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: jacoeune@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*

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)*