

**AMERICAN LABOR LAW**  
37:575:340:02/38:578:550:01  
Fall 2014  
Sundays, 10:00 a.m. – 12:50 p.m.

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Office Hours: by appointment  
Class Location: Labor Education Center, Cook/Douglass Campus, Room 115

This course provides an overview of American labor law, including the law relating to union organizing, collective bargaining, contract enforcement, strikes, and relations between unions and their members. The purpose is to provide a basic overview of the legal system and legal doctrines that govern labor relations in the United States and to bring some critical analysis to bear on these institutions and practices.

Texts:

- (1) Peter DeChiara, *Text for American Labor Law Course* (available on Sakai)
- (2) Michael Gold, *An Introduction To Labor Law, Revised* (1998) (Cornell University Press) (available at the Rutgers Bookstore, as well as from other vendors)

Course Requirements:

Class attendance is required.

Students are required to do the reading for each class in *advance* of class and be prepared to discuss it during class. Class discussion will be based on a close reading of legal materials, so it is necessary for students to bring the assigned reading material to class.

There will be an in-class mid-term exam and an in-class second (final) exam.

Grades will be based on performance on the two exams and on class participation/attendance.

Class #1 (Sept. 7) -- Introduction to the course and to the American legal system  
DeChiara, Introduction, pp.1-4

Class #2 (Sept. 14)-- Historical Background of American Labor Law  
Gold, Chapter 1 (pp.1-4)  
DeChiara, Chapter 1 and, in the Appendix of Statutes (pp.245-46), the excerpts of the United States Constitution, the Sherman Antitrust Act and the Norris-LaGuardia Act

Class #3 (Sept. 21) -- The National Labor Relations Act  
Gold, Chapter 2 (pp.5-7, bottom of p.11-middle p.14, p.17), Chapter 3 (pp.18-21)  
DeChiara, Chapter 2 and, in the Appendix of Statutes (pp.246-248), Sections 1, 2 and 7 of the National Labor Relations Act. Also, look at NLRB forms (pp.229-30).

Class #4 (Sept. 28) -- Protection of Concerted Employee Activity  
Gold, Chapter 4 (only pp. 28-29 “Solicitation on Company Property” section)  
DeChiara, Chapter 3 and, in the Appendix of Statutes (p.248), Section 8(a) of the National Labor Relations Act

Class #5 (Oct. 5) -- Creation of the Bargaining Relationship/Preparation for Mid-Term  
Gold, Chapter 3, only from p.21 (starting at “Representation Cases”) to p.23 (up to but not including “Decertification Cases”), Chapter 4, pp. 26-31 (up to but not including “Polls”)  
DeChiara, Chapter 4 and, in the Appendix of Statutes (p.249), Sections 8(c) and 9(a) of the National Labor Relations Act

Class #6 (Oct. 12) -- In-Class Mid-Term Exam

Class #7 (Oct. 19) -- The Collective Bargaining Process  
Gold, Chapter 5 (pp.39-48)  
DeChiara, Chapter 5 and, in the Appendix of Statutes (pp.248-49), Sections 8(a)(5), 8(b)(3) and 8(d) of the National Labor Relations Act

Class #8 (Oct. 26)-- Use of Economic Weapons  
Gold, Chapter 6 (pp.49-56)  
DeChiara, Chapter 6

Class #9 (Nov. 2) -- Enforcement of Collective Bargaining Agreements  
Gold, Chapter 7 (pp.57-59, 63-top of p.66)  
DeChiara, Chapter 7 and Article XI and XII of Sample Collective Bargaining Agreement (pp.209-10).

Class #10 (Nov. 9) -- Relationship between Unions And Employees  
Gold, pp.7-9 (“Duty of Fair Representation”), pp.14-16 (“Union Security”)  
DeChiara, Chapter 8 and, in the Appendix of Statutes (pp.250-51), Sections 101 and 102 of the Labor-Management and Reporting and Disclosure Act

Class #11 (Nov. 16) -- Public Sector Labor Law  
DeChiara, Chapter 9 and sample interest arbitration award (pp.231-44)  
Interest arbitration exercise.

Class #12 (Nov. 23) -- Labor Law Reform; Review for Second Exam  
DeChiara, Chapter 10; Supplemental reading on Sakai (“State of Working America” slides)

Class #13 (Dec. 7) – In-Class Final Exam