

IMMIGRATION LAW & EMPLOYEE RIGHTS
(Summer 2015)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:321:H6 (3 Credits)
Mondays & Wednesdays, July 6-August 12, 2015 (6:00 p.m. – 9:40 p.m.)
Class Location: Murray Hall, Room 211, College Avenue 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

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:

JULY 6: -Course Overview

NO READINGS

JULY 8: -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)

JULY 13: -Lawful Permanent Resident Status
-Non-Immigrant Status

READINGS:

-*Legal Immigration to the U.S.* (American Immigration Lawyers Assoc)
-*Nonimmigrant Admissions* (U.S. Dept. of Homeland Security)
-*H-1B Worker Rights* (U.S. Department of Labor)

JULY 15: -MOVIE: "Wetbacks"

NO READINGS

JULY 20: -Undocumented Status
-Deportation and Removal
-Employment Eligibility Verification

READINGS:

-*Padilla v. Kentucky*, 130 S.Ct. 1473 (2010)
-*Form I-9, Employment Eligibility Verification*
-*"E-Verify History & Milestones"* (U.S.C.I.S.)

JULY 22: MID-TERM EXAM

JULY 27: -Attempts by States to Regulate Immigration Issues
-Labor Laws & Immigrant Workers

READINGS:

-*Arizona v. U.S.*, 567 U.S. ____ (2012)
-*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)

JULY 29: -MOVIE: "Lost in Detention"

NO READINGS

AUGUST 3: -Employment Discrimination Laws & Immigrant Workers

READINGS:

-*EEOC Compliance Manual Regarding National Origin Discrimination*

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

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

AUGUST 5: -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)

AUGUST 10: -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)

AUG 12: FINAL EXAM (not cumulative)

(Date revised: 07/01/2015)