EMPLOYMENT LAW (Summer 2020)
(ONLINE CLASS)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315 (3 Credits)
July 8 – August 12, 2020
Class Meets Online Via Canvas on Wednesdays at 6:00 PM
Tel: 848-932-8560; E-mail: jacooney@rutgers.edu
Virtual Office Hours: By appointment

Class Meeting Times: Classes will meet virtually at 6:00 PM on WEDNESDAYS, via the Canvas “Big Blue Button” feature. The remaining materials for each week will be provided on an asynchronous basis, for students to complete at a time of their choosing.

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.

Learning Objectives: By the end of the course, the student should be able to:

Labor Studies & Employment Relations Department:
- Apply employment relations legal concepts, and substantive institutional knowledge, to understanding contemporary developments related to work. (Goal 2)

School of Management & Labor Relations:
- Demonstrate an understanding of how to apply knowledge necessary for effective work performance. (Goal VI)

Additional Course Objective(s) from the Instructor:
- Demonstrate basic knowledge of employment-at-will and the various exceptions.
- Demonstrate basic knowledge of the policies underlying common-law, constitutional, and statutory employment law principles.
- Demonstrate ability to comprehend court decisions on employment law issues.
- Apply employment law concepts to a given fact pattern.

Grading Criteria:
(1) Mid-term Exam (50%)
(2) Final Exam (50%)

Academic Records Retention: Exams, papers, and any other items submitted by students for grading are retained for 2 years before shredding and disposal. Any student wishing to review any such item must make a request prior to that time.

Academic Integrity: The conduct of all students is governed by the Rutgers University Academic Integrity Policy.
Course Materials: No textbook. Course reading materials can be found on Canvas. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

Recording: Students are not permitted to videotape or otherwise record any classroom lecture or activity, absent prior express consent and authorization by the Instructor.

Class Schedule:

JULY 8: (Week #1)  
TOPICS:  
-Court System  
-Anatomy of an Employment Lawsuit  
-Remedies  
-Employment at Will & Exceptions

READINGS:  
“Understanding the Federal Courts”  
Pierce v. Ortho Pharmaceutical  
Woolley v. Hoffman-LaRoche, Inc.

JULY 15: (Week #2)  
TOPICS:  
-constitutional Issues  
-Title VII, Civil Rights Act of 1964

READINGS:  
Pickering v. Board of Education  
City of Ontario v. Quon  
McDonnell Douglas Corp. v. Green  
Griggs v. Duke Power

JULY 22: (Week #3)  
TOPICS:  
-Midterm Exam***  
-Family & Medical Leave  
-Polygraphs & Psychological Testing  
-Disability Discrimination

READINGS:  
Gerety v. Hilton Casino Resort  
Cruz v. Publix Super Markets, Inc.  
Polkey v. Transtecs Corp.  
Karraker v. Rent Center Inc.

JULY 29: (Week #4)  
-Whistleblower Protection  
-Employment-related Torts  
-Drug Testing
-Non-Compete Agreements

**READINGS:**
*Abbamont v. Piscataway Twp.*
*Taylor v. Metzger*
*Treasury Employees v. Von Raab*
*Nike, Inc. v. McCarthy*

AUG. 5:  
- Movie: “North Country”  
(Week #5) 
- Sex Discrimination and Harassment

**READINGS:**
*Lehmann v. Toys ‘R’ Us, Inc.*

AUG. 12:  
Final Exam*** (not cumulative)  
(Week #6)

(Date revised: 05/03/2020)