Instructor: James M. Cooney, Esq. 
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315 (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 & Other Policies:** See Canvas site for details.

**Class Schedule:**

SEPT. 9: -Course Overview

**NO READINGS**

SEPT. 16: -Federal & State Court Systems
- Anatomy of an Employment Lawsuit
- Remedies
- Role of AI in the Law

**READINGS:**

“Understanding the Federal Courts”
“Remedies for Employment Discrimination”
“US judge orders lawyers to sign AI pledge”

SEPT. 23: -Employment at Will & Exceptions

**READINGS:**

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

SEPT. 30: -Title VII; Equal Employment Opportunity Commission
-Proving Discrimination
-Race & Color Discrimination

**READINGS:**

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

OCT. 7: -Constitutional Issues

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

OCT. 14: -Sex Discrimination

**READINGS**
Bostock v. Clayton County

OCT. 21: MID-TERM EXAMINATION

**NO READINGS**

OCT. 28: -Sexual Harassment
-Movie: “North Country”

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

NOV. 4: -Family & Medical Leave

**READINGS:**
Gerety v. Hilton Casino Resort
Cruz v. Publix Super Markets, Inc.

NOV. 11: -Polygraphs
-Disability Discrimination

**READINGS:**
Polkey v. Transtecs Corp.
Karraker v. Rent Center Inc.

NOV. 18: -Non-Compete & Confidentiality Agreements
-Drug Testing

**READINGS:**
Nike, Inc. v. McCarthy
Treasury Employees v. Von Raab

NOV. 25: NO CLASS (Thanksgiving Break)

DEC. 2: -Whistleblower Protection
-Employment-related Torts

**READINGS:**
Abbamont v. Piscataway Twp.
Taylor v. Metzger

DEC. 9: FINAL EXAM (not cumulative)

(Date revised: 08/15/2023)