



Course Syllabus<sup>1</sup>

## Employment Arbitration Today

Course No. 38:578:575

Fall Semester, 2024

Professor William Dwyer

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Class meets on Thursdays\* at 7:20 pm in the Janice Levin building on the Livingston campus, beginning September 5, 2024.

\*Due to the Thanksgiving Day holiday, class will meet on Tuesday November 26, 2024 in compliance with the University's schedule of classes.

### **General:**

This course focuses on arbitration and grievance processes in contemporary U.S. workplaces with and without union representation of employees. The material and discussions include an analysis of ongoing controversial public policy and legal issues associated with the expanding requirement of mandatory employment arbitration as a condition of employment.

### **Grading:**

Grading formula:

Assignments	1/3
Midterm Exam	1/3
Final Exam	1/3

**Assignments:** This course will require students to come prepared to class. There are two forms of preparation: readings and assignments. Students are expected to attend every class, and to be prepared and ready to participate. Students should complete all readings and assignments on time. In this class, as in real life, deadlines matter. If you have an emergency that prevents you from meeting a deadline, please contact me.

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<sup>1</sup> This syllabus is subject to change based on unforeseen circumstances.

### **Textbook Required:**

“Labor & Employment Arbitration in a Nutshell”. Nolan and Bales. 4<sup>th</sup> Edition (2020)  
ISBN-13 978-1647084448

**Absences:** Your presence is necessary for success in this course. Absences may impact your engagement with content and ideas shared in class, so I encourage you to remember this. Please be proactive in situations where you will be absent, if you experience an emergency, or anticipate a prolonged absence for any reason.

- Absences MUST be reported by using the university absence reporting website <https://sims.rutgers.edu/ssra> to indicate the date and reason for your absence. An email will be automatically sent to me.

**Office hours:** Students are strongly encouraged to take advantage of meeting to discuss any matters of concern or interest. I am available to discuss issues before or after class, or by phone or zoom session most weekdays by appointment.

**Communications:** If you need to reach me for any reason, email is the best method ([wmd3@smlr.rutgers.edu](mailto:wmd3@smlr.rutgers.edu)).

**Use of electronic devices in class:** Electronic devices are encouraged in class to support learning.

The Fine Print:

For information on how to receive extra support for (a) victim and mental health services, (b) academics, and (c) financial assistance (mainly emergencies):

<https://smlr.rutgers.edu/academic-programs/current-students>

**Rutgers University Disability 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>.

**Learning Objectives:** The student is able to:

Labor Studies and Employment Relations Department:

- Apply employment relations concepts, and substantive institutional knowledge, to understanding contemporary developments related to work. (Goal 2).
- Work productively in teams, in social networks, and on an individual basis (Goal 13).

***SMLR Learning***

## Objectives

### ***Three Core Areas for Success in SMLR***

**The curriculum in the programs within SMLR focus on different areas (ie. HRM, LSER) and levels of study (ie. UG, Masters', PhD). Across these programs, we strive to advance students cognitive skills and processes, their Knowledge of Theory and Application, and develop their professional skills.**

- 1) Cognitive Skills and Processes
- 2) Knowledge of Theory, Practice, and Application
- 3) Professional Development

### **Cognitive Skills and Processes**

**The cognitive skills and process area reflects the goal for SMLR programs to help students develop skills central to lifelong learning and participation in society and the workplace.**

#### ***I) Written & Oral Communication – Communicate effectively at a level and in modes appropriate to an entry level professional.***

- Communicate complex ideas effectively, in standard written English
- Analyze and synthesize information and ideas from multiple sources to generate new insights
- Produce quality research papers with proper convention of attribution/citation
- Produce high quality executive summaries
- Make an argument using contemporary and/or historical evidence
- Present ideas and arguments in a logical and effective way

#### ***II) Quantitative Skills – Apply appropriate quantitative and qualitative methods for research workplace issues.***

- Formulate, evaluate, and communicate conclusions and inferences from quantitative information
- Apply quantitative methods to analyze data for HR decision making including cost-benefit analyses, ROI, etc. (HRM)
- Apply qualitative methods appropriately, alone and in combination with quantitative methods

#### ***III) Research Skills – Demonstrate an ability to collect, analyze and synthesize information to make logical and informed decisions impacting the workplace. Use evidence to evaluate hypotheses, theories and approaches to workplace issues.***

- Employ current technologies to access information, to conduct research, and to communicate findings
- Analyze and synthesize information and ideas from multiple sources to generate new insights
- Assess and critique relevant evidence and research findings
- Access high-quality historical, qualitative, and quantitative evidence or research
- Use evidence-based analysis to appraise the validity of various hypotheses, theories, and approaches to workplace issues

### **Knowledge of Theory, Practice and Application**

**The knowledge of theory and application area reflects the goal for SMLR programs to ensure that students learn the key theoretical and foundation areas of study in their domains and realize opportunities to apply that knowledge to practice situations.**

#### ***IV) Theoretical Perspectives - Demonstrate an understanding of relevant theories and apply them given the background context of a particular work situation.***

- Demonstrate an understanding of the practical perspectives, theories and concepts in their field of study

- Evaluate and apply theories from social science disciplines to workplace issues

**V) *Understanding Context - Evaluate the context of workplace issues, public policies, and management decisions***

- **Analyze the degree to which forms of human difference shape a person's experience of and perspectives on work**
- **Analyze a contemporary global issue in their field from a multi-disciplinary and intersectional perspective**
- **Analyze issues related to business strategies, organizational structures, and work systems**
- **Analyze issues of social justice related to work across local and global contexts (LSER)**
- **Analyze issues related to the selection, motivation, and development of talent in a local and global context (HRM)**

**VI) *Application – Demonstrate an understanding of how to apply knowledge necessary for effective work performance***

- Apply concepts and substantive institutional knowledge, to understanding contemporary developments related to work
- Understand the legal, regulatory and ethical issues related to their field
- Develop human resource management functional capabilities used to select, motivate, and develop workers (HRM)
- Understand the internal and external alignment and measurement of human resource practices (HRM)

**Professional Development –**

**VII) *Professional Development – Demonstrate an ability to interact with and influence others in a professional manner, and to effectively present ideas and recommendations***

- Develop effective presentation skills appropriate for different settings and audiences
- Develop career management skills to navigate one's career
- Develop capabilities to work and lead in a multicultural and diverse environment
- Work productively in teams, in social networks, and on an individual basis
- Develop cultural agility competencies
- Demonstrate lifelong personal and professional development skills

**Additional Course Objective(s) from the Instructor:**

- Demonstrate an understanding of the reasons for workplace conflict, the types of dispute resolution procedures that are used in both the union and non-union workplaces and integrated conflict management systems.

**Other Resources:**

- Student resources – this link directs students to the appropriate resources if they are in need of help in the areas of (a) mental health, (b) academic coaching, and (c) financial assistance: <https://smlr.rutgers.edu/about-smlr/fall-2022-information-smlr-students>
- Scholarships – to ensure that all students are aware of SMLR's scholarship offerings, we encourage you to include a link to our scholarships on your syllabi: <https://smlr.rutgers.edu/academic-programs/scholarships>

**Additional Course Objective(s) from the Instructor:**

Demonstrate an understanding of key concepts including distributive and integrative bargaining, selecting the optimal bargaining style in accordance with the dual concerns framework, and effective preparation for negotiations.

*Revised 7/31/24*