UT LAW CLE | THE UNIVERSITY OF TEXAS SCHOOL OF LAW

PRESENTED AT
ESSENTIAL EMPLOYMENT LAW

August 21, 2020
Austin, Texas

CHART OF FEDERAL EMPLOYMENT LAWS

Katrina Grider

Ogletree, Deakins, Nash,
Smoak & Stewart, P.C.
One Allen Center
500 Dallas Street, Suite 3000
Houston, TX 77002
katrina.grider@ogletree.com
713.655.5763

FEDERAL EMPLOYMENT LAWS AND REGULATIONS				
	FEDERAL LAW	**ENFORCEMENT AGENCY**	**COVERED EMPLOYERS**	**SUMMARY OF LAW**
1	**Age Discrimination in Employment Act (ADEA)**	Equal Employment Opportunity Commission (EEOC)	20 or more employees	Prohibits discrimination in all terms, conditions, and privileges of employment based on age. Applies to individuals age 40 and older.
2	**Americans with Disabilities Act of 1990 (ADA)**	EEOC	15 or more employees	Prohibits discrimination in all terms, conditions, and privileges of employment based on an individual's physical or mental disability.
3	**ADA Amendments Act of 2008 (ADAAA)**	EEOC	15 or more employees	Liberalizes the interpretation of the ADA and instructs employers to adopt a broad standard when determining whether an individual is disabled.
4	**Civil Rights Act of 1991**	EEOC	15 or more employees	Amends Title VII and the ADA to give parties complaining of intentional discrimination the right to a jury trial. Also authorizes the award of punitive and compensatory damages.
5	**Consolidated Omnibus Reconciliation Act (COBRA)**	Internal Revenue Service	20 or more employees	Employers must extend the option of continued health insurance to employee, spouse and dependents who otherwise would lose such coverage because of the employee's termination or some other qualifying event.
6	**Consumer Credit Protection Act, Title III**	Department of Labor (DOL) (Wage and Hour Division)	All employers (regardless of size)	Protects employees from being discharged by their employers because their wages have been garnished for any one debt and limits the amount of employees' earnings which may be garnished in any one week. Restricts garnishment withholding to 25% of disposable income. Limits employer actions with respect to discharge.
7	**Davis Bacon Act**	DOL (Wage and Hour Division)	Employers with contracts in federally financed construction more than $2,000	Employer must pay specified minimum hourly rates.
8	**Driver's Privacy Protection Act of 1994**	Department of Justice (DOJ)	All employers	Regulates third-party access to individual driving record information.

FEDERAL EMPLOYMENT LAWS AND REGULATIONS				
	FEDERAL LAW	**ENFORCEMENT AGENCY**	**COVERED EMPLOYERS**	**SUMMARY OF LAW**
9	**Employee Polygraph Protection Act of 1988 (EPPA)**	DOL (Wage and Hour Division)	All employers except those in security of pharmaceutical industries	Prohibits employers from using lie detector tests either for preemployment screening or during employment. Testing is permitted only in extremely limited circumstances.
10	**Employee Retirement Income Security Act of 1974 (ERISA)**	DOL (Office of Labor-Management & Welfare Pension Reports)	All employers	Requires extensive pension and welfare plan information, plus disclosure of information to plan participants. Gives protection and guarantees to employees covered by private pension and welfare plans. Sets standards for employee participation, funding methods and establishes fiduciary responsibilities.
11	**Equal Pay Act of 1963**	EEOC	All employers subject to the FLSA	Prohibits pay differentials based on sex. This means that employers must pay equal wages for work that requires equal skill, effort, and responsibility and is performed under similar working conditions.
12	**Executive Order 11246**	DOL (Office of Federal Contract Compliance Programs)	Employers with governments contracts more than $50,000 and over 50 employees	Prohibits discrimination in all terms, conditions, and privileges of employment against applicants and employees. Requires affirmative action to ensure equal employment opportunities without regard to race, sex, color, religion, or national origin.
13	**Fair Credit Reporting Act**	Federal Trade Commission	All employers	Employer must comply with all the notice, disclosure, and consent requirements to obtain and use investigative consumer credit reports in making an employment decision.
14	**Fair Labor Standards Act (FLSA)**	DOL (Wage and Hour Division)	All employers	Employer must pay prevailing minimum wage and overtime

UT LAW CLE THE UNIVERSITY OF TEXAS TEXASLAW

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the UT Law CLE eLibrary (utcle.org/elibrary)

Title search: Chart of Federal Employment Laws

Also available as part of the eCourse
2020 Essential Employment Law eConference

First appeared as part of the conference materials for the
2020 Essential Employment Law: A Practical Course in the Basics session
"Texas is an "At Will" State... So Why Worry?"