EMPLOYMENT LAW
(Fall 2014)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315:04 (3 Credits)
Saturday, 9:00 a.m. – 11:55 a.m.
Class Location: Ruth Adams Building, Room 206, 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%)
(*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/or “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:

Laptop/Recording Policy: Students are permitted to bring and use laptop computers in class, for taking notes and viewing class readings. However, please do not engage in laptop-related activities that may distract other students. Students are not permitted to record, videotape, or photograph any classroom lecture or activity, absent prior express consent and authorization by the Instructor.
Class Schedule:

SEPT. 6:  - Course Overview  
          - How to Find, Read, and “Brief” Cases  
          - Federal & State Court Systems

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

SEPT. 13:  - Anatomy of an Employment Lawsuit  
           - Remedies  
           - Employment at Will & Exceptions

READINGS:  

SEPT. 20:  - Constitutional Issues

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

SEPT. 27:  - 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)  

OCT. 4:  - Sex Discrimination and Harassment

READINGS:  

OCT. 11:  - Polygraphs & Psychological Testing  
           - Workers’ Compensation

READINGS:  
Polkey v. Transtecs Corp., 404 F.3rd 1264 (11th Cir. 2005)  
Karraker v. Rent Center Inc., No. 04-2881 (7th Cir. 2005)  
“A Brief History of Workers’ Compensation”
OCT. 18: MIDTERM EXAM

OCT. 25: Movie: “North Country”

NO READINGS

NOV. 1: -Family & Medical Leave (FMLA and NJFLA)

READINGS:
*Cruz v. Publix Super Markets, Inc.*, 428 F.3d 1379 (11th Cir. 2005)

NOV. 8: -Drug Testing
-Non-Compete & Confidentiality Agreements

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

NOV. 15: -Whistleblower Protection
-Employment-related Torts

READINGS:

NOV. 22: -Privacy Issues at the Workplace

READINGS:

NOV. 29: NO CLASS (University Closed – Thanksgiving Break)

DEC. 6: FINAL EXAM (not cumulative)

(Date revised: 08/23/2014)