EMPLOYMENT LAW  
Summer Session 2023

Instructor: James M. Cooney, Esq.  
Rutgers University, Labor Studies & Employment Relations Department, SMLR  
Course #37:575:315 (3 Credits)  
July 11 – August 15, 2023  
“Live” Classes Meet **Virtually Via Zoom** on Tuesdays at 6:00 PM  
Tel: 848-932-8560; E-mail: jacooney@rutgers.edu  
Virtual Office Hours: By appointment

*NOTE:* A more comprehensive Syllabus may be found on the Canvas website for this course.

**Class Meeting Times:** Classes will *meet virtually via Zoom* at 6:00 PM on Tuesdays. **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 is 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 11:**
(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 18:**
(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 25:**
(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. 1:**
(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. 8:**
(Week #5) - Movie: “North Country” (watch on own)  
- Sex Discrimination and Harassment

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

**AUG. 15:**  
(Week #6)  
Final Exam*** (not cumulative)

(Dated: 05/30/2023)