Agency and Employment Law Assignment

Choose the best response for each of the examples below:

**1. Lee hires Zeke to sell her house. She tells Zeke to ask for $200,000, but says she will take $175,000. Zeke's friend Victor asks Zeke about the house, and Zeke tells him that Lee will take $175,000. Victor offers $175,000, and Zeke accepts. Zeke violated his duty of**

A. obedience.

B. loyalty.

C. account.

D. due diligence.

2. **Steve is Jason's agent, and it's within Steve's authority as Jason's agent to purchase homes on Jason's behalf. Steve contracts with Albert to buy Albert's house for Jason. Steve, however, doesn't tell Albert that he's buying the house on Jason's behalf or that he's acting for another individual. Under the terms of the contract,**

**which of the following statements is true?**

A. Only Jason can be held liable.

B. Only Steve can be held liable.

C. Neither Steve nor Jason can be held liable.

D. Both Steve and Jason can be held liable.

3. **Tony tries to start a union at Big Tech, Inc. His employer learns of his attempt to organize a union and fires him. Big Tech's actions**

A. are permitted if the state has adopted right-to-work legislation.

B. constitute an unfair labor practice.
C. are permitted if they first give Bob notice forbidding the union.

D. are permitted.

4. **David gives Ethel power of attorney. David then has a nervous breakdown and becomes insane. Ethel has the authority to act on David's behalf**

A. with regard to personal property but not real property.

B. only until Tom regains his sanity.

C. if the power of attorney is a durable power of attorney.

D. by necessity.

5. **Jane works for Big Business, Inc., as a sales representative. The boss decides to fire her because she isn't a Mets fan. The boss can**

A. fire Jane.
B. not fire Jane if here work was satisfactory.
C. not fire Jane because of the Civil Rights Act.

D. not fire Jane if she agrees to become a Mets fan.

6. **Javier gives written authorization to Tamara to sell his house. Javier dies on the October 4. On October 8, Tamara enters into a written contract on behalf of Javier to sell the house to Trudy for $100,000. Before Tamara entered into the contract, she showed the written authorization to Trudy. Javier's estate is**

A. liable if Tamara knew Javier was deceased at the time of the contract.

B. liable if the price is fair.
C. not liable.
D. obligated to sell for $100,000 because Tamara had express authority.

7. **Molly borrowed $5,000 from Larry and, as collateral, gave him jewelry and authority to sell the jewelry if she defaulted. Afterward, Molly had second thoughts and revoked the agency. Which of the following statements is true?**

A. Molly can terminate the agency if she paid the loan.
B. Molly can terminate the agency based on impossibility of performance.

C. Molly can't terminate the agency unless she claims bankruptcy.

D. Molly can't terminate the agency unless Larry sold the jewelry.

8. **Sally works for Big Tech, Inc. One day, the boss calls her into his office and says, “Women just don't get tech. You're fired.” Sally sues. In the course of the litigation, the company discovers that Sally was pilfering paper from the company storage, and under the employee handbook, this is grounds for termination. Sally's discharge is**

A. not wrongful because gender is a bona fide job qualification for working in tech.

B. wrongful because evidence can't be used in a gender discrimination case.

C. wrongful because the employer intended to fire her based on gender.

D. not wrongful because the employer discovered evidence that justifies the firing.

9. **The union at Big Tech goes on strike. The president can petition the attorney general to seek an injunction stopping the strike for 60 days if the**

A. union failed to give 60 days’ notice of its intent to strike.

B. strike would endanger the nation’s health or safety.
C. demands of the union are unreasonable.
D. strike would result in large losses to the company.

10. **Carl, a little person with dwarfism, applies for a job. He is told he won't be hired because he is a little person. Carl sues, claiming discrimination under the Civil Rights Act. Which of the following statements is true?**

A. Carl has no claim.

B. Unless Carl can show that the height requirement has a disparate impact on short people, he has no claim.

C. Carl has a good claim.

D. Unless the employer can show that being of a certain height is a bona fide job qualification, Carl has a good claim.