

EMPLOYMENT LAW BASICS

presented by:

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Advertising Vacant Positions

- Neither state nor federal law requires job postings.
- Cities commonly advertise as matter of public policy.
- Postings help ensure process does not discriminate.
- Policies often require internal and external postings.



At-will Relationship

- Neither state/federal law grants employees protected property rights.
- General rule: employees serve “at-will.”
- May terminate relationship at any time, with/without cause.
- Employers can’t be discriminatory.
- Employer’s general oral assurances do not modify.
- Status may be altered by contract, state law or local law.



Limitations on At-Will

- **Age Discrimination**
- **People with Disabilities**
- **Family & Medical Leave**
- **Section 1983 Civil Rights Claims**
- **Fair Labor Standards**
- **Civil Rights Act of 1964**



Sexual Harassment

- Unwelcome advances, requests for favors, and other verbal or physical conduct:
 - submission is a term or condition of employment;
 - submission to /rejection is basis for employment decisions; or
 - hostile working environment.
- Need only adverse treatment because of their *gender*.



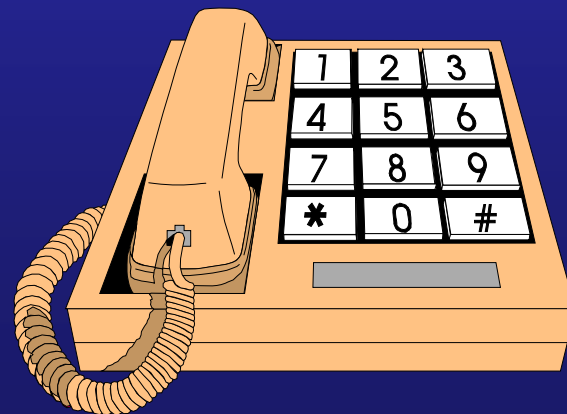
Whistleblower Act

- **Protects employees who report violations of law by employers.**
- **Involves:**
 - reported a violation of law
 - in good faith
 - to an appropriate law enforcement authority, and
 - suffered adverse employment action as result.



Call Before You Fire

- TML IRP encourages you to speak to an IRP attorney first.
- Call your Village Attorney first



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