EMPLOYMENT LAW
Course No. 37-575-315-80

SYLLABUS

SPRING 2012

Professor Brian J. Manetta, Esq.
Tel. 732-636-0040
Email: bmanetta@msmlaborlaw.com
Course Location: Busch Campus, Science and Engineering Resource Center, Room 103
Office Hours: Before or after class or by appointment

COURSE DESCRIPTION: This course will provide an overview of the laws governing the employment relationship. The course will cover major issues in employment law, including but not limited to the employment at will doctrine, employee privacy, employment discrimination and employment torts, as well as statutory and common law protection for working men and women.

GRADING AND EVALUATION:
Midterm examination: 40% of grade
Final examination: 40% of grade
Attendance and participation: 20% of grade

The final examination will not be cumulative

ATTENDANCE: Students are expected to attend and be prepared for all class sessions. Unexcused absences will be detrimental to student grades. Students are also expected to be prepared and participate fully in class discussions.

BOOKS/READINGS:
Labor and Employment Law: Text and Cases (14th Ed.) by David P. Twomey (“Twomey”)

Supplemental readings will be posted on SAKAI. Students are responsible to check SAKAI for additional readings prior to each class session.
COURSE SCHEDULE

Week 1
1/23/2012
Introduction and course overview
An introduction to the court system
How to find and read a case

READINGS:
Text, pp. 18-19, 23-30
On SAKAI:
Understanding the Federal Courts
Welcome to the New Jersey Court System

Week 2
1/30/2012
Employment at will

READINGS:
Text, pp. 583-604
On SAKAI:
Principles of Employment Law, by Peggie R. Smith, et. al., Chap. 1

Week 3
2/6/2012
Employment torts

READINGS:
Text, pp. 604-613
On SAKAI:
Gibson v. Kennedy, 23 N.J. 150 (1957)
Restatement (Second) of Agency, §228
Restatement (Second) of Agency, §229
Summary Judgment brief in Evans v. Jenkins

Week 4
2/13/2012
Employee privacy

READINGS:
Text, pp. 615-660

Week 5
2/20/2012
Employment Discrimination

READINGS:
Text, pp. 387-462
On SAKAI:
McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)
Week 6  
2/27/2012  The employment lawsuit, procedures and remedies  
Review for midterm examination  

READINGS:  
Text, pp. 463-514  

Week 7  
3/5/2012  MIDTERM EXAMINATION  
3/12/2012  SPRING BREAK  

Week 8  
3/19/2012  Age and Disability Discrimination  

READINGS:  
Text, pp. 515-582  

Week 9  
3/26/2012  Wage and hour laws, unemployment compensation  

READINGS:  
Text pp. 661-677  
On SAKAI:  
Principles of Employment Law, by Peggie R. Smith, et. al., Chap. 5  

Week 10  
4/2/2012  Family Medical Leave (FMLA, NJ FLA)  
Workers Compensation  

READINGS:  
Text, pp. 563-577  
On SAKAI:  
New Jersey Employment Law, by Rosemary Alito, Ch. 6  

Week 11  
4/9/2012  Whistleblower Protection  

READINGS:  
Text, pp. 596-599  
On SAKAI:  
New Jersey Employment Law, by Rosemary Alito, Ch. 2, Section III  
Selected excerpts from the New Jersey Conscientious Employee Protection Act, N.J.S.A. 34:19-1, et. seq.  
Week 12
4/16/2012 Constitutional issues

READINGS: On SAKAI:
City of Ontario v. Quon, U.S. No. 08-1332 (06/17/2010)
Principles of Employment Law, by Peggie R. Smith, et. al., pp. 72-80

Week 13
4/23/2012 Safety and Health

READINGS: Text, pp. 353-386

Week 14
4/30/2012 Review for final examination

Week 15 FINAL EXAMINATION