Employment Law
Instructor: Rosemarie Cipparulo, Esq.
Contact: rosecip@work.rutgers.edu
Course Number: 37:575:315:T1/T2
Semester: Summer 2014

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**

Two 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. Students will choose a topic for their second writing assignment early in the semester. 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 or Employee Rights
Half the class will submit their second writing assignment, designated as writing assignment 2A, on July 8 while the other half of the class will submit their second writing assignment, designated as 2B on July 30.

**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 4 separate comments on 4 different writing assignments 2A and 4 separate comments on 4 separate writing assignments 2B are required. All students will make 4 comments on both writing assignments 2A and 2B.

**Forums**
There will be 2 forums or threaded discussions. The first forum will begin in week 4 of the class and the second will begin in week 10. Students will be required to make three substantive comments in each forum. The forums will be based on topics of particular interest in the field of employment law.

**Exams**
Students complete 2 exams during the semester. Exams focus on required course material addressed in weeks listed below. Weeks 1 – 7: Assessed in the mid-term exam in week 7 of the class.

Weeks 8 – 11: Assessed in the final exam in week 12.

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:** Two writing assignments 370 points

**Writing Assignment Comments:** Eight comments 160 points

**Two Forums:** Six Comments 120 points

**Exams:** Two exams 350 points

Total Points: 1000
Point Equivalent to Final Grade

<table>
<thead>
<tr>
<th>Grade</th>
<th>Points Range</th>
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</thead>
<tbody>
<tr>
<td>Outstanding</td>
<td>1000 - 900 Points = A</td>
</tr>
<tr>
<td>Good</td>
<td>899 – 860 Points = B+</td>
</tr>
<tr>
<td>Satisfactory</td>
<td>99 – 760 Points = C+</td>
</tr>
<tr>
<td>Poor</td>
<td>699 - 600 Points = D</td>
</tr>
<tr>
<td></td>
<td>599 and below = F</td>
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</tbody>
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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 Tuesdays. 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 Tuesday**. 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 the day the assignment is due. Deadlines are listed on the course calendar that is available online.

☐ Writing assignment late penalties: up to 24 hours late (12 midnight – 11:59 pm Fridays) - 10% of the value of the assignment; up to 48 hours late (12 midnight – 11:59 pm Saturdays) - 20% of the value 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 Tuesday mornings. Students are advised to open and read the message on Tuesdays.

**COURSE SCHEDULE**

**Weeks 1 - 2**

**Topic 1:** 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 (Prof. James Cooney)

**Topic 2:** Understanding the Court System  
**Reading**  
Internet Resource  
"Welcome to the New Jersey Court System" ([http://www.judiciary.state.nj.us/process.htm](http://www.judiciary.state.nj.us/process.htm))

**Topic 3:** Anatomy of an Employment Lawsuit  
**Reading**  
Sample Complaint filed in NJ Superior Court  
Internet Resource  
**Video**  
Instructor Created Overview (Prof. James Cooney)

**Assignment:**  
Writing Assignment #1 – by end of week 2 (11:59 p.m. June 9)  
Biography: Introduction & Connection with Employment Law Topics

Choose Topic: Writing Assignment #2A and 2B by June 3

**Week 3**  
**Topic 1:** Remedies  
**Reading**  
Nutshell, pp. 531-553
Video
Instructor created overview (Prof. James Cooney)

**Topic 2:** Employment at Will & Exceptions

**Reading**
Nutshell, pp. 37-77


Video
Instructor created overview (Prof. James Cooney)

**Week 4**

**Topic 1:** 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 2:** Drug Testing

**Reading**

**Assignment:**
*Forum #1 begins June 17. First comment due June 20 and all three comments due by 11:59 p.m. June 23.*

**Week 5**

**Topic 1:** Title VII of the Civil Rights Act of 1964

**Reading**
Nutshell, pp. 229-264

**Topic 2:** 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)

**Topic 3:** Race & Color Discrimination

**Reading**
- McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)

**Assignment:**
Students who chose a topic from the first part of the semester should work on writing assignment #2A

**Week 6**

**Topic 1:** National Origin Discrimination

**Reading**

**Topic 2:** Disability Discrimination

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

**Topic 3:** Religious Discrimination

**Reading**

**Assignment:**
Writing assignment #2A due by 11:59 p.m. July 7.

**Week 7**

**Topic 1:** Sexual Harassment and Discrimination

**Reading**

Mid-term exam


**Week 8**
**Topic 1:** Whistleblower Protection

Reading

**Topic 2:** Employment Related Torts

Reading

Assignment:
Peer Comments on Writing Assignment #2A – 4 Comments by the end of week 8 – 11:59 p.m. July 21

**Week 9**

**Topic 1:** Privacy Issues in the Workplace

Reading

**Topic 2:** Workplace Bullying

Reading
New Jersey Healthy Workplace Act
Website – Pending Healthy Workplace Legislation May Put NJ, NY and Illinois Employers at Risk
http://www.natlawreview.com/node/2515

Website – Proposed Legislation Stands Up To Workplace Bullies
http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202573109680&Proposed_Legislation_Stands_Up_to_Workplace_Bullies&slreturn=20130022095250

**Topic 3:** 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:
Forum #2 opens at 12:01 a.m. July 22 and closes 11:59 p.m. July 28

**Week 10**

**Topic 1:** Non-Compete & Confidentiality Agreements

Reading
Nike, Inc. v. McCarthy, 379 F.3d 576 (9th Cir. 2004)
**Topic 2:** Worker’s Compensation

**Reading**
http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1888620/

**Assignment:** Writing assignment #2B for those students who chose a topic from the second half of the semester is due by 11:59 p.m. July 29

**Week 11**  
**Assignment:** All 4 peer comments on writing assignment #2B due by 11:59 p.m. August 5

**Final Exam Preparation/Complete Exam**

Final exam open 12:01 a.m. Saturday, August 9 through 11:59 pm Monday, August 11. Graded exam available after exam period close.