



**SCHOOL OF MANAGEMENT AND LABOR RELATIONS  
DEPARTMENT OF LABOR STUDIES & EMPLOYMENT RELATIONS**

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**EMPLOYMENT LAW**

**PROFESSOR VIKRANT KISHIN ADVANI  
COURSE NUMBER: 38:533:566**

**FALL 2019 – TUESDAYS 7:20-10:00 P.M.**

**JANICE LEVIN BUILDING – ROOM 006  
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**COURSE OBJECTIVES**

- To acquaint students with the state and Federal framework of employment relations regulation (with the exception of collective bargaining);
- To familiarize students with the legal process, both judicial and administrative;
- To familiarize students with legal reasoning and methods of statutory interpretation;
- To instill in students an approach to employment relations which emphasizes good professional practice and preventive law;
- To provide students with the tools for further study of employment regulation.

**COURSE REQUIREMENTS**

This is an introductory graduate course in employment law, and it heavily emphasizes student participation and group discussion. Students will be held responsible for reading and understanding all assigned materials, as well as participating fully in all class discussions.

## **GRADE CRITERION**

Course grading is based on two examinations and class participation. The breakdown is as follows:

1. Midterm: 40% of your overall final grade
2. Final: 45% of your overall final grade
3. Class Participation: 15% of your overall final grade

The specific format of the examinations will be discussed at the appropriate time but I generally give a Fact Pattern and Definitions-styled Midterm and Final.

Please be advised that I require my students to vigorously participate in class discussions - This means that students must read their assigned materials and must be ready to discuss any of those cases. Very simply, 15% of your final grade is determined by whether you show up to class AND whether you participate in class discussions AND know your materials when I call on you.

Also, please do not forget that this is a graduate level class - Please ensure that you read all pages assigned to each class. **Just because a case is not listed in the syllabus does not mean that the relevant assigned pages will be skipped!!**

## **NO ELECTRONIC DEVICE CRITERION**

- **There are no electronic devices allowed in class. This includes computers, cell phones, laptops, tablets or tape-recording devices.**
- **Textbooks will need to be purchased; If electronic copies of textbooks are purchased or rented, they will need to be printed out for class. No exceptions.**
- **Yes, this means that you will have to take notes by pen/pencil on paper in class and pay attention. All of your electronic devices must be turned off and/or removed from the lecture room.**
- **Failure to comply with this requirement will result in your immediate removal from class; repeated failure will result in your expulsion from the class with a failing grade.**
- **This policy is not negotiable: If you find this to be onerous, feel free to choose another class that better fits your lifestyle.**

## **ATTENDANCE CRITERION**

- **Attendance is a must**, and failure to attend class will result in a poor "Class Attendance & Participation" grade (15% of overall course grade) and potentially a failing or incomplete overall course grade.

**To be clear**, if you have more than 2 unexcused absences you will receive a full grade deduction (or a B); If you have more than 3 unexcused absences you will receive a full 2 grade deduction (or a C);

**VERY IMPORTANT:** If you have more than 4 unexcused absences you will receive a full 3 grade deduction (or a D), **and I will most likely assess you an incomplete grade in my class regardless of performance on exams.**

- **Coming Late and Leaving Class Early:** I have noticed that students like to arrive late and leave class early just to sign and generally establish that they were in class – This is unacceptable. If you leave class early and you have not been cleared to do so, you will be subject to the above deduction rules. If you come to class late, you must approach the TA after class and advise when you entered class and I will decide whether you will credit for attendance on said date.
- **Attendance Policy is Not Negotiable:** While I am generally lenient with students facing family or work related concerns and emergencies, I am no longer going to negotiate the attendance policy with students on an individual basis. Every student must be held accountable to the same standard. If my attendance policy is too onerous to your lifestyle, feel free to choose another class that better fits same.

## **STUDENT CONDUCT POLICY**

The conduct of all students is governed by the Rutgers University Academic Integrity Policy:  
[http://academicintegrity.rutgers.edu/files/documents/AI\\_Policy\\_9\\_01\\_2011.pdf](http://academicintegrity.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf)

**Please be so advised.**

## **STUDENT ACCOMMODATION POLICY**

Rutgers University welcomes students with disabilities into all of the University's educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation:

<https://ods.rutgers.edu/students/documentation-guidelines>

If the documentation supports your request for reasonable accommodations, your campus's disability services office will provide you with a Letter of Accommodations. Please share this letter with your instructors and discuss the accommodations with them as early in your courses as possible. To begin this process, please complete the Registration form on the ODS web site at:

<https://ods.rutgers.edu/students/registration-form>

## **COURSE MATERIALS**

The required text is the 6<sup>th</sup> Edition of the Wilborn, Schwab, Burton & Lester's *Employment Law: Cases & Materials*. Please do not get the 5<sup>th</sup> edition – there are new cases and it will just annoy you and me. Yes, it is expensive – No, there are no alternatives. Rent it if you must.

Also, we will be using *SAKAI* for handouts – I highly recommend that you print out ALL handouts at once. If you do not know what *SAKAI* is, please contact the appropriate staff at the Department or speak with a classmate.

### **Class 1**

*General Introductions/ Opening Remarks*

Introduction to the Legal System

Introduction to Regulation of Employment Relations

Handout: How to Brief a Case

Handout: Definitions of some widely used legal terms

The Employment At Will Doctrine - A General Introduction & Discussion

### **Class 2 – 14 TBA**