Employment Law

Instructor: Rosemarie Cipparulo, Esq.
Contact: rosecip@work.rutgers.edu
Course Number: 37:575:315:90
Semester: Fall 2012

Employment Law is a fully online course. Students requiring technical assistance should contact the help desk:

- **Using Pearson Learning Studio (eCollege) platform**: Course tools or addressing exam issues. Call toll free 24 hours a day, 7 days a week: 877-7RUTGER (877-778-8437) Email: help@ecollege.rutgers.edu

- **NetID or Rutgers email problems**: Call 732-445-HELP (4357)

- **Problems logging into the course**: Call Monday through Friday 9 am – 5 pm: 732-932-4702

**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.

**LSER Learning Objectives**
Employment Law addresses the following LSER Department learning outcomes:

- Demonstrate an understanding of the perspectives, theories, and concepts in the field of labor and employment relations.

- Make an argument in the field of labor and employment relations using contemporary and/or historical evidence.

- Communicate effectively in modes appropriate to labor & employment relations.

**Course Requirements**

**Reading, Audio/Video Assignments**

**Reading**

**Audio/Video**
Students are required to watch instructor generated and other video presentations. All video material is provided through links within the course shell.

**Writing Assignments**

The three writing assignments require students to reflect on course material, engage in online searches to connect employment law concepts with current events and perceptions, and develop/state opinions. Writing assignments are organized into three sections: overview, reflection, resources.

- **Writing Assignment #1**: Biography: Introduction & Connection with Employment Law Topics
- **Writing Assignment #2**: Contemporary Issues: Employment Discrimination
Writing Assignment #3: Contemporary Issues: Employee Rights

**Peer Review and Comment on Writing Assignments**

Students read and reflect on the content of each other’s writing assignments. Students exhibit their knowledge of employment law and critical thinking skills when defending their opinions shared within their comments.

A minimum of 8 comments on 8 separate #2 or #3 writing assignments is required.

**Exams**

Students complete 3 exams during the semester. Exams focus on required course material addressed in weeks listed below. Weeks 1/2 – 4: Assessed in exam 1 on week 4

Weeks 5 – 8: Assessed in exam 2 on week 9

Weeks 10 – 13: Assessed in exam 3 on week 14

Exams consist of true/false and multiple choice questions. Each exam is open for 3 days, during this period students may enter the online exam area to complete the exam. A 1 hour limit is set for each exam.

**Grading**

A final grade is based on a 1000 point system. Each assignment is worth a specific number of points. Total points accumulated determines final course grade.

**Writing Assignments:** Three writing assignments 450 points

**Writing Assignment Comments:** Eight comments 200 points

**Exams:** Three exams 350 points

Total Points: 1000

**Point Equivalent to Final Grade**

<table>
<thead>
<tr>
<th>Outstanding</th>
<th>Good</th>
<th>Satisfactory</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 - 900 Points = A</td>
<td>899 – 860 Points = B+ 7</td>
<td>99 – 760 Points = C+</td>
</tr>
<tr>
<td>859 – 800 Points = B</td>
<td></td>
<td>759 – 700 Points = C</td>
</tr>
</tbody>
</table>

**Poor**

699 - 600 Points = D 599 and below = F
POLICIES AND PROCEDURES

Class Sessions
☐ Students are expected to enter the course for the first time the first day of the semester.
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☐ The course week begins on Thursdays. A weekly message will be sent to each student as well as uploaded into the course weekly messages file in document sharing by 10 am Thursday. Information about content or assignment procedure is available within the weekly message.

☐ Each week is 7 days in length. Students may enter the course and engage in coursework at any time 24 hours a day, 7 days a week.

Due Dates

☐ Writing assignments must be completed by 11:59 pm Eastern Time. Deadlines are listed on the course calendar that available online.

☐ Writing assignment late penalties: up to 24 hours late (12 midnight – 11:59 pm Fridays) - 10% of the worth of the assignment; up to 48 hours late (12 midnight – 11:59 pm Saturdays) - 20% of the worth of the assignment. Writing assignments will not be accepted after the 48 hour late period.

☐ Exams must be completed within the 3 day open period. As students are given a three day period to complete the exam, no extensions are available.

CHECKING EMAIL

Instructor's Email Checking Policy

Unless you receive advance notification, I will check my email by 10:00 am Eastern Time every workday. If you send a comment or question, you will receive a response within 24 hours.

Students Email Checking Policy

It is the responsibility of the student to check for incoming course related messages at least 2 times a week. The weekly message is sent Thursday mornings. Students are advised to open and read the message on Thursdays.

COURSE SCHEDULE

Weeks 1 - 2

Topic: Course Overview
Reading
Syllabus, Calendar, Grading
Tech FAQs (Computer and Internet requirements, how to use course tools and request technical assistance)

Video
Instructor Welcome and Course Overview
**Topic:** Understanding the Court System

Reading
Internet Resource
"Understanding the Federal Courts" (http://www.uscourts.gov/FederalCourts.aspx)
"Welcome to the New Jersey Court System" (http://www.judiciary.state.nj.us/process.htm)

**Topic:** Anatomy of an Employment Lawsuit

Reading
Sample Complaint filed in NJ Superior Court
Internet Resource
Video
Instructor Created Overview (Prof. James Cooney)

**Assignment:**
Respond to Instructor’s Welcome Email – by Sunday, September 23.

**Week 3**
**Topic:** Remedies

Reading
Nutshell, pp. 531-553

Video
Instructor created overview (Prof. James Cooney)

**Topic:** Employment at Will & Exceptions

Reading
Nutshell, pp. 37-77

Video
Instructor created overview (Prof. James Cooney)

Assignment:
Writing Assignment #1 – by end of week 3
Biography: Introduction & Connection with Employment Law Topics

Week 4
Topic: Constitutional Issues

Reading
Nutshell, pp. 18-20, 173-198, 203-212

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

Internet Resource

Topic: Drug Testing

Reading

Assignment:
Exam 1: Exam open Saturday, February September 29 – Monday, 11:59 pm, October 1. Graded exam available after exam period closes.

Week 5
Topic: Title VII of the Civil Rights Act of 1964

Reading
Nutshell, pp. 229-264

Topic: Equal Employment Opportunity Commission (“EEOC”)

Reading
Sample EEOC Charge of Discrimination
Internet Resource
EEOC Website, “Filing a Charge of Discrimination” http://www.eeoc.gov/employees/charge.cfm

Video
Instructor created overview (Prof. James Cooney)

Assignment:
Choose Topic: Writing Assignment #2
Week 6

**Topic:** Race & Color Discrimination

**Reading**


**Topic:** National Origin Discrimination

**Reading**


**Assignment:**

Work on writing assignment #2

**Week 7**

**Topic:** Sexual Discrimination and Harassment

**Reading**


**Video**

Instructor created overview (Prof. James Cooney)

**Week 8**

**Topic:** Disability Discrimination

**Reading**


**Topic:** Religious Discrimination

**Reading**


**Assignment:**

Writing Assignment #2 – by end of week 8

Contemporary Issues: Employment Discrimination

**Week 9**

**Assignment:**

Exam 2 Preparation/Complete Exam

Exam 2: Exam open Thursday, November 1 – Saturday, 11:59 p.m. November 3. Graded exam available after exam period closes
Week 10
Topic: Whistleblower Protection

Reading

Topic: Employment Related Torts

Reading

Assignment:
Peer Comments on Writing Assignments – 4 of 8 Comments by the end of week 10

Week 11

Topic: Privacy Issues in the Workplace

Reading

Topic: Family & Medical Leave (FMLA and NJFLA)

Reading
Internet Resource
U.S. Department of Labor Fact Sheet #28, "The Family and Medical Leave Act of 1993"
(http://www.dol.gov/whd/regs/compliance/whdfs28.pdf)
N.J. Attorney General, "The New Jersey Family Leave Fact Sheet"
(http://www.state.nj.us/lps/dcr/downloads/flafactsheet.pdf)

Assignment:
Choose Topic: Writing Assignment #3
Contemporary Issues: Employee Rights

Week 12
Assignment:
Writing Assignment #3 – by end of week 12 Contemporary Issues: Employee Rights

Week 13

Topic: Worker’s Compensation

Reading
http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1888620/
**Topic:** Non-Compete & Confidentiality Agreements

**Reading**
Nike, Inc. v. McCarthy, 379 F.3d 576 (9th Cir. 2004)

**Assignment:**
Peer Comments on Writing Assignments – Final 4 comments by the end of week 13.

**Week 14**

Exam 3 Preparation/Complete Exam
Exam 3: Exam open Thursday, December 6 through 11:59 pm December 8. Graded exam available after exam period closes.