EMPLOYMENT LAW
(Fall 2022-Saturday Morning Class)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315:94 (3 Credits)
Class Meets “Live” Online - Saturdays, 9:00 AM – 12:00 PM (U.S. Eastern Time)
Tel: 848-932-8560; E-mail: jacooney@rutgers.edu
Virtual Office Hours: By appointment

Class Meeting Times: Classes will meet virtually online via Zoom at 9:00 AM on Saturdays. Attendance is required and will be taken each week.

Course Description: Overview of employment-at-will and its limitations; wages & hours; medical/family leave; privacy; drug testing; workers’ compensation; and fundamental anti-discrimination law.

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 employment-at-will and the various exceptions.
-Demonstrate basic knowledge of the policies underlying common-law, constitutional, and statutory employment law principles.
-Demonstrate ability to comprehend court decisions on employment law issues.
-Apply employment 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 (virtually) 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. See Canvas site for details.

**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 details.

**Class Schedule:**

SEPT. 10: -Course Overview

**NO READINGS**

SEPT. 17: -Federal & State Court Systems  
- Anatomy of an Employment Lawsuit (video)  
- Remedies (video)  
- Employment at Will & Exceptions (introduction)

**READINGS:**
“Understanding the Federal Courts”  
“Remedies for Employment Discrimination” (EEOC)

SEPT. 24: -Employment at Will & Exceptions (continued)

**READINGS:**
Pierce v. Ortho Pharmaceutical  
Woolley v. Hoffman-LaRoche

OCT. 1: -Title VII; Equal Employment Opportunity Commission  
-Proving Discrimination  
-Race & Color Discrimination

**READINGS:**
McDonnell Douglas Corp. v. Green  
Griggs v. Duke Power

OCT. 8: - Constitutional Issues

**READINGS:**
Pickering v. Board of Education
City of Ontario v. Quon

OCT. 15:  Sex Discrimination

**READINGS**
_Bostock v. Clayton County_

OCT. 22:  MID-TERM EXAMINATION

**NO READINGS**

OCT. 29:  Sexual Harassment
-Movie: “North Country”

**READINGS**
“Sexual Harassment” (EEOC website)
_Lehmann v. Toys ‘R’ Us, Inc._

NOV. 5:  Family & Medical Leave

**READINGS:**
_Gerety v. Hilton Casino Resort_
_Cruz v. Publix Super Markets, Inc._

NOV. 12:  Polygraphs
-Disability Discrimination

**READINGS:**
_Polkey v. Transtecs Corp._
_Karraker v. Rent Center Inc._

NOV. 19:  Non-Compete & Confidentiality Agreements
-Drug Testing

**READINGS:**
_Nike, Inc. v. McCarthy_
_Treasury Employees v. Von Raab_

NOV. 26:  NO CLASS (Thanksgiving Break)

DEC. 3:  Whistleblower Protection
-Employment-related Torts

**READINGS:**
_Abbamont v. Piscataway Twp._
_Taylor v. Metzger_
DEC. 10: FINAL EXAM (not cumulative)

(Date revised: 07/28/2022)