

**IMMIGRATION LAW & EMPLOYEE RIGHTS**  
**(Fall 2015)**

Instructor: James M. Cooney, Esq.  
Rutgers University, Labor Studies & Employment Relations Department, SMLR  
Course #37:575:321 (3 Credits)  
Wednesdays (8:40 a.m. – 11:40 a.m.)  
Class Location: Tillet Hall, Room 246, Livingston Campus  
Tel: 848-932-8560; E-mail: jcooney@work.rutgers.edu  
Office Hours: Before & after class or by appointment

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

**Grading Criteria:\***

- (1) Mid-term Exam (50%)
- (2) Final Exam (50%)

(\*Credit is also earned for attendance and in-class contributions. 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 in the Sakai Announcements section. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

**Academic Integrity:** The conduct of all students is governed by the Rutgers University Academic Integrity Policy:

*[http://academicintegrity.rutgers.edu/files/documents/AI\\_Policy\\_9\\_01\\_2011.pdf](http://academicintegrity.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf)*

**Laptop/Recording Policy:** Students are permitted to bring and use laptop computers in class, for taking notes and viewing class readings. However, please do not engage in laptop-related activities that may distract other students. Students are not permitted to record, videotape, or photograph any classroom lecture or activity, absent prior express consent and authorization by the Instructor.

**Class Schedule:**

SEPT. 2: -Course Overview

**NO READINGS**

SEPT. 9: -History of U.S. Immigration  
-U.S. Citizenship Status

**READINGS:**

-*Timeline of U.S. Policy on Immigration and Naturalization*  
-*U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898)  
-*Reports on Birthright Citizenship Reform Proposals* (Immigration Policy Center, 01/04/2011)

SEPT. 16: -Lawful Permanent Resident Status  
-Non-Immigrant Status

**READINGS:**

-*Legal Immigration to the U.S.* (American Immigration Lawyers Assoc)  
-*Why Don't They Just Get In Line?* (IPC, March 2013)  
-*Nonimmigrant Admissions* (U.S. Dept. of Homeland Security)  
-*H-1B Worker Rights* (U.S. Department of Labor)

SEPT. 23: -MOVIE: "Wetback: The Undocumented Documentary" (2005)

**NO READINGS**

SEPT. 30: -Undocumented Status  
-Deportation and Removal

**READINGS:**

-*Padilla v. Kentucky*, 130 S.Ct. 1473 (2010)  
-*Know Your Rights!* (CASA, February 2008)

OCT. 7: -Employment Eligibility Verification  
-Attempts by States to Regulate Immigration Issues

**READINGS:**

-*Form I-9, Employment Eligibility Verification*  
-*E-Verify FAQs* (NCSL, December 2012)  
-*Arizona v. U.S.*, 567 U.S. \_\_\_\_ (2012)

OCT. 14: -MID-TERM EXAM

OCT. 21: -Labor Laws & Immigrant Workers

**READINGS:**

-*Hoffman Plastic Compounds v. NLRB*, 535 U.S. 137 (2002)

-*Flores v. Amigon*, 233 F.Supp. 462 (E.D.N.Y. 2002)

-*Fernandez-Lopez v. Cervino, Inc.*, 288 N.J. Super. 14 (App. Div. 1996)

OCT. 28: -MOVIE: "Lost in Detention" (PBS Frontline 2011)

**NO READINGS**

NOV. 4: -Prospects for Immigration Reform

**READINGS:**

-*The DREAM Act* (The White House)

-*Executive Grants of Temporary Immigration Relief, 1956-Present*  
(IPC, October 2014)

-*When Reagan & GHW Bush Took Bold Executive Action on*  
*Immigration* (The Hill, October 2, 2014)

NOV. 11: -Employment Discrimination Laws & Immigrant Workers

**READINGS:**

-*EEOC Compliance Manual Regarding National Origin Discrimination*

-*Garcia v. Spun Steak Co.*, 13 F.3<sup>rd</sup> 296 (9<sup>th</sup> Cir. 1993)

-*EEOC v. Premier Operator Services*, 113 F.Supp. 1066 (N.D.Tex. 2000)

NOV. 18: -Economic Impact of Immigration

**READINGS**

-*The Myth of Self-Deportation* (Filindra, April 2012)

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

-*Facts About Immigration & the U.S. Economy* (Economic Policy  
Institute, August 12, 2014)

DEC. 2: -Agricultural Workers

-Day Laborers

**READINGS**

-*Summary of Federal Laws & Regulations Affecting Agricultural Workers*  
(U.S. Dept. of Agriculture, 2002)

-*All Work and No Pay: Day Laborers, Wage Theft, and Workplace*  
*Justice in New Jersey* (Seton Hall Law School, January 2011)

DEC. 9: FINAL EXAM (not cumulative)

(Date revised: 08/15/2015)