Objectives: Analysis of major issues in employment law, including laws protecting employees from race, sex, religion, disability, and age discrimination, as well as wage and hour laws and laws covering employee privacy, workers compensation, unemployment insurance, immigration and safety and health.

This course will help students to understand the basic framework of employment law in the United States and to develop the ability to think critically and to read, analyze and evaluate legal statutes and decisions. Students will learn to identify, understand, and explain conflicting views on legal and policy arguments.

Text: Labor and Employment Law: Text and Cases (15th Ed.) by David P. Twomey. (“Twomey”). NOTE: This textbook is also available from CENGAGE.com as an eBook or eChapters may be purchased individually. Readings are from Chapters 11 through 18 only.

Supplemental Readings will be distributed and/or available on SAKAI throughout the semester. Additional readings may be added during the course of the semester as the law evolves.

Attendance and Grading Policies: Students are expected to attend all classes and to actively participate in all exercises and discussions. 25% of the final grade will be based upon attendance, participation. Participation includes contribution to discussions in class and in online groups and full participation in classroom exercises. Electronic Discussion Groups will be created. A series of four hypothetical situations will be posed for each discussion group. Students are expected to participate in discussion groups. That participation will be included in each student’s grade for participation. Attendance will be taken for each class. I expect that all reading assigned for each class will be completed prior to class. Any student who must miss a class for illness or other emergency is expected to contact me via e-mail or telephone prior to class explaining the reason for the absence. All cellphones, beepers, PDA’s, and other electronic devices (except for laptop computers, or other devices, used to take notes) shall be turned off and put away during class.
**HOMEWORK:** Each student is required to turn in either electronically through SAKAI or e-mail before class begins, or in person at the beginning of class, a case brief for one major case included in the reading each week for ten weeks of class. (See handout). There are eleven weeks of class that include case readings. Each student is free to skip one week, and is required to turn in the assigned case brief for each of the remaining ten weeks. Students may select which case is briefed each week, so long as it is either a case provided on Sakai or is a case with the case caption in bold face in the text. Failure to turn in the case briefs ON TIME will result in a loss of credit for the attendance and participation grade for that class. THERE WILL BE NO EXTENSIONS FOR HOMEWORK ASSIGNMENTS. Homework will count for 10% of the final grade.

**Assignments and Examinations:** There will be two written assignments during the course of the semester. These assignments will be 2-3 typed pages and will be similar in style and content to exam questions. These two assignments will account for 20% of the final grade.

Students will complete midterm examination on **October 18, 2012**, which will account for 20% of the final grade.

Students will complete a final examination on **December 20, 2012**, which will account for 25% of the final grade.

| September 6 | Introduction  
The Courts and Administrative Agencies  
How to read a case  
Case reading exercise  
Employment at Will |
| September 13 | Employment at Will; Exceptions to Employment at Will;  
Contract Theories  
(On line Employment Law Discussion 1 Posted)  
Twomey pp. 597-610, 616-619 |
| September 20 | Exceptions to Employment at Will  
Tort Theories  
Twomey pp. 616-628 |

**SAKAI:**  
(Class WILL START AT 6:15)

| September 27 | Whistleblower Protection (SOX, CEPA)  
(On line Employment Law Discussion 1 Closed)  
(FIRST ASSIGNMENT DISTRIBUTED) |
Twomey 610-616

SAKAI:

Hernandez v. Montville Board of Education
D’Annunzio v. Prudential Insurance Co. of America

October 4  Employee Privacy/Drug Testing
(Discussion 2 Posted)

Twomey 633-647; 652-662

October 11  Employee Privacy/Electronic Privacy
(FIRST ASSIGNMENT DUE)

Twomey 647-651

SAKAI:

Social Media History Becomes a New Job Hurdle, New York Times, July 20, 2011
Ontario, California v. Quon, ___ U.S. ___ (June 17, 2010)
Maryland Social Media Employment Law Chapter 233

October 18  MIDTERM
(Discussion 2 Closed)

October 25  Discrimination Laws
(Race, Religion, Sex, Sexual Orientation)
(Discussion 3 Posted)

Twomey 395-409; 411-432

November 1  Discrimination Laws continued/Sexual Harassment/National Origin/Age

Twomey 432-456; 534-549

November 8  Americans With Disability Act/Rehabilitation Act
(SECOND ASSIGNMENT DISTRIBUTED)
(Discussion 3 Closed)

Twomey 553-574
SAKAI:
(Questions and Answers on the Final Rule Implementing the ADA Amendments Act of 2008).

November 15  
Workers Compensation; FMLA
(SECOND ASSIGNMENT DUE)
Twomey 575-589;

SAKAI:
N.J.S.A. 34:15.1-3

November 20  
Unemployment Insurance/Wage & Hour Laws
(Tuesday)  (Discussion 4 Posted)
Twomey 677-689; 693-697

SAKAI:
Westerkamp Handout

November 29  
Immigration; USEERA
Twomey 697-707; 589-593

SAKAI:
U.S. Department of Labor VETS USERRA Fact Sheet 3
A Non-technical Resource Guide to USERRA
“A Verification System for New Hires Backfires”,
Businessweek, (November 2011)

December 6  
Occupational Safety & Health
(Discussion 4 Closed)
Twomey 361-390

December 13  
Reading Period

December 20  
FINAL EXAMINATION