EMPLOYMENT LAW (Fall 2012) – M & TH Day Class

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315-01 (3 Credits)
Mondays & Thursdays, 9:15 a.m. – 10:35 a.m.
Class Location: Loree Classroom-Office Building, Room 020, Douglass Campus
Tel: 848-932-8560; E-mail: jcooney@work.rutgers.edu
Office Hours: Before & after class or by appointment

Course Description: Overview of employment-at-will and its limitations; wages & hours; medical/family leave; privacy; drug testing; workers’ compensation; and fundamental anti-discrimination law.

Grading Criteria:
(1) Mid-term Exam (50%)
(2) Final Exam (50%)
(*Grades may also be adjusted based on attendance and in-class contributions)

Course Materials: Course reading materials may be found in the Sakai “Resources” and “Announcements” sections. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

Class Schedule:

SEPT. 6: Course Overview

NO READINGS

SEPT. 10 & 13:-How to Find, Read & “Brief” Cases
- Federal & State Court Systems
- Anatomy of an Employment Lawsuit
- Remedies

READINGS:
“Understanding the Federal Courts”
(www.uscourts.gov/FederalCourts.aspx)
“Welcome to the NJ Court System”
(www.judiciary.state.nj.us/process.htm)

SEPT. 17 & 20:-Employment at Will & Exceptions

READINGS:
SEPT. 24 & 27: Constitutional Issues

**READINGS:**
*City of Ontario v. Quon*, U.S. No. 08-1332 (06/17/2010)

OCT. 1 & 4: -Title VII of the Civil Rights Act of 1964
-Equal Employment Opportunity Commission (“EEOC”)
-Race & Color Discrimination

**READINGS:**

OCT. 8 & 11: -National Origin Discrimination
-Sex Discrimination and Harassment

**READINGS:**

OCT. 15 & 18: Movie: “North Country”

**NO READINGS**

OCT. 22: MIDTERM EXAMINATION

OCT. 25: -Religious Discrimination

**READINGS:**

OCT. 29 & NOV. 1:
-Disability Discrimination
-Family & Medical Leave (FMLA and NJFLA)

**READINGS:**
*Cruz v. Publix Super Markets, Inc.*, 428 F.3d 1379 (11th Cir. 2005)
NOV. 5 & 8:  - Fair Labor Standards Act
            - Drug Testing

**READINGS:**

NOV. 12, 15 & 19:  
- Workers compensation
- Non-Compete & Confidentiality Agreements

**READINGS:**
Guyton, Gregory P. “A Brief History of Workers’ Compensation”
Nike, Inc. v. McCarthy, 379 F.3d 576 (9th Cir. 2004)

NOV. 22:  NO CLASS (University Closed – Thanksgiving)

NOV. 26 & 29:  - Whistleblower Protection
                - Employment-related Torts

**READINGS:**

DEC. 3 & 6:  - Privacy Issues at the Workplace

**READINGS:**

DEC. 10:  FINAL EXAM (not cumulative)

*Date revised: 07/03/2012*