EMPLOYMENT LAW
(Spring 2015)
(Thursday Night Class)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315:06 (3 Credits)
Thursdays, 7:15 p.m. – 10:05 p.m.
Class Location: Cook-Douglass Lecture Hall, Room 103, Douglass/Cook Campus
Tel: 848-932-8560; E-mail: jcooney@work.rutgers.edu
Office Hours: Before & after class or by appointment

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.

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 “Resources” and
“Announcements” sections. 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:

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:

JAN. 22:  - Course Overview

NO READINGS

JAN. 29:  - Federal & State Court Systems
          - Anatomy of an Employment Lawsuit
          - Remedies

READINGS:
"Understanding the Federal Courts"
(www.uscourts.gov/FederalCourts.aspx)
"Welcome to the NJ Court System"
(www.judiciary.state.nj.us/process.htm)

FEB. 5:   - Employment at Will & Exceptions

READINGS:

FEB. 12:  Movie: “North Country”

NO READINGS

FEB. 19:  - Title VII of the Civil Rights Act of 1964
          - Equal Employment Opportunity Commission (“EEOC”)
          - Sex Discrimination and Harassment

READINGS:
EEOC web page: http://www.eeoc.gov/eeoc/publications/fs-sex.cfm

FEB. 26:  - Proving Discrimination
          - Race & Color Discrimination

READINGS:
McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)

MARCH 5:  MID-TERM EXAMINATION
MARCH 12: -Constitutional Issues

**READINGS:**
*City of Ontario v. Quon*, U.S. No. 08-1332 (06/17/2010)

MARCH 19: NO CLASS (Spring Break)

MARCH 26: -Polygraphs & Psychological Testing
-Workers’ Compensation

**READINGS:**
*Polkey v. Transtecs Corp.*, 404 F.3rd 1264 (11th Cir. 2005)
*Karraker v. Rent Center Inc.*, No. 04-2881 (7th Cir. 2005)

APRIL 2: -Family & Medical Leave (FMLA and NJFLA)

**READINGS:**
*Cruz v. Publix Super Markets, Inc.*, 428 F.3d 1379 (11th Cir. 2005)

APRIL 9: -Non-Compete & Confidentiality Agreements
-Drug Testing

**READINGS:**
*Nike, Inc. v. McCarthy*, 379 F.3d 576 (9th Cir. 2004)

APRIL 16: -Whistleblower Protection
-Employment-related Torts

**READINGS:**

APRIL 23: -Privacy Issues at the Workplace

**READINGS:**

APRIL 30: FINAL EXAM (not cumulative)

(Date revised: 01/13/2015)