: A professional certification that covers in-depth knowledge and understanding of employment law, including various aspects such as discrimination, harassment, wrongful termination, wage and hour laws, and employee benefits.

Americans with Disabilities Act (ADA): A federal law that prohibits discrimination against individuals with disabilities in all areas of public life, including employment. The ADA requires employers to provide reasonable accommodations to qualified individuals with disabilities, unless it would cause undue hardship.

At-will employment: A type of employment relationship in which either the employer or the employee can terminate the employment at any time, for any reason (except for illegal reasons such as discrimination or retaliation).

Collective bargaining: The negotiation process between employers and employees (or their representatives) to reach an agreement on wages, hours, working conditions, and other terms and conditions of employment.

Compensatory damages: Damages awarded to an employee in a employment lawsuit to compensate for losses such as lost wages, medical expenses, and emotional distress.

Discrimination: The unfair treatment of an individual based on their membership in a protected class, such as race, gender, age, disability, or religion. Discrimination can take many forms, including hiring and promotion decisions, salary and benefits, and workplace policies and practices.

Employee Retirement Income Security Act (ERISA): A federal law that sets minimum standards for most voluntarily established retirement and health plans in private industry to provide protection for individuals in these plans.

Family and Medical Leave Act (FMLA): A federal law that requires covered employers to provide eligible employees with up to 12 weeks of unpaid leave in a 12-month period for certain family and medical reasons.

Hostile work environment: A work environment that is intimidating, abusive, or offensive, and is based on a protected characteristic such as race, gender, or disability. A hostile work environment can violate employment discrimination laws if it is severe or pervasive enough to alter the conditions of the victim's employment.

Minimum wage: The lowest hourly wage that an employer can legally pay an employee. The federal minimum wage is \$7.25 per hour, but many states and localities have higher minimum wages.

National Labor Relations Act (NLRA): A federal law that guarantees the right of private sector employees to organize into trade unions, engage in collective bargaining, and take collective action such as strikes.

Reasonable accommodation: A modification or adjustment to a job, the work environment, or the way things are usually done that enables a qualified individual with a disability to perform the essential functions of the job.

Retaliation: The act of taking adverse action against an individual for engaging in protected activity, such as filing a complaint of discrimination or harassment, or participating in an investigation or lawsuit. Retaliation is prohibited by various employment laws.

Sexual harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that creates a hostile or abusive work environment or conditions employment on submission to such conduct.

Title VII of the Civil Rights Act of 1964: A federal law that prohibits employment discrimination based on race, color, religion, sex, and national origin.

Tort: A civil wrong, other than breach of contract, for which a court will provide a remedy in the form of an action for damages. Examples of torts include negligence, defamation, and intentional infliction of emotional distress.

Whistleblower protection: Laws that protect employees who report illegal or unethical conduct by their employers from retaliation. Whistleblower protections are provided by various federal and state laws.

Wrongful termination: The termination of an employee in violation of a legal right, such as discrimination, retaliation, or breach of contract. Wrongful termination may give rise to a legal claim for damages.

Workers' compensation: A state-based insurance system that provides benefits to employees who are injured or become ill as a result of their job. Benefits may include medical expenses, lost wages, and disability payments.

Wage and hour laws: Laws that regulate the payment of wages and overtime to employees. The Fair Labor Standards Act (FLSA) is the federal wage and hour law, but many states and localities have their own wage and hour laws as well.

Whistleblower: An employee who reports illegal or unethical conduct by their employer. Whistleblowers are protected from retaliation by various federal and state laws.

Collective Bargaining Agreement (CBA): A contract between an employer and a union that sets the terms and conditions of employment for unionized workers.

Constructive discharge: A situation in which an employer makes working conditions so intolerable that a reasonable person in the employee's position would feel forced to quit.

Disparate impact: A form of employment discrimination that occurs when an employer's policies or practices have a disproportionately negative impact on a protected group, even if there was no intent to discriminate.

Equal Employment Opportunity Commission (EEOC): The federal agency responsible for enforcing federal

employment discrimination laws, such as Title VII of the Civil Rights Act of 1964.

Family and Medical Leave Act (FMLA) leave: Unpaid leave available to eligible employees for certain family and medical reasons, such as the birth or adoption of a child, a serious health condition, or the care of a family member with a serious health condition.

Hostile work environment harassment: Harassment that creates a hostile or abusive work environment based on a protected characteristic, such as race, gender, or disability.

Quid pro quo harassment: Harassment in which an employer or supervisor conditions employment or job benefits on the provision of sexual favors.

Retaliation claim: A legal claim brought by an employee who has suffered adverse action as a result of engaging in protected activity, such as filing a complaint of discrimination or harassment.

Severance agreement: A contract between an employer and an employee that sets the terms and conditions of the employee's separation from employment, such as the amount of severance pay and any post-employment restrictions.

Unfair labor practice: An action taken by an employer or union that violates the National Labor Relations Act (NLRA), such as interfering with employee rights to organize or engage in collective bargaining.

Wage theft: The practice of denying workers wages or benefits to which they are legally entitled, such as by not paying overtime or misclassifying employees as independent contractors.

Whistleblower complaint: A complaint filed by an employee who reports illegal or unethical conduct by their employer, typically under a whistleblower protection law.

Workers' compensation claim: A claim filed by an employee who has been injured or become ill as a result of their job, seeking benefits under the workers' compensation insurance system.

Wrongful discharge claim: A legal claim brought by an employee who has been terminated in violation of a legal right, such as discrimination, retaliation, or breach of contract.

Collective action: A form of employee advocacy in which a group of employees take coordinated action, such as a strike or picket, to address workplace issues or improve working conditions.

Disparate treatment: A form of employment discrimination in which an employer treats an employee less favorably than other employees based on a protected characteristic, such as race, gender, or age.

Employment contract: A legally binding agreement between an employer and an employee that sets the terms and conditions of employment, such as salary, benefits, and job duties.

Family and Medical Leave Act (FMLA) notice: The requirement that an employee provide notice to their employer of their need for FMLA leave, as well as the timing and duration of the leave.

Hostile work environment claim: A legal claim brought by an employee who has experienced a hostile or abusive work environment based on a protected characteristic, such as race, gender, or disability.

Quid pro quo harassment claim:</p>