EMPLOYMENT DISCRIMINATION LAW (Fall 2012)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:316 (3 Credits)
Tuesdays & Fridays, 10:20 a.m. – 11:40 a.m.
Class Location: Lucy Stone Hall, Room B115, Livingston Campus
Tel: 848-932-8560; E-mail: jcooney@work.rutgers.edu
Office Hours: Before & after class or by appointment

Course Description: This course will survey the various laws that protect workers from discrimination based on protected categories including race, color, sex, religion, national origin, age, and disability. The course will also introduce students to the court system and to forums and procedures for litigating employment discrimination claims.

Grading Criteria:*  
(1) Mid-term Exam (50%)  
(2) Final Exam (50%)  
(*Credit is also earned for attendance and in-class contributions)

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

Class Schedule:

SEPT. 4: Course Overview

NO READINGS

SEPT. 7, 11: -How to Read & “Brief” Cases  
- Federal & State Court Systems  
- Anatomy of an Employment Discrimination Lawsuit  
- Remedies

READINGS:  
“Understanding the Federal Courts” (U.S. Courts.gov)  
“Welcome to the NJ Court System” (N.J. Judiciary website)  
“Remedies” (E.E.O.C. Website)

SEPT. 14, 18: -Reconstruction Civil Rights Act (Sections 1981 & 1983)

READINGS:  
Saint Francis College v. Al-Khazraji  
Patterson v. McLean Credit Union  
Robinson v. City of Pittsburgh
SEPT. 21, 25 & 28:  
- Title VII of the Civil Rights Act of 1964 ("Title VII")  
- Equal Employment Opportunity Commission ("EEOC")  
- Sex Discrimination & Harassment

**READINGS/MOVIE:**
*Price Waterhouse v. Hopkins*
*Jespersen v. Harrah’s Operating Co., Inc.*
*"Facts About Sexual Harassment" (EEOC Website)*
*Meritor Savings Bank v. Vinson*
*Movie: “North Country”*

OCT. 2 & 5:  
- Race & Color Discrimination

**READINGS:**
*“Facts About Race/Color Discrimination” (EEOC Website)*
*Chaney v. Plainfield Healthcare Center*
*Barrett v. Whirlpool*

OCT. 9, 12, 16:  
- National Origin Discrimination  
- Citizenship Requirements  
- Religious Discrimination

**READINGS:**
*EEOC v. Sephora USA, LLC.*
*TWA v. Hardison*

OCT. 19:  
MIDTERM EXAMINATION

OCT. 23, 30, NOV. 2:  
- Disability/Handicap Discrimination  
- Rehabilitation Act of 1973  
- Americans with Disabilities Act ("ADA")

**READINGS:**
*Arlene v. School Board*
*Chevron v. Echazabal*
*Viscik v. Fowler Equipment Co.*
NOV. 6 & 9:  
- Equal Pay Act ("EPA")  
- Age Discrimination in Employment Act ("ADEA")

**READINGS:**

*Ledbetter v. Goodyear*  
*O'Connor v. Consolidated Coin Caterers Corp.*

NOV. 13, 16 & 20:  
- Pregnancy Discrimination Act ("PDA")  
- Use of Genetic Information  
- Retaliation

**READINGS:**

*International Unions v. Johnson Controls, Inc.*  
"Genetic Information Discrimination" (EEOC Website)  
*Thompson v. North American Stainless, LP*

NOV. 23:  
NO CLASS (University Closed – Thanksgiving Break)

NOV. 27 & 30:  
Height & weight restrictions  
Arbitration of discrimination claims

**READINGS:**

*Dothard v. Ralinson*  
*Wright v. Universal Maritime Service Corp.*

DEC. 4 & 7:  
Credit and background checks  
Drug and alcohol use

**READINGS:**

*Eli v. Southeastern PA Transit*  
*NYC Transit v. Beazer*  
*Raytheon v. Hernandez*

DEC. 11:  
FINAL EXAM (not cumulative)

*(Date revised: 09/03/2012)*