EMPLOYMENT DISCRIMINATION LAW (Fall 2012)

Instructor: James M. Cooney, Esq.

Rutgers University, Labor Studies & Employment Relations Department, SMLR

Course #37:575:316 (3 Credits)

Tuesdays & Fridays, 10:20 a.m. – 11:40 a.m.

Class Location: Lucy Stone Hall, Room B115, Livingston 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)

<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.

Class Schedule:

SEPT. 4: Course Overview

NO READINGS

SEPT. 7, 11: -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)

SEPT. 14, 18: -Reconstruction Civil Rights Act (Sections 1981 & 1983)

READINGS:

Saint Francis College v. Al-Khazraji Patterson v. McLean Credit Union Robinson v. City of Pittsburgh SEPT. 21, 25 & 28: -Title VII of the Civil Rights Act of 1964 ("Title VII")

-Equal Employment Opportunity Commission ("EEOC")

-Sex Discrimination & Harassment

READINGS/MOVIE:

Price Waterhouse v. Hopkins

Jespersen v. Harrah's Operating Co., Inc.

"Facts About Sexual Harassment" (EEOC Website)

Meritor Savings Bank v. Vinson

Movie: "North Country"

OCT. 2 & 5: -Race & Color Discrimination

READINGS:

"Facts About Race/Color Discrimination" (EEOC Website)

Chaney v. Plainfield Healthcare Center

Barrett v. Whirlpool

OCT. 9, 12, 16: -National Origin Discrimination

-Citizenship Requirements

-Religious Discrimination

READINGS:

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

TWA v. Hardison

OCT. 19: MIDTERM EXAMINATION

OCT. 23, 30, NOV. 2:-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.

NOV. 6 & 9: -Equal Pay Act ("EPA")

-Age Discrimination in Employment Act ("ADEA")

READINGS:

Ledbetter v. Goodyear

O'Connor v. Consolidated Coin Caterers Corp.

NOV. 13, 16 & 20: -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

NOV. 23: NO CLASS (University Closed – Thanksgiving Break)

NOV. 27 & 30: Height & weight restrictions

Arbitration of discrimination claims

READINGS:

Dothard v. Ralinson

Wright v. Universal Maritime Service Corp.

DEC. 4 & 7: Credit and background checks

Drug and alcohol use

READINGS:

Eli v. Southeastern PA Transit

NYC Transit v. Beazer Raytheon v. Hernandez

DEC. 11: FINAL EXAM (not cumulative)

(Date revised: 09/03/2012)