SCHOOL OF MANAGEMENT AND LABOR RELATIONS
DEPARTMENT OF LABOR STUDIES & EMPLOYMENT RELATIONS

EMPLOYMENT LAW

PROFESSOR VIKRANT KISHIN ADVANI

SPRING SEMESTER - 2012
COURSE NUMBER: 37:575:315, SECTION NUMBER: 01
RUTH ADAMS BLDG, ROOM 208
MONDAYS – 10:55 A.M. TO 1:55 P.M.

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COURSE OBJECTIVES

- To familiarize students with the judicial legal process and reasoning;

- To examine fundamental issues of employment law, including: the employment at-will doctrine and its exceptions; the various rights, duties and responsibilities employees and employers have towards each other and the general public; and employment discrimination on the basis of race, color, sex, national origin, religion, disability and age. Additional issues may, time willing, include worker protections such as the Family Medical Leave Act, the Fair Labor Standards Act, and Worker's Compensation

- To provide students with the tools for further study of employment regulation.

COURSE REQUIREMENTS

- This is an introductory undergraduate course in employment law. However, it emphasizes student participation and group discussion. Students will be held responsible for reading and understanding all assigned materials, as well as participating fully in all class discussions. Attendance is a must, and failure to attend class will result in a poor "Class Attendance & Participation" grade.

GRADE CRITERION

Class Attendance and Participation (15%)
In Class Mid-term Exam (40%)
In Class Final Exam (45%)

COURSE MATERIALS

- *Principles of Employment Law*, Smith, Hodges, Stabile, and Gely, Concise Hornbooks, ISBN: 978-0-314-16877-1
- In addition, course reading materials are only available on Sakai. Please be sure to print them out. The reading selections are mostly cases, but may also consist of self-explanatory handouts, which have been selected by me from several internet websites.

CLASS SCHEDULE

CLASS 1:
1/23/12

Course Overview
The U.S. Court System
Anatomy of a case
How to Read Cases

READINGS

Handout: *U.S. Court System (Diagram)*
Handout: *New Jersey Court Structure (Diagram)*
Handout: *Supreme Court of New Jersey (Photo)*
Handout: *Current U.S. Supreme Court Justices (2 pages)*
Handout: *How does our Court System Work? (3 pages)*

CLASS 2:
1/30/12

Employment at Will, Just Cause & the Contract Exception

READINGS:

Pages 20-38 (Read up to § 2.5.4)
Handout: *What is Just Cause?(1 page)*
Handout: *Contracts, generally. (1 page)*

CLASS 3:
2/6/12

Employment at Will, Just Cause & the Contract Exception, cont'd

Handout: *Woolley v. Hoffman-LaRoche, Inc.,* 99 N.J. 284 (1985) (6 pages)
Handout: *Savarese v. Pyrene,* 9 N.J. 595 (1952) (18 pages)

CLASS 4:
2/13/12

Employment at Will & the Tort Exception

READINGS:

Pages 40-54 (Read from § 2.6.1 to § § 2.6.1.5)
Handout: *Pierce v. Ortho,* 84 N.J. 58 (1990) (18 pages)

CLASS 5: 2/20/12

Employment at Will & the Tort Exception, cont'd
The Whistleblower Statutory Exception
Intentional Infliction of Emotional Distress

READINGS:

Pages 40-54 (Read from § 2.6.1 to § § 2.6.1.5)
Handout: *New Jersey Whistleblower Claims (3 pages)*
Pages 60-63 (Read from § 2.6.2 to § § 2.6.3)
Handout: *Intentional Infliction of Emotional Distress (1 page)*

CLASS 6: 2/27/11

Employee Privacy in the Workplace: Subtopics: Employee Drug Testing and Monitoring

READINGS:

Handout: *Privacy in the Workplace (8 pages)*
Handout: *Fact Sheet: Workplace Privacy and Employee Monitoring (20 pages)*
REVIEW FOR MIDTERM

CLASS 7: 3/5/12

IN CLASS CLOSED BOOK MIDTERM
(MULTIPLE CHOICE AND SHORT ANSWER)
(40%) OF FINAL GRADE)

SPRING BREAK 3/10/12-3/18/12

CLASS 8: 3/19/12

The New Jersey Law Against Discrimination
Title VII of the Civil Rights Act of 1964
Americans with Disabilities Act
Age Discrimination in Employment Act

READINGS:

Handout: *Discrimination Laws & Disparate Treatment (4 pages).*
McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)

CLASS 9: 3/26/12

Equal Employment Opportunity Commission ("EEOC")
The New Jersey Division on Civil Rights ("NJDCR")
National Origin Discrimination
English only" cases

READINGS:

Handout: *Equal Employment Opportunity Commission & The New Jersey Division On Civil Rights – Procedures & Filing Issues (2 pages)*

Garcia v. Spun Steak Company, 998 F.2d 1480 (1993)
EEOC v. Premier, 113 F.Supp. 1066 (N.D.Texas 2000)

CLASS 10: 4/2/12 — Sex Discrimination and Harassment

READINGS:

Handout: *Sexual Harassment (2 pages)*
Lehmann v. Toys 'R' Us, Inc., 132 N.J. 587 (1993)

CLASS 11: 4/9/12 — Family Medical Leave Act ("FMLA")
NJ Family Leave Act ("FLA")

READINGS:

Handout: *Navigating the Waters of Leaves of Absence Laws (2 pages)*
Handout: *The Family & Medical Leave Act (3 pages)*
Pages 177 - 184 (§ 5.2.1 to § 5.3)

CLASS 12: 4/16/12 — Fair Labor Standards Act
Rights of Undocumented Workers

READINGS:

Pages 154 - 157 (§ 5.1.2.2.2 to § 5.1.2.3.1)
Pages 160 - 166 (§ 5.1.2.3.3 to § 5.1.2.4.2)
Handout: *Courts continue rejecting Defendants' Post-Hoffmann Inquiries into Plaintiff's Immigration status (2 pages)*
Handout: *Illegal Immigrants Deserve Protection of American Labor Law (2 pages)*
Handout: *Do Undocumented Workers have Rights to Unpaid Overtime Compensation (3 pages)*

CLASS 13: 4/23/12 — Unemployment Compensation
Workers Compensation

READINGS:

Pages 215 - 229 (§ 5.4 to § 5.5)
Pages 235 - 254 (§ 6.1 to § 6.2)
Handout: *New Jersey Unemployment Law (4 pages)*

CLASS 14:	Occupational Safety & Health Act
4/30/12	REVIEW FOR FINAL

READINGS:

Pages 254 - 269 (§ 6.2 to end of chapter)

FINAL DATE:	IN CLASS CLOSED BOOK FINAL (MULTIPLE CHOICE AND SHORT ANSWER) (45%) OF FINAL GRADE