EMPLEYMENT LAW (Fall 2011) – M & TH Day Class

Instructor: James M. Cooney
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315:01 (3 Credits)
Mondays & Thursdays, 9:15 a.m. – 10:35 a.m.
Class Location: Loree Classroom-Office Building, Room 020
Tel: 732-932-8560; E-mail: jcooney@work.rutgers.edu
Office Hours: Before & after class or by appointment

Course Description: The course will examine fundamental issues of employment law, including study of civil rights statutes prohibiting employment discrimination on the basis of race, color, sex, national origin, religion, and disability. Additional issues will include constitutional and whistle-blower protections, employment-at-will, and privacy.

Grading Criteria:
(1) Mid-term Exam (50%)
(2) Final Exam (50%)
(*While class participation is not part of the grading criteria per se, the Instructor reserves the right to adjust student grades based on attendance and in-class contributions)

Course Materials: Course reading materials will be made available on Sakai. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections by way of handouts or otherwise.

Class Schedule:

SEPT. 1 & 8:
- Course Overview
- How to Find and Read Cases
- Federal & State Court Systems

NO READINGS

SEPT. 12 & 15:
- Anatomy of an Employment Lawsuit
- Remedies
- Employment at Will & Exceptions
- Implied Employment Contracts

READINGS:
Duke University, 100 LA 316 (Arb. Hooper 1993)
SEPT. 19 & 22:
-Constitutional Issues

**READINGS:**
City of Ontario v. Quon, U.S. No. 08-1332 (06/17/2010)

SEPT. 26 & 29:
-Title VII of the Civil Rights Act of 1964
-Equal Employment Opportunity Commission ("EEOC")
-Race & Color Discrimination

**READINGS:**
McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)

OCT. 3 & 6:
-National Origin Discrimination
-"English only" cases

**READINGS:**

OCT. 10 & 13:
-Religious Discrimination

**READINGS:**

OCT. 17: MIDTERM EXAMINATION

OCT. 20, 24 & 27:
-Sex Discrimination and Harassment

**READINGS:**
OCT. 31:
- Gender Stereotyping
- Sexual Orientation Discrimination

**READINGS:**
*Jespersen v. Harrah’s*, 9th Cir. No. 03-15045 (12/28/2004)
*DeSantis v. Pacific Tel.*, 608 F.2d 327 (9th Cir. 1979)

NOV. 3 & 7:
- Pregnancy Discrimination
- Family Medical Leave Act (“FMLA”)

**READINGS:**
*Cleveland Bd. of Ed. v. LaFleur*, 414 U.S. 632 (1974)

NOV. 10, 14 & 17:
- Disability Discrimination
- Rehabilitation Act
- Americans with Disabilities Act (“ADA”)

**READINGS:**

[NOV. 24: NO CLASS (University Closed – Thanksgiving)]

NOV. 22, 28 & DEC. 1:
- Whistleblower Protection
- Employment-related Torts

**READINGS:**

DEC. 5 & 8: - Privacy Issues at the Workplace

**READINGS:**

DEC. 12: FINAL EXAM (not cumulative)

(Date prepared: 08/18/2011)
(NOTE: This Syllabus is subject to modification)