

IMMIGRATION LAW & EMPLOYEE RIGHTS
(Fall 2021 - Wednesday Morning Class)

Instructor: James M. Cooney, Esq.

Rutgers University, Labor Studies & Employment Relations Department, SMLR

Course #37:575:321:01; Index #07195 (3 Credits)

Class meets in-person on Wednesdays, 9:00 AM – 12:00 PM (U.S. Eastern Time)

Location: RU Academic Building, Room 2225, College Avenue Campus

Tel: 848-932-8560; E-mail: jacooney@rutgers.edu

Virtual Office Hours: By appointment

Course Description: Contemporary immigration law in the U.S.; employer compliance issues; employee rights; immigrant employee representation and related policy debates.

Learning Objectives: At the end of the course, the student is 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 immigration law, underlying policies, and applicability of selected employment laws to immigrant workers.

-Demonstrate ability to comprehend court decisions and other readings on immigration law issues.

-Apply immigration law concepts to a given fact pattern.

Grading Criteria:*

(1) Mid-term Exam (50%)

(2) Final Exam (50%)

(*Credit is also earned for attendance and in-class contributions)

Attendance: Students are expected to attend class on a timely and regular basis. Please note that excessive unexcused absences will lower your grade. Unexcused absences in excess of 3 classes may result in a failing grade.

Course Materials: Course reading materials are found on Canvas. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

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.

Recording: Students are not permitted to videotape or otherwise record any lecture or course activity, absent prior express consent and authorization by the Instructor. See Canvas site for details.

Students With Disabilities: See Canvas site for detailed information.

COVID-19 Health & Safety Measures: See Canvas site for detailed information.

Class Schedule:

SEPT. 1: -Course Overview

NO READINGS

SEPT. 8: NO CLASS (RU schedule = Monday)

SEPT. 15: -History of U.S. Immigration
-U.S. Citizenship Status

READINGS:

-*Timeline of U.S. Policy on Immigration and Naturalization*
-*Defining 'American: ' Birthright Citizenship & the Original Understanding of the 14th Amendment* (The Federalist, 2015)

SEPT. 22: -Lawful Permanent Resident Status
-Non-Immigrant Status

READINGS:

-*Legal Immigration to the U.S.* (American Immigration Lawyers Assoc)
-*Nonimmigrant Admissions* (U.S. Dept. of Homeland Security)
-*H-1B Worker Rights* (U.S. Department of Labor)
-*Moore v. Cognizant Tech. Solutions*

SEPT. 29: -Undocumented Immigrants
-Deportation and Removal

READINGS:

-*Padilla v. Kentucky*

OCT. 6: -MOVIE: "Wetback – The Undocumented Documentary"

NO READINGS

OCT. 13: -Employment Eligibility Verification
-Attempts by States to Regulate Immigration Issues
-Review for Midterm Exam

READINGS:

-Form I-9, Employment Eligibility Verification

OCT. 20: -MID-TERM EXAM

NO READINGS

OCT. 27: -Labor Laws & Immigrant Workers

READINGS:

-Sure-Tan, Inc. v. NLRB

-Hoffman Plastic Compounds v. NLRB

NOV. 3: -FLSA, Workers' Compensation & Immigrant Workers

READINGS:

-Flores v. Amigon

-Fernandez-Lopez v. Cervino, Inc.

NOV. 10: -Employment Discrimination Laws & Immigrant Workers

READINGS:

-EEOC Compliance Manual Regarding National Origin Discrimination

-Garcia v. Spun Steak Co.

-EEOC v. Premier Operator Services

NOV. 17: -Economic Impact of Immigration

READINGS

-Adding It Up: Accurately Gauging the Economic Impact of Immigration Reform (Ojeda & Robinson, May 2013)

-The Labor & Output Declines from Removing All Undocumented Immigrants (American Action Forum, 2016)

-Facts About Immigration & the U.S. Economy (Economic Policy Institute)

NOV. 24: NO CLASS (Thanksgiving Break)

NOV. 29: -MOVIE: "Lost in Detention" (PBS Frontline 2011)
(Monday)

DEC. 1: -Current Events

READINGS

-TBD

DEC. 8: FINAL EXAM (not cumulative)

(Date revised: 08/25/2021)