**Employment Law**

**Instructor:** Rosemarie Cipparulo, Esq.

**Contact:** rosecip@work.rutgers.edu

**Course Number:** 37:575:315:90/91/92

**Semester:** Spring 2015

Employment Law is a fully online course. Students requiring technical assistance should contact the help desk:

**Using Pearson Learning Studio (eCollege) platform:** Course tools or addressing exam issues. Call toll free 24 hours a day, 7 days a week: 877-7RUTGER (877-778-8437) **Email:** help@ecollege.rutgers.edu

**NetID or Rutgers email problems:** Call 732-445-HELP (4357)

**Problems logging into the course:** Call Monday through Friday 9 am – 5 pm: 732-932-4702

**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.

**LSER Learning Objectives**

Employment Law addresses the following LSER Department learning outcomes:

- employment relations.
- historical evidence.

**Course Requirements**

**Reading, Audio/Video Assignments**

**Reading**


**Audio/Video**

Students are required to watch instructor generated and other video presentations. All video material is provided through links within the course shell.

**Writing Assignments**

Two writing assignments require students to reflect on course material, engage in online searches to connect employment law concepts with current events and perceptions, and develop/state opinions. Students will choose a topic for their second writing assignment early in the semester. Writing assignments are organized into three sections: overview, reflection, resources.

Writing Assignment #1: Biography: Introduction & Connection with Employment Law Topics
Writing Assignment #2 A and B: Contemporary Issues: Employment Discrimination or Employee Rights (I split the class in half for the purposes of submitting the second writing assignment. Therefore, #2A denotes reference to students who choose a topic from the first half of the semester, while #2B denotes reference to students who chose a topic from the second half of the semester)

**Peer Review and Comment on Writing Assignments**

Students read and reflect on the content of each other’s writing assignments. Students exhibit their knowledge of employment law and critical thinking skills when defending their opinions shared within their comments.

A minimum of 4 separate comments on 4 different writing assignments 2A and 4 separate comments on 4 separate writing assignments 2B are required.

**Forums**

There will be 2 forums or threaded discussions. The first forum will begin in week 4 of the class and the second will begin in week 12. Students will be required to make three substantive comments in each forum. The forums will be based on topics of particular interest in the field of employment law.

**Exams**

Students complete 2 exams during the semester. Exams focus on required course material addressed in weeks listed below. Weeks 1–7: Assessed in the mid-term exam in week 8 of the class.


Exams consist of true/false and multiple choice questions. Each exam is open for 3 days, during this period students may enter the online exam area to complete the exam. A 90 minute limit is set for each exam.

**Grading**

A final grade is based on a 1000 point system. Each assignment is worth a specific number of points. Total points accumulated determines final course grade.

- **Writing Assignments:** Two writing assignments 370 points
- **Writing Assignment Comments:** Eight comments 160 points
- **Two Forums:** Six Comments 120 points
- **Exams:** Two exams 350 points

Total Points: 1000
Point Equivalent to Final Grade

**Outstanding Good Satisfactory**

1000 - 900 Points = A 899 – 860 Points = B+ 7 99 – 760 Points = C+

859 – 800 Points = B 759 – 700 Points = C

**Poor**

699 - 600 Points = D 599 and below = F

POLICIES AND PROCEDURES

**Class Sessions**

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The course week begins on **Thursdays**. A weekly message will be uploaded into the course weekly messages file in document sharing by **10 am Thursday**. A week is 7 days in length. Information about content or assignment procedure is available within the weekly message.

Students may enter the course and engage in coursework at any time 24 hours a day, 7 days a week.

**Due Dates**

Writing Assignments must be completed and submitted into the appropriate blog area by 11:59 p.m. on the due date. A course calendar with due dates is available by clicking in the tab to the left of the Home page for the course.

Points will be deducted from writing assignments that are submitted late. If the paper is up to 24 hours late, I will deduct 10% of the value of the assignment; up to 48 hours late I will deduct 20% of the value of the assignment. Writing assignments will not be accepted after the 48 hour late period.

EXAMS must be completed within the open period. Exams are usually open for three days. No extensions are available for missed exams.

**CHECKING EMAIL**

Instructor's Email Checking Policy

Unless you receive advance notification, I will check my email by 10:00 am Eastern Time every workday. If you send a comment or question, I will attempt to respond within 24 hours.

Students Email Checking Policy

It is the responsibility of the student to check for incoming course related messages at least 2 times a week. The weekly message is sent Thursday mornings. Students are advised to open and read the message on Thursdays.

**COURSE SCHEDULE**

**Weeks 1 - 2**

**Topic:** Course Overview

Reading

Syllabus, Calendar, Grading

Tech FAQs (Computer and Internet requirements, how to use course tools and request technical assistance)

Video

Instructor Introduction /Welcome (Prof. Rosemarie Cipparulo)

**Topic:** Understanding the Court System

Reading

Internet Resource

"Understanding the Federal Courts" (http://www.uscourts.gov/FederalCourts.aspx)

"Welcome to the New Jersey Court System" (http://www.judiciary.state.nj.us/process.htm)

**Topic:** Anatomy of an Employment Lawsuit

Reading

Sample Complaint filed in NJ Superior Court
Internet Resource
"Civil Cases"
Video
Instructor Created Overview (Prof. James Cooney)

**Assignment:**
Choose Topic: for Writing Assignment #2 by 11:59 p.m. January 28

**Week 3**
**Topic 1:** Remedies
Reading
Nutshell, pp. 531-553
Video
Instructor created overview (Prof. James Cooney)
**Topic 2:** Employment at Will & Exceptions
Reading
Nutshell, pp. 37-77
Video
Instructor created overview (Prof. James Cooney)
**Assignment:** Writing Assignment #1 - Biography: Introduction & Connection with Employment Law Topics due by end of week 3 (11:59 p.m., February 11)

**Week 4**
**Topic 1:** Constitutional Issues
Reading
Nutshell, pp. 18-20, 173-198, 203-212
City of Ontario v. Quon, U.S. No. 08-1332 (06/17/2010)
**Internet Resource**
**Topic 2:** Drug Testing
Reading
**Assignment:**
Forum #1 begins February 12, First comment due February 15 and all three comments due by 11:59 p.m., February 19.
**PLEASE TAKE NOTE** - No students will be allowed to make comments after the forum closes. The point of the forum is for all of us to engage in a discussion. If the forum is closed, there can be no discussion.

**Week 5**
**Topic 1:** Title VII of the Civil Rights Act of 1964
Reading
Nutshell, pp. 229-264
**Week 6**

**Topic 1:** Race & Color Discrimination

Reading
- McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)

Video
- Theories of Action (Profs. Rosemarie Cipparulo and Lisa Schur)

**Topic 2:** National Origin Discrimination

Reading

**Assignment:**
- Students who chose a topic from the first part of the semester should work on writing assignment #2A

**Week 7**

**Topic 1:** Disability Discrimination

Reading
- Moorer v. Baptist Memorial, 6th Cir. No, 03-5855 (2/11/2005)

Video
- Disability Discrimination (Profs. Rosemarie Cipparulo and Lisa Schur)

**Topic 2:** Religious Discrimination

Reading

Video
- Religious Discrimination (Prof. James Cooney)

**Topic 3:** Sexual Harassment and Discrimination

Reading

Video Instructor created overview (Profs. Rosemarie Cipparulo and Lisa Schur)

**Assignment:** Writing assignment #2A for those students who chose a topic from the first part of the semester due by 11:59 p.m., March 5.

**Week 8**

Mid-term exam

Exam open 12:01 a.m. March 11 – 11:59 p.m. March 13. Graded exam available after exam period closes.

**Week 9** NO CLASS – SPRING BREAK
Week 10
Topic 1: Whistleblower Protection
Reading

Topic 2: Employment Related Torts
Reading
Assignment:
Peer Comments on Writing Assignments – 4 Comments to be made by EVERY student on four different Writing Assignment #2A papers posted in your blog group by 11:59 p.m., April 1.

Week 11
Topic 1: Privacy Issues in the Workplace
Reading

Topic 2: Workplace Bullying
Reading
New Jersey Healthy Workplace Act
Website – Pending Healthy Workplace Legislation May Put NJ, NY and Illinois Employers at Risk
http://www.natlawreview.com/node/2515
Website – Proposed Legislation Stands Up To Workplace Bullies
http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202573109680&Proposed_Legislation_Stands_Up_to_Workplace_Bullies&slreturn=20130022095250

Forum #2 opens at 12:01 a.m. April 2 and closes 11:59 p.m. April 8. First comment due by April 5 – all three comments by April 8.

PLEASE TAKE NOTE - No students will be allowed to make comments after the forum closes. The point of the forum is for all of us to engage in a discussion. If the forum is closed, there can be no discussion.

Week 12
Topic 1:
Family & Medical Leave (FMLA and NJFLA)
Internet Resource
N.J. Attorney General, "The New Jersey Family Leave Fact Sheet" (http://www.state.nj.us/lps/dcr/downloads/filafactsheet.pdf)

Topic 2: Non-Compete & Confidentiality Agreements
Reading
Nike, Inc. v. McCarthy, 379 F.3d 576 (9th Cir. 2004)
Assignment: Writing assignment #2B for those students who chose a topic from the second half of the semester is due by 11:59 p.m. April 15.
Week 13
Topic 1: Worker’s Compensation
Reading
http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1888620/
All peer comments on writing assignment #2B due by 11:59 p.m. April 22

Week 14
Final Exam Preparation/Complete Exam
Final exam open 12:01 a.m. Thursday, April 23 through 11:59 pm Sunday, April 26. Graded exam available after exam period closes.