IMMIGRANT WORKERS & THEIR RIGHTS (Spring 2012)

Instructor: James M. Cooney, Esq.

Rutgers University, Labor Studies & Employment Relations Department

Course #37:575:320:01 (3 Credits) Wednesdays, 7:15 PM – 10:05 PM

Class Location: Cook/Douglass Lecture Hall, Room 109 Tel: 732-932-8560; E-mail: jcooney@work.rutgers.edu Office Hours: Before & after class or by appointment

SAS Core Curriculum Generic Rubrics: By the end of the course, a student will be able to: (a) analyze the degree to which forms of human difference shape a person's experiences of and perspectives of the world; and (d) analyze issues of social justice across local and global contexts.

<u>Course Description:</u> The course will examine the subject of immigrant workers in the United States and the various legal protections available to them. Subjects will include overview of relevant immigration, employment, and labor laws; debate over U.S. immigration policy; and review of selected court decisions affecting immigrant workers.

Grading Criteria:*

- (1) Mid-term Exam (45%)
- (2) Final Exam (45%)
- (3) Quizzes (10%)

(*Final grades may also be adjusted based on attendance and in-class contributions. There is no extra credit.)

<u>Course Materials:</u> No textbook. Course reading materials will be made available online via Sakai. The Instructor reserves the right to supplement, substitute, and/or modify the reading selections by way of handouts or otherwise.

<u>Course Requirements</u>: Students are expected to regularly attend class and to read the course materials prior to class. To help transform this expectation into reality, students will take 2-4 (to be determined) short quizzes on the reading materials, prior to covering the materials in class, on dates to be announced.

Class Schedule:

JAN. 18: -Course Overview

- History & Overview of U.S. Immigration System

READINGS:

-Timeline of U.S. Policy on Immigration and Naturalization

JAN. 25: -U.S. Citizenship Status

READINGS:

- -U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)
- -Reports on Birthright Citizenship Reform Proposals (Immigration Policy Center, 01/04/2011)
- -"U.S. Citizenship No Defense Against Deportation Threat" (Minneapolis Star Tribune, 11/27/2011)
- "Immigration Crackdown Also Snares Americans" (NY Times, 12/13/2011)
- FEB. 1: -Lawful Permanent Resident Status
 - -Non-Immigrant Status

READINGS:

- -Legal Immigration to the U.S. (American Immigration Lawyers Assoc)
- -Nonimmigrant Admissions (U.S. Dept. of Homeland Security)
- -H-1B Worker Rights (U.S. Department of Labor)
- FEB: 8: -MOVIE: "Wetbacks"

NO READINGS

- FEB. 15: -Deportation and Removal
 - -Work Authorization & Employment Verification

READINGS:

- -Padilla v. Kentucky, 130 S.Ct. 1473 (2010)
- -Form I-9, Employment Eligibility Verification
- -Chamber of Commerce v. Whiting, et al. (U.S. Supreme Court, May 26, 2011)
- FEB. 22: -Attempts by States to Regulate Immigration Issues

READINGS:

- -Q&A Guide to State Immigration Laws (Immigration Policy Center)
- -*U.S. v. Arizona* (D. Ariz)(July 28, 2010 Order Granting Preliminary Injunction)
- -Report on Investigation of Maricopa County Sheriff's Office (U.S. Department Of Justice, December 15, 2011)
- FEB. 29: MID-TERM EXAM

MAR. 7: -Economic Impact of Immigration, Policymaking, Calls for Reform -Labor Laws & Immigrant Workers

READINGS:

-Raising the Floor for American Workers: The Economic Benefits of Comprehensive Immigration Reform (Hinojosa-Ojeda, Jan. 2010) -Hoffman Plastic Compounds v. NLRB, 535 U.S. 137 (2002)

MAR. 14: NO CLASS (Spring Break)

MAR. 21: -Fair Labor Standards Act & Immigrant Workers

READINGS:

-Serrano v. Underground Utilities Corp. (N.J. App. Div. #A-0676-08)

MAR. 28: -Title VII & National Origin Discrimination

READINGS:

-EEOC Compliance Manual Regarding National Origin Discrimination Employers (U.S. Department of Agriculture)

APR. 4: -MOVIE: "Bread & Roses"

NO READINGS

APR. 11: -Agricultural Workers

READINGS:

-Summary of Federal Laws & Regulations Affecting Agricultural

APR. 18: -Day Laborers

READINGS:

-"All Work and No Pay:" Day Laborers, Wage Theft, and Workplace Justice in New Jersey (Seton Hall Law School, January 2011)

APR. 25: FINAL EXAM (not cumulative)

Date revised: 01/14/2012