EMPLOYMENT DISCRIMINATION LAW (Spring 2013) (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

<u>Course Description:</u> 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.)

<u>Course Materials:</u> Course reading materials may be found in the Sakai Announcements section. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

<u>Academic Integrity:</u> The conduct of all students is governed by the Rutgers University Academic Integrity Policy:

http://academicintegrity.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf

Class Schedule:

JAN. 22: Course Overview

NO READINGS

JAN. 29: -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. 5: -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. 12: -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. 19: -Race & Color Discrimination

READINGS:

"Facts About Race/Color Discrimination" (EEOC Website) Chaney v. Plainfield Healthcare Center Barrett v. Whirlpool

FEB. 26: -National Origin Discrimination

-Citizenship Requirements -Religious Discrimination

READINGS:

EEOC v. Sephora USA, LLC. Espinoza v. Farah Mfg. Co. TWA v. Hardison

MAR. 5: MIDTERM EXAMINATION

MAR. 12: -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. 19: NO CLASS (Spring Break)

MAR. 26: -Equal Pay Act ("EPA")

-Age Discrimination in Employment Act ("ADEA")

READINGS:

Ledbetter v. Goodyear

O'Connor v. Consolidated Coin Caterers Corp.

APRIL 2: -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 9: -Movie: "Philadelphia"

NO READINGS

APRIL 16: -Height & weight restrictions

-Arbitration of discrimination claims

READINGS:

Dothard v. Ralinson

Wright v. Universal Maritime Service Corp.

APRIL 23: -Credit and background checks

-Drug and alcohol use

READINGS:

Eli v. Southeastern PA Transit

NYC Transit v. Beazer Raytheon v. Hernandez

APRIL 30: FINAL EXAM (not cumulative)

(Date revised: 01/20/2013)