EMPLOYMENT LAW (Summer 2021)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315 (3 Credits)
July 14 – August 18, 2021
Class Meets Virtually Via Zoom 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 via Zoom at 6:00 PM on
WEDNESDAYS. Students are required to attend the virtual Zoom classes. 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 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. (Link will be posted on Canvas)
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 14: (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 21: (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 28: (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.

AUG. 4: (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. 11: -Movie: “North Country”
(Week #5) -Sex Discrimination and Harassment

**READINGS:**
Lehmann v. Toys ‘R’ Us, Inc.

AUG. 18: Final Exam*** (not cumulative)
(Week #6)

(Dated: 04/29/2021)