CaseMap Research - Authorities Report

Case: Hawkins
Created: 7/9/2005 11:55:20 AM

Name	Americans with Disabilities Act
Jurisdiction	N/A
Type +	Statute
Citation	Public Law 101-336
Description	The Americans with Disabilities Act (ADA) is a Federal civil rights law that ***prohibits*** the exclusion of people with disabilities from everyday activities. To meet the goals of the ADA, the law established requirements for private businesses of all sizes. These requirements first went into effect on January 26, 1992, and continue for **both for-profit and non-profit organizations.**
Linked Issues	Wrongful Termination, Damages

Name	Bell v. Farmers Insurance Exchange
Jurisdiction	Cal. Super. Ct
Type +	Case Law
Citation	??
Description	On July 10, 2001 a California Jury gave insurance adjusters $90 million for ***uncompensated overtime***. Some 2,400 current and former Farmers Insurance Exchange adjusters more than $90 million on their class action claims they were denied overtime pay
Linked Issues	Retaliation

Name	Ragsdale et. al. v. Wolverine World Wide, Inc.
Jurisdiction	US Supreme Court
Type +	Case Law
Citation	218 F.3d 933
Description	The Family and Medical Leave Act of 1993 (FMLA) guarantees ***qualifying*** employees 12 weeks of unpaid leave each year and encourages businesses to adopt more generous policies. Respondent Wolverine World Wide, Inc., granted petitioner Ragsdale 30 weeks of medical leave under its more generous policy in 1996. It refused her request for additional leave or permission to work part time and terminated her when she did not return to work. She filed suit, alleging that 29 CFR §

	825.700(a), a Labor Department regulation, required Wolverine to grant her 12 additional weeks of leave because it had not informed her that the 30-week absence would count against her FMLA entitlement. The District Court granted Wolverine summary judgment, **finding that the regulation was in conflict with the statute and invalid because it required Wolverine to grant Ragsdale more than 12 weeks of FMLA-compliant leave in one year.** The Eighth Circuit agreed.
Linked Issues	Retaliation

Name	Walia v. Aetna Inc.
Jurisdiction	CA Court of Appeal
Type +	Case Law
Citation	CA Court of Appeal No. 091221, 2001
Description	Aetna had merged with U.S. Healthcare which is headquartered in Pennsylvania. All **"key employees"** were asked to sign a noncompete and confidentiality agreement "that prevented them from working for a competitor in the same state for six months after termination. Anita Walia, an account manager in Aetna US Healthcare's San Francisco office, was told that she would lose her job if she didn't sign the agreement."
Linked Issues	Damages

Name	Worker Adjustment and Retraining Notification Act
Jurisdiction	N/A
Type +	Statute
Citation	29 U.S.C. §§2101 to 2109
Description	aka WARN. A company with ***100 or more*** full time employees must provide employees with **60 days'** notice of its intention to close a facility (department, division, plant, etc.) if a mass staff reduction will last more than 6 months. Note that if this pertains to your company, you must give 60 days' notice of the staff reduction to the "chief local elected official" and to the Dislocated Worker Unit (DWU) of the state in which the layoff will occur.
Linked Issues	Pattern & Practice