Course Syllabus

Employment Law

Course Number: 37:575:315:91/92/93

Fall 2021

Instructor: Rosemarie Cipparulo, Esq.

Contact: Send message through Canvas Inbox tool.

Employment Law is a fully online course delivered on the Canvas Learning Management System (LMS.) Students requiring technical assistance should contact the help desk:

Rutgers Center for Online and Hybrid Learning and Instructional Technologies (COHLIT)

Email: help@Canvas.rutgers.edu

Call: 877-361-1134
24 hrs./7 days a week

Learning Objectives

The student is able to:

Labor Studies and Employment Relations Department

- Apply employment relations legal concepts, and substantive institutional knowledge, to understanding contemporary developments related to work. (Goal 2).

School of Management and Labor Relations

- Demonstrate an understanding of how to apply knowledge necessary for effective work performance. (Goal VI)
Course Requirements

Reading, Audio/Video Assignments

Reading


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 A and B:

Contemporary Issues: Employment Discrimination or Employee Rights (I split the class in half for the purposes of submitting the second writing assignment. Therefore, #2A denotes reference to students who choose a topic from the first half of the semester, while #2B denotes reference to students who chose a topic from the second half of the semester)
Peer Review and Comment on Writing Assignments 2 A and B

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. Students are required to make 4 comments on Writing Assignment 2A and 4 comments on Writing Assignment 2B for a total of 8 comments.

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 12. 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 8 of the class.


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 90 minute 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 Good Satisfactory

1000 - 900 Points = A  
899 – 860 Points = B+  
7 99 – 760 Points = C+

859 – 800 Points = B  
759 – 700 Points = C

Poor

699 - 600 Points = D  
599 and below = F

POLICIES AND PROCEDURES

Class Sessions

The course week begins on Thursdays. A weekly message will be available in the Announcements area of the course by 12 pm every Thursday.

A week is 7 days in length. Information about content or assignment procedure is available within the weekly message.

Students may enter the course and engage in coursework at any time 24 hours a day, 7 days a week.
Due Dates

Writing Assignments must be submitted by 11:59 p.m. on the due date.

Late Submission Policy
If the paper is up to 24 hours late, I will deduct 10% of the value of the assignment; up to 48 hours late I will deduct 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 open period. Exams are usually open for three days. No extensions are available for missed exams.

Message Checking Policies

Messages Sent to Instructor’s Canvas Inbox

Unless students receive advance notification, the instructor will check her Canvas Inbox by 12:00 pm ET on regular workdays. If a student sends a comment or question, the instructor will address the contents of the message within 24 hours.

Messages Sent to Student Canvas Inbox

It is the responsibility of the student to regularly check for incoming messages. Messages are always sent through the Canvas messaging system. Students will receive a notification when a new message has been sent to his/her Canvas inbox. Forgetting or being unable to check for messages in one’s Canvas inbox is not an excuse.

COURSE SCHEDULE

Weeks 1 - 2

Topic: Course Overview
Reading
Syllabus, Calendar, Grading

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

Video
Instructor Introduction /Welcome (Prof. Rosemarie Cipparulo)

**Topic:** Understanding the Court System

Reading

Internet Resource

"Understanding the Federal Courts" (http://www.uscourts.gov/FederalCourts.aspx)

"Welcome to the New Jersey Court System" (http://www.judiciary.state.nj.us/process.htm)

**Topic:** Anatomy of an Employment Lawsuit

Reading

Sample Complaint filed in NJ Superior Court

Internet Resource

"Civil Cases"
**Assignments**

Choose Topic: for Writing Assignment #2 by 11:59 p.m. September 16.

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**Week 3**

**Topic 1: Remedies**

**Reading**

*Nutshell, pp. 531-553*

**Video**

Instructor created overview (Prof. James Cooney)

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

**Reading**

*Nutshell, pp. 37-77*


**Video**

Instructor created overview (Prof. James Cooney)
Assignment

Writing Assignment #1 - Biography: Introduction & Connection with Employment Law Topics
due by end of week 3 (11:59 p.m., September 22)

Week 4

Topic 1: Constitutional Issues

Reading

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


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


Assignment

Forum #1 begins September 24 First comment due by 11:59 p.m. September 27 and all three
comments due by 11:59 p.m., September 29. Each student must make three comments in the
Forum.
NOTE - Students will NOT be allowed to make comments after the forum closes. The point of the forum is for all of us to engage in a discussion. If the forum is closed when you make your comments there can be no discussion.

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

Video

Instructor created overview (Prof. James Cooney)

Week 6

**Topic 1:** Race & Color Discrimination

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

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

**Topic 2:** National Origin Discrimination

**Reading**

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

**Week 7**

**Topic 1:** Disability Discrimination

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

**Video**
Disability Discrimination (Profs. Rosemarie Cipparulo and Lisa Schur)

**Topic 2:** Religious Discrimination
Reading

Video
Religious Discrimination (Prof. James Cooney)

**Topic 3: Sexual Harassment and Discrimination**

Reading

Video Instructor created overview (Profs. Rosemarie Cipparulo and Lisa Schur)

**Assignment**

Writing assignment #2A for those students who chose a topic from the first part of the semester due by 11:59 p.m., October 20.

**Week 8**

**Mid-term exam & Commenting on Writing Assignment**

**Assignments**

Exam open 12:01 a.m. October 22 – 11:59 p.m. October 25. Graded exam available after exam period closes.
Comments on Writing Assignments – 4 Comments to be made by every student, whether you are doing writing Assignment 2A or 2B, on four different Writing Assignment #2A papers posted in your Learning Community by 11:59 p.m., October 27.

WEEK 9

Topic 1: Whistleblower Protection

Reading


Topic 2: Employment Related Torts

Reading


Week 10

Topic 1: Privacy Issues in the Workplace

Reading:

"Microchip Implants for Employees?" (Astor, Maggie, NY Times, July 25, 2017)


**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

Website – Proposed Legislation Stands Up To Workplace Bullies

http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202573109680&Proposed_Legislation_Stands_Up_to_Workplace_Bullies&slreturn=20130022095250

**Assignment**

Forum #2 opens at 12:01 a.m. November 4 and closes 11:59 p.m. November 10. First comment due by November 7.

**PLEASE TAKE NOTE** - Students will NOT be allowed to make comments after the forum closes. The point of the forum is for all of us to engage in a discussion. If the forum is closed, there can be no discussion.

**Week 11**

**Topic 1:**

Family & Medical Leave (FMLA and NJFLA)

Reading

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.)) (Links to an external site.))
Internet Resource

N.J. Attorney General, "The New Jersey Family Leave Fact Sheet" (http://www.state.nj.us/lps/dcr/downloads/lafactsheet.pdf)

**Topic 2: Non-Compete & Confidentiality Agreements**

Reading

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

"Ban Noncompete Agreements. Do it Now." (Weissman, Slate.com)

**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. November 17.

**Week 12 -**

**Topic 1: Worker’s Compensation**

Reading


http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1888620/

**Assignment**

Peer comments on writing assignment #2B due by 11:59 p.m. December 1.

**Week 13 - NO CLASS - HAPPY THANKSGIVING**

Week 14
Final Exam Preparation/Complete Exam

**Assignment**

Final exam open 12:01 a.m. Thursday, December 9 through 11:59 pm Sunday, December 12.

Graded exam available after exam period closes.