

Power at Work

Trace how public policy balances workers' rights and business interests.

12.E3b "The government's evolving role in protecting property rights, regulating working conditions, protecting the right to bargain collectively..."

NAME _____

DATE _____

1 READ AND MARK _____ Read it twice

YOUR JOB Underline government actions. Circle worker protections. Mark limits or costs affecting employers or unions.

Changing Rules of the Workplace

- ① Government has long enforced property and contract rights while debating limits on business conduct. In *Lochner v. New York* (1905), the Supreme Court invalidated bakery working-hour limits under a liberty-of-contract interpretation of due process. That approach constrained some labor regulation; it did not prohibit every workplace rule. During the Depression, federal intervention expanded. The Fair Labor Standards Act of 1938 established minimum-wage, overtime, and child-labor protections with coverage limits and exemptions.
- ② The National Labor Relations Act of 1935 protected organizing and collective bargaining for many private-sector employees and created the National Labor Relations Board. Employer retaliation for protected union activity can violate the law. Employer views about unions are not automatically unlawful, but protected expression cannot contain threats or promises of benefits. The 1947 Taft-Hartley Act added restrictions on unions, including certain coercive conduct. These policies shape bargaining power and set boundaries for both parties; coverage is not universal.
- ③ Title VII of the Civil Rights Act of 1964 prohibits covered employers from discriminating based on race, color, religion, sex, or national origin. The EEOC investigates charges and can pursue remedies through applicable procedures. Rules can improve access and protection while imposing compliance costs. During downturns, governments may also use spending, loans, or tax relief to support demand and jobs. Such support does not itself suspend workplace protections. Evaluating policy requires evidence about benefits, costs, enforcement, and who gains or loses power.

2 ANSWER WITH EVIDENCE _____ Use the passage

1 How did the Lochner decision and the Fair Labor Standards Act represent different government roles in working conditions?

2 What two limits in the passage show that collective-bargaining policy placed boundaries on more than one side?

3 Identify one way Title VII or the EEOC protects workers, and state one business concern connected to these protections.

4 According to the passage, why might government policy shift during a recession or crisis, even while workplace enforcement continues?

3 YOUR TURN _____ Your own words

In four sentences, recommend a hypothetical workplace policy: identify a problem, a worker protection, an enforcement method, and a way to ease compliance costs while preserving protection.

PART 1 • READ AND MARK

Underline government actions. Circle worker protections. Mark limits or costs affecting employers or unions. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	How did the Lochner decision and the Fair Labor Standards Act represent different government roles in working conditions?	Lochner struck down a state limit on bakery hours to protect contract freedom. The Fair Labor Standards Act set wage, overtime, and child-labor rules to regulate working conditions.
2	What two limits in the passage show that collective-bargaining policy placed boundaries on more than one side?	Employers cannot retaliate for protected union activity, and protected union-related speech excludes threats or promises of benefits. Taft-Hartley restricted certain coercive union conduct.
3	Identify one way Title VII or the EEOC protects workers, and state one business concern connected to these protections.	Title VII barred many employers from discrimination in hiring, firing, or pay based on listed characteristics, and the EEOC investigates charges and can seek remedies. Compliance can impose costs on businesses.
4	According to the passage, why might government policy shift during a recession or crisis, even while workplace enforcement continues?	Government may use tax relief, loans, or spending to support hiring and demand. Policymakers must balance that economic stimulus with enforcement against abusive practices and protection of workers' rights.

PART 3 • YOUR TURN (SAMPLE ANSWER)

A warehouse with dangerous heat needs a plan to protect workers. A proposed rule could require rest, water, and a way to report hazards without retaliation. Inspectors could investigate complaints and require correction of violations. Technical assistance or targeted equipment grants could ease compliance costs while retaining the protections.

Accept evidence-supported policy comparisons. The hypothetical proposal should distinguish protection and enforcement from economic assistance; neither workers nor employers necessarily receive all benefits or bear all costs.