EMPLOYMENT LAW (Spring 2013)
(Thursday Night Class)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315:06 (3 Credits)
Thursdays, 7:15 p.m. – 10:05 p.m.
Class Location: Cook/Douglass Lecture Hall, Room 103, Douglass/Cook 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%)
(*Credit is also earned for attendance and in-class contributions. Please note that
excessive unexcused absences will lower your grade. Unexcused absences in excess of 3
classes may result in a failing grade.)

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.

Academic Integrity: The conduct of all students is governed by the Rutgers University
Academic Integrity Policy:

Class Schedule:

JAN. 24: - Course Overview

NO READINGS

JAN. 31: - How to Find, Read, and “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)
FEB 7:  -Employment at Will & Exceptions

**READINGS:**

FEB 14:  -Constitutional Issues

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

FEB 21:  -Title VII of the Civil Rights Act of 1964
-Equal Employment Opportunity Commission (“EEOC”)
-Race & Color Discrimination

**READINGS:**
McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)

FEB 28:  -National Origin Discrimination
-Religious Discrimination

**READINGS:**

MAR 7:  MIDTERM EXAMINATION

MAR 14:  -Disability Discrimination

**READINGS:**
Moorer v. Baptist Memorial, 6th Cir. No, 03-5855 (2/11/2005)

MAR 21:  NO CLASS (Spring Break)

MAR 28:  -Family & Medical Leave (FMLA and NJFLA)
-Sex Discrimination and Harassment

**READINGS:**
Cruz v. Publix Super Markets, Inc., 428 F.3d 1379 (11th Cir. 2005)
APR. 4: Movie: “North Country”

NO READINGS

APR. 11: - Fair Labor Standards Act
- Drug Testing

READINGS:

APR. 18: - Workers’ Compensation
- Non-Compete & Confidentiality Agreements
- Whistleblower Protection

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

APR. 25: - Employment-related Torts
- Privacy Issues at the Workplace

READINGS:

MAY 2: FINAL EXAM (not cumulative)

(Date revised: 01/20/2013)