



SCHOOL OF MANAGEMENT AND LABOR RELATIONS
DEPARTMENT OF LABOR STUDIES & EMPLOYMENT RELATIONS

FALL 2015
EMPLOYMENT DISCRIMINATION LAW

PROFESSOR VIKRANT KISHIN ADVANI

COURSE: 37:575:316:02 --- INDEX: 11988

LOCATION: COOK/DOUGLAS - Food Science Bldg., Auditorium

TIME: MONDAYS 7:15 PM TO 10:05 PM

vadvani@work.rutgers.edu

Office Hours: Before & after Class or by Appointment

Course Description: This course will survey the various laws that protect workers from discrimination based on protected categories including race, color, sex, religion, national origin, age, and disability. The course will also introduce students to the court system and to forums and procedures for litigating employment discrimination claims.

Grading Criteria:*

- (1) Mid-term Exam (40%)
- (2) Final Exam (50%)
- (3) Class Attendance & Participation (10%)

Note: Unexcused absences in excess of 5 classes will result in a failing grade for your class participation grade and an enhanced reduction of your overall final grade.

Unexcused absences in excess of 3-4 classes will result in a significant reduction of your class participation grade.

Being late more than 20 minutes to class will count as a ½ absence.

Finally, please also be advised that signing in for a student will result in the following consequences for the signing and absent student:

immediate dismissal from class, a failing grade (with no option to withdraw), and referral to the appropriate Dean's office for further disciplinary consequences.

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

Please be so advised.

Course Materials:

Textbook: *Understanding Employment Discrimination*, Thomas Haggard, 2nd Edition, ISBN # 978-1-4224-7358-0

In addition, course reading materials are found in the Sakai Resources section. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

Class Schedule:

CLASS 1: Course Overview – discussion of syllabus and resources.
9/8/15

NO READINGS

CLASS 2: A Discussion of Federal & State Court Systems & Employment
9/14/15 Discrimination Overview

READINGS:

Chapter 1: Overview of Employment Discrimination, Pg. 3-10.

Handout: New Jersey Court System

Handout: U.S. Court System

CLASS 3: Constitutional Restrictions to Employment Discrimination
9/21/15

READINGS

Chapter 2: Constitutional Prohibitions to Employment
Discrimination, Pg. 11-28.

Handout: Saint Francis College v. Al-Khazraji

Handout: Patterson v. McLean Credit Union

Handout: Robinson v. City of Pittsburgh

CLASS 4:
9/28/15

Title VII of the Civil Rights Act of 1964, Theories

READINGS

Chapter 4: The Civil Rights Act – An Overview, Pg. 39-56.
Chapter 5: Individual Disparate Treatment, Pg. 57-89

CLASS 5:
10/5/15

Title VII, Theories Continued

READINGS:

Chapter 6: Systemic Disparate Treatment, Pg. 91-94
Chapter 7: Disparate Impact, Pg. 95-111

CLASS 6:
10/12/15

Title VII, Race and Sex Discrimination & Harassment

READINGS:

Chapter 8: Special Problems w/ Race Discrimination, Pg. 113-116
Chapter 9: Special Problems w/ Sex Discrimination, Pg. 117-137

Price Waterhouse v. Hopkins
Jespersen v. Harrah's Operating Co., Inc
Lehman v. Toys R US

CLASS 7:
10/19/15

Title VII, National Origin and Religious Discrimination

READINGS:

Chapter 10: Special Problems w/ Nat'l Discrim., Pg. 113-116
Chapter 11: Special Problems w/ Religious Discrim, Pg. 117-137

READINGS:

Chaney v. Plainfield Healthcare Center
EEOC v. Sephora USA, LLC.
Espinoza v. Farah Mfg. Co.
TWA v. Hardison

CLASS 8:
10/26/15

MIDTERM EXAM

CLASS 9:
11/2/15

The Rehabilitation Act of 1973 and the ADA.

Chapter 30: Overview Pg. 301-302
Chapter 31: The Protected Disabled Class – Pg. 305-318
Chapter 32: Prohibited Conduct under ADA – Pg 319-328

Chapter 33: Proof and Defenses under ADA – 329-332

READINGS:

Arline v. School Board

Chevron v. Echazabal

Viscik v. Fowler Equipment Co.

CLASS 10: The Age Discrimination in Employment Act (“ADEA”)
11/9/15

Chapter 19: Coverage and Jurisdiction- Pg. 227-229

Chapter 20: Types of Violations & Their Proofs – Pg. 231-242

CLASS 11: Title VII Procedure, EEOC and Mandatory Arbitration of Claims.
11/16/15

Chapter 15: Title VII Procedure - Pg. 81-84

Chapter 16: Filing & Processing Charges - Pg. 185-198

Chapter 17: Litigation Pg. 199-209

Chapter 18: Remedies Pg. 211-223

CLASS 12: The Equal Pay Act & Executive Order 112461
11/20/15

READINGS:

Chapter 25: Introduction to Equal Pay Act, Pg. 271-274

Chapter 26: Elements of the claim, Pg. 275-280

Chapter 27: Defenses: Pg. 281-286

Chapter 28: Enforcement of the Equal Pay Act, Pg. 287-290.

Chapter 29: Executive Order 112461, Pg. 293-298

Ledbetter v. Goodyear

O'Connor v. Consolidated Coin Caterers Corp.

11/27/15 **THANKSGIVING RECESS**

CLASS 13
12/3/15 Section 1981; 1983 and 1985

READINGS:

Chapter 22: Section 1981, Pg. 249-253

Chapter 23: Section 1983, Pg. 255-264

Chapter 24: Section 1985, Pg. 265-268

CLASS 14:
12/10/15

NJLAD; BFOQ Defense.

READINGS:

NJLAD Handout.

Dotbard v. Rawlinson

El v. Southeastern PA Transit

**FINAL EXAM (NOT CUMULATIVE –
LOCATION AND DATE TO BE DETERMINED.)**