EMPLOYMENT DISCRIMINATION LAW
(Spring 2014)
(Tuesday Night Class)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:316:02 (3 Credits)
Tuesdays, 7:15 p.m. – 10:05 p.m.
Class Location: Loree Classroom-Office Building, Room 024, Douglass/Cook 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. 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 are found in the Sakai Announcements section. 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:**

JAN. 21: Course Overview

**NO READINGS**

JAN. 28: - 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)

FEB. 4:  - Reconstruction Civil Rights Act (Sections 1981 & 1983)

**READINGS:**

Saint Francis College v. Al-Khazraji  
Patterson v. McLean Credit Union  
Robinson v. City of Pittsburgh

FEB. 11:  - Title VII of the Civil Rights Act of 1964 (“Title VII”)  
- Equal Employment Opportunity Commission (“EEOC”)  
- Sex Discrimination & Harassment

**READINGS:**

Price Waterhouse v. Hopkins  
Jespersen v. Harrah’s Operating Co., Inc.  
“Facts About Sexual Harassment” (EEOC Website)  
Meritor Savings Bank v. Vinson

FEB. 18:  - Race & Color Discrimination

**READINGS:**

“Facts About Race/Color Discrimination” (EEOC Website)  
Chaney v. Plainfield Healthcare Center  
Barrett v. Whirlpool
FEB. 25:  
- National Origin Discrimination  
- Citizenship Requirements  
- Religious Discrimination  

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

MAR. 4:  
MIDTERM EXAMINATION

MAR. 11:  
- Disability/Handicap Discrimination  
- Rehabilitation Act of 1973  
- Americans with Disabilities Act (“ADA”)  

READINGS:  
Arline v. School Board  
Chevron v. Echazabal  
Viscik v. Fowler Equipment Co.

MAR. 18:  
NO CLASS (Spring Break)

MAR. 25:  
- Movie: “Philadelphia”  

NO READINGS

APRIL 1:  
- Equal Pay Act (“EPA”)  
- Age Discrimination in Employment Act (“ADEA”)  

READINGS:  
Ledbetter v. Goodyear  
O’Connor v. Consolidated Coin Caterers Corp.

APRIL 8:  
- 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
APRIL 15:  
- Height & weight restrictions  
- Arbitration of discrimination claims  

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

APRIL 22:  
- Credit and background checks  
- Drug and alcohol use  

**READINGS:**  
*El v. Southeastern PA Transit*  
*Raytheon v. Hernandez*

APRIL 29:  
FINAL EXAM (not cumulative)

(Date revised: 01/14/2014)