

**EMPLOYMENT LAW (Summer 2020)**  
**(ONLINE CLASS)**

Instructor: James M. Cooney, Esq.  
Rutgers University, Labor Studies & Employment Relations Department, SMLR  
Course #37:575:315 (3 Credits)  
July 8 – August 12, 2020  
Class Meets Online Via Canvas on Wednesdays at 6:00 PM  
Tel: 848-932-8560; E-mail: jacooney@rutgers.edu  
Virtual Office Hours: By appointment

**Class Meeting Times:** Classes will *meet virtually* at 6:00 PM on WEDNESDAYS, via the Canvas “Big Blue Button” feature. The remaining materials for each week will be provided on an *asynchronous* basis, for students to complete at a time of their choosing.

**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:** **By the end of the course, the student should be 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%)

**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.

**Course Materials:** No textbook. Course reading materials can be found on Canvas. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

**Recording:** Students are not permitted to videotape or otherwise record any classroom lecture or activity, absent prior express consent and authorization by the Instructor.

**Class Schedule:**

JULY 8:  
(Week #1)      **TOPICS:**  
-Court System  
-Anatomy of an Employment Lawsuit  
-Remedies  
-Employment at Will & Exceptions

**READINGS:**  
*“Understanding the Federal Courts”*  
*Pierce v. Ortho Pharmaceutical*  
*Woolley v. Hoffman-LaRoche, Inc.*

JULY 15:  
(Week #2)      **TOPICS:**  
-Constitutional Issues  
-Title VII, Civil Rights Act of 1964

**READINGS:**  
*Pickering v. Board of Education*  
*City of Ontario v. Quon*  
*McDonnell Douglas Corp. v. Green*  
*Griggs v. Duke Power*

JULY 22:  
(Week #3)      **TOPICS:**  
-Midterm Exam\*\*\*  
-Family & Medical Leave  
-Polygraphs & Psychological Testing  
-Disability Discrimination

**READINGS:**  
*Gerety v. Hilton Casino Resort*  
*Cruz v. Publix Super Markets, Inc.*  
*Polkey v. Transtecs Corp.*  
*Karraker v. Rent Center Inc.*

JULY 29:  
(Week #4)      -Whistleblower Protection  
-Employment-related Torts  
-Drug Testing

-Non-Compete Agreements

**READINGS:**

*Abbamont v. Piscataway Twp.*

*Taylor v. Metzger*

*Treasury Employees v. Von Raab*

*Nike, Inc. v. McCarthy*

AUG. 5: -Movie: "North Country"  
(Week #5) -Sex Discrimination and Harassment

**READINGS:**

*Lehmann v. Toys 'R' Us, Inc.*

AUG. 12: Final Exam\*\*\* (not cumulative)  
(Week #6)

*(Date revised: 05/03/2020)*