

NAME: _____

INSTRUCTIONS:

Recall Instructions from Quiz #1.

QUESTIONS:

1. T F A lawful termination of an "at will employment" requires a good-faith good-cause.
2. T F All written, signed, **and** valid employment agreements are contracts.
3. T F The Workers' Compensation Laws are federal **and** the Occupational Safety **and** Health Administration (*OSHA*) is State (*i.e., no federal Police Power*).
4. T F Employers are required to provide "reasonable accommodations" to employees so as to avoid discrimination on the basis of race, color, religion, sex, national origin, physical handicap, **or** age.
5. T F Employers are vicariously liable for the acts of their employees when those acts are within the employees' scope of authority.
6. T F Employers may **or** may **not** be vicariously liable for the torts of employees outside of the employees' scope of authority.
7. T F The employment relationship defines the employer's duty of care to its employees as limited to the acts the employer **and** other employees of that employer. The actions of Third Parties (*e.g., Independent Contractors visiting the work site*) do **not** create liability for the employer.
8. T F Fraud is the defendant's knowing **misrepresentation** of a material fact inducing the plaintiff's justifiable reliance **and** causing the plaintiff's injury.
9. T F CERCLA (Comprehensive Environmental Response, Compensation **and** Liability Act) creates negligence liability for owners, **but not** managers **or** lessees, of polluted property.
10. T F Punitive damages are available for all intentional torts **and** strict liability torts, **but not** negligence torts, to punish the defendant **and** deter future defendants