

# Course Syllabus

[Jump to Today](#)

[Edit](#)

## Employment Law

**Instructor:** Rosemarie Cipparulo, Esq.

**Contact:** [Use Course Inbox Email Tool](#)

**Course Number:** 37:575:315:T1

**Semester:** Summer 2020

Employment Law is a fully online course. Students requiring technical assistance should contact the help desk:

**Using CANVAS platform:** Course tools or addressing exam issues. Call toll free 24 hours a day, 7 days a week: **877- 7RUTGER (877-778-8437)**

**Email:** [help@ecollege.rutgers.edu](mailto:help@ecollege.rutgers.edu)

**NetID or Rutgers email problems:** Call 732-445-HELP (4357)

**Problems logging into the course:** Call Monday through Friday 9 am – 5 pm: 732-932-4702

**Course Description:** Overview of employment-at-will and its limitations: wages & hours; medical/family leave; privacy; drug testing; workers compensation; and fundamental anti- discrimination law.

## LSER Learning Objectives

Demonstrate an understanding of the perspectives, theories, and concepts in the field of labor and employment relations;

Make an argument in the field of labor and employment relations using contemporary and/or historical evidence;

Communicate effectively in modes appropriate to labor and employment relations.

## Course Requirements

## Reading, Audio/Video Assignments

### Reading

Students read textbook chapters, court decisions, and internet based resources. Required textbook: Robert N. Covington, *Employment Law in a Nutshell*. 4th Edition. West Nutshell Series. (referred to as "Nutshell"). Additional required readings are already uploaded into the course shell or a link to external material is available.

### Audio/Video

Students are required to watch instructor generated and other video presentations. All video material is provided through links within the course shell.

## Writing Assignments

Two writing assignments require students to reflect on course material, engage in online searches to connect employment law concepts with current events and perceptions, and develop/state opinions. Students will choose a topic for their second writing assignment early in the semester. Writing assignments are organized into three sections: overview, reflection, resources.

Writing Assignment #1: Biography: Introduction & Connection with Employment Law Topics

Writing Assignment #2 : Contemporary Issues: Employment Discrimination or Employee Rights Half the class will submit their second writing assignment, designated as writing assignment 2A, on July 8 while the other half of the class will submit their second writing assignment, designated as 2B on July 29.

## Peer Review and Comment on Writing Assignments

Students read and reflect on the content of each other's writing assignments. Students exhibit their knowledge of employment law and critical thinking skills when defending their opinions shared within their comments.

All students must make 8 comments on the writing assignment 2 - 4 separate comments on writing assignments 2A and 4 separate comments on writing assignment 2B.

## Forums

There will be 2 forums or threaded discussions. The first forum will begin in week 4 of the class and the second will begin in week 10. Students will be required to make three

substantive comments in each forum. The forums will be based on topics of particular interest in the field of employment law.

## Exams

Students complete 2 exams during the semester. Exams focus on required course material addressed in weeks listed below. Weeks 1 – 7: Assessed in the mid-term exam in week 7 of the class. Weeks 8– 10: Assessed in the final exam in week 11.

Exams consist of true/false and multiple choice questions. Each exam is open for 3 days, during this period students may enter the online exam area to complete the exam. A 1 hour limit is set for each exam.

## Grading

A final grade is based on a 1000 point system. Each assignment is worth a specific number of points. Total points accumulated determines final course grade.

**Writing Assignments:** Two writing assignments 370 points **Writing Assignment Comments:** Eight comments 160 points **Two Forums:** Six Comments 120 points

**Exams:** Two exams 350 points Total Points: 1000

## Point Equivalent to Final Grade

### Outstanding

1000 - 900 Points = A

859 – 800 Points = B

### Good

899 – 860 Points = B+

759 – 700 Points = C

### Satisfactory

799 – 760 Points = C+

### Poor

699 - 600 Points = D

599 and below = F

## POLICIES AND PROCEDURES

### Class Sessions

**Employment Law** Summer 2018 37:575:T1

Students are expected to enter the course for the first time on the first day of the semester.

**The course begins on Tuesday, May 26.**

A weekly message will be posted on the Announcements page by **12 pm every Tuesday**. Information about content or assignment procedure is available within the weekly message.

## Due Dates

Writing Assignments must be completed by 11:59 pm Eastern Time the day the assignment is due.

Deadlines are listed on the course calendar.

Writing Assignment Late Penalties: up to 24 hours late (12 midnight - 11:59 pm ) - 10% of the value of the assignment; up to 48 hours late (12 midnight – 11:59 pm) - 20% of the value of the assignment. **Writing assignments will not be accepted after the 48 hour late period.**

Exams must be completed within the 3 day open period. As students are given a three day period to complete the exam, no extensions are available.

## CHECKING EMAIL

### Instructor's Email Checking Policy

Unless you receive advance notification, I will check my email by 10:00 am Eastern Time every workday. If you send a comment or question, you will receive a response within 24 hours.

### Students Announcement and Email Checking Policy

It is the responsibility of the student to check for incoming course related messages at least 2 times a week. The weekly message is sent Tuesday mornings. Students are advised to open and read the message on Tuesdays.

## COURSE SCHEDULE

### **Weeks 1 - 2**

#### **Topic 1:** Course Overview Reading

Syllabus, Calendar, Grading

Tech FAQs (Computer and Internet requirements, how to use course tools and request technical assistance)

### Video

Instructor Welcome and Course Overview (Prof. Rosemarie Cipparulo)

### **Topic 2: Understanding the Court System**

#### Reading

Internet Resource

"Understanding the Federal Courts"  
(<http://www.uscourts.gov/FederalCourts.aspx>) (Links to an external site.) "Welcome to the New Jersey Court System" (<http://www.judiciary.state.nj.us/process.htm>) (Links to an external site.)

### **Topic 3: Anatomy of an Employment Lawsuit**

#### Reading

Sample Complaint filed in NJ Superior Court Internet Resource

"Civil Cases" (<http://www.uscourts.gov/FederalCourts/UnderstandingtheFederalCourts/HowCourtsWork/CivilCases.aspx>) (Links to an external site.)

### Video

Instructor Created Overview (Prof. James Cooney)

## Assignment:

**Choose Topic: Writing Assignment #2A and 2B by June 2.**

**Writing Assignment #1 – by end of week 2 (11:59 p.m. June 8; Biography: Introduction & Connection with Employment Law Topics**

## Week 3

### **Topic 1: Remedies**

#### Reading

Nutshell, pp. 531-553

### Video

Remedies (Prof. James Cooney)

**Topic 2:** Employment at Will & Exceptions Reading

Nutshell, pp. 37-77

Pierce v. Ortho Pharmaceutical, 417 A.2d 505 (1980)

Woolley v. Hoffman-LaRoche, Inc., 99 N.J. 284 (1985)

Video

Employment at Will (Prof. James Cooney)

## Week 4

**Topic 1:** Constitutional Issues

Reading

Nutshell, pp. 18-20, 173-198, 203-212

Pickering v. Board of Education, 391 U.S. 563 (1968) City of Ontario v. Quon, U.S. No. 08-1332 (06/17/2010)

## Internet Resource

"Can Bosses Do That?"

(<http://www.npr.org/templates/story/story.php?storyId=123024596> (Links to an external site.))

**Topic 2:** Drug Testing

Reading

Treasury Employees v. Von Raab, 489 U.S. 656 (1989)

## Assignment:

**Forum #1 begins June 16. First comment due June 18 and all three comments due by 11:59 p.m. June 22.**

## Week 5

**Topic 1:** Title VII of the Civil Rights Act of 1964 Reading

Nutshell, pp. 229-264

**Topic 2:** Equal Employment Opportunity Commission ("EEOC") Reading

Sample EEOC Charge of Discrimination Internet Resource

EEOC Website, "Filing a Charge of Discrimination" <http://www.eeoc.gov/employees/charge.cfm> (Links to an external site.)

### Video

EEOC (Prof. James Cooney)

### **Topic 3: Race & Color Discrimination** Reading

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

Griggs v. Duke Power, 401 U.S. 424 (1971)

### Video

Theories of Action (Profs. Rosemarie Cipparulo and Lisa Schur)

## Assignment:

Students who chose a topic from the first part of the semester should work on writing assignment #2A

## Week 6

### **Topic 1: National Origin Discrimination** Reading

Garcia v. Spun Steak Company, 998 F.2d 1480 (1993)

### **Topic 2: Disability Discrimination**

#### Reading

Moorer v. Baptist Memorial, 6th Cir. No, 03-5855 (2/11/2005)

#### Video

Disability Myths (Profs. Rosemarie Cipparulo and Lisa Schur)

### **Topic 3: Religious Discrimination** Reading

Estate of Thornton v. Caldor, Inc., 472 U.S. 703 (1985)

McCrary v. Rapides Regional Med. Cntr, 635 F.Supp. 975 (WD La. 1986)

#### Video

Religious Discrimination Part 1 (Prof. James Cooney) Religious Discrimination Part 2 (Prof. James Cooney)

# Assignment:

Writing assignment #2A due by 11:59 p.m. July 6

## Week 7

**Topic 1:** Sexual Harassment and Discrimination Reading

Lehmann v. Toys "R" Us, Inc., 132 N.J. 587 (1993)

Video

Sexual Harassment (Prof. Lisa Schur)

### **Mid-term exam**

Exam open 12:01 a.m. July 10 – 11:59 p.m. July 13. Graded exam available after exam period closes.

## Week 8

**Topic 1:** Whistleblower Protection

Reading

Abbamont v. Piscataway Twp., 269 N.J.Super. 11 (App. Div. 1993)

**Topic 2:** Employment Related Torts

Reading

Taylor v. Metzger, 152 N.J. 490 (1998)

# Assignment:

Every student, whether you do writing assignment 2A or 2B must make Peer Comments on Writing Assignment #2A – 4 Comments by the end of week 8 – 11:59 p.m. July 20.



# Week 9

## **Topic 1: Privacy Issues in the Workplace** Reading

Smyth v. Pillsbury Co., D.E.Pa. No. 95-5712 (1/23/1996) O'Connor v. Ortega, 480 U.S. 709 (1987)

## **Topic 2: Workplace Bullying**

### Reading

New Jersey Healthy Workplace Act

Website – Pending Healthy Workplace Legislation May Put NJ, NY and Illinois Employers at Risk <http://www.natlawreview.com/node/2515> (Links to an external site.)

Website – Proposed Legislation Stands Up To Workplace Bullies [http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202573109680&Proposed\\_Legislation\\_Stand\\_Up\\_to\\_Workplace\\_Bullies&slreturn=20130022095250](http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202573109680&Proposed_Legislation_Stand_Up_to_Workplace_Bullies&slreturn=20130022095250) (Links to an external site.)

### Video

Workplace Bullying (Prof. Rosemarie Cipparulo)

## **Topic 3: Family & Medical Leave (FMLA and NJFLA)** Reading

Internet Resource

U.S. Department of Labor Fact Sheet #28, "The Family and Medical Leave Act of 1993" (<http://www.dol.gov/whd/regs/compliance/whdfs28.pdf> (Links to an external site.))

N.J. Attorney General, "The New Jersey Family Leave Fact Sheet" (<http://www.state.nj.us/lps/dcr/downloads/flfactsheet.pdf> (Links to an external site.))

## Assignment:

**Forum #2 opens at 12:01 a.m. July 21 and closes 11:59 p.m. July 27.**

## **Week 10**

### **Topic 1: Non-Compete & Confidentiality Agreements** Reading

Nike, Inc. v. McCarthy, 379 F.3d 576 (9th Cir. 2004)

### **Topic 2: Worker's Compensation**

#### Reading

Guyton, Gregory P. "A Brief History of Workers' Compensation" (Iowa Orthop. J. 1999, 19:106-110) <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1888620/> (Links to an external site.)

**Assignment:** Writing assignment #2B for those students who chose a topic from the second half of the semester is due by 11:59 p.m. July 28.

### **Week 11**

**Assignment:** Every student, whether you do writing assignment 2A or 2B must make 4 comments on writing assignment 2B. All 4 peer comments on writing assignment #2B due by 11:59 p.m. August 3.

### **Final Exam Preparation/Complete Exam**

**Final exam open 12:01 a.m. Friday, August 7 through 11:59 pm Monday, August 10. Graded exam available after exam period closes.**