Employment Law
Instructor: Rosemarie Cipparulo, Esq.
Contact: rosecip@work.rutgers.edu
Course Number: 37:575:315:T1
Semester: Summer 2016

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:

- Demonstrate an understanding of the perspectives, theories, and concepts in the field of labor and employment relations.

- Make an argument in the field of labor and employment relations using contemporary and/or historical evidence.

- Communicate effectively in modes appropriate to labor & employment relations.

**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: Contemporary Issues: Employment Discrimination or Employee Rights
Half the class will submit their second writing assignment, designated as writing assignment 2A, on July 11 while the other half of the class will submit their second writing assignment, designated as 2B on August 2.

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 writing assignment 2A and 4 separate comments on writing assignments 2B are required. All students will make 4 comments on both writing assignments 2A and 2B.

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 10. 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 7 of the class.

Weeks 8–11: Assessed in the final exam in week 12.

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 1 hour 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**

<table>
<thead>
<tr>
<th>Outstanding</th>
<th>Good</th>
<th>Satisfactory</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 - 900 Points = A</td>
<td>899 – 860 Points = B+ 7</td>
<td>99 – 760 Points = C+</td>
</tr>
<tr>
<td>859 – 800 Points = B</td>
<td>759 – 700 Points = C</td>
<td></td>
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</tbody>
</table>

**Poor**

699 - 600 Points = D 599 and below = F

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**POLICIES AND PROCEDURES**

**Class Sessions**
- Students are expected to enter the course for the first time the first day of the semester.

**Employment Law Summer 2015 37:575:90/91**

- The course week begins on Tuesdays. A weekly message will be sent to each student as well as uploaded into the course weekly messages file in document sharing by 10 am Tuesday. Information about content or assignment procedure is available within the weekly message.

- Each week is 7 days in length. 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 by 11:59 pm Eastern Time the day the assignment is due. Deadlines are listed on the course calendar that is available online.

- Writing assignment late penalties: up to 24 hours late (12 midnight – 11:59 pm Fridays) - 10% of the value of the assignment; up to 48 hours late (12 midnight – 11:59 pm Saturdays) - 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 3 day open period. As students are given a three day period to complete the exam, no extensions are available.

**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, you will receive a response 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 Tuesday mornings. Students are advised to open and read the message on Tuesdays.

COURSE SCHEDULE

Weeks 1 - 2

Topic 1: Course Overview
Reading
Syllabus, Calendar, Grading
Tech FAQs (Computer and Internet requirements, how to use course tools and request technical assistance)

Video
Instructor Welcome and Course Overview (Prof. Rosemarie Cipparulo)

Topic 2: 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 3: 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:


Writing Assignment #1 – by end of week 2 (11:59 p.m. June 13)
Biography: Introduction & Connection with Employment Law Topics

Week 3
Topic 1: Remedies

Reading
Nutshell. pp. 531-553
Video
Remedies (Prof. James Cooney)

**Topic 2:** Employment at Will & Exceptions

**Reading**
Nutshell, pp. 37-77


Video
Employment at Will (Prof. James Cooney)

**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 June 21. First comment due June 23 and all three comments due by 11:59 p.m. June 27.

**Week 5**

**Topic 1:** Title VII of the Civil Rights Act of 1964

**Reading**
Nutshell, pp. 229-264

**Topic 2:** Equal Employment Opportunity Commission ("EEOC")

**Reading**
Sample EEOC Charge of Discrimination

**Internet Resource**
EEOC Website, “Filing a Charge of Discrimination” http://www.eeoc.gov/employees/charge.cfm

Video
EEOC (Prof. James Cooney)

**Topic 3: Race & Color Discrimination**

Reading

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

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

**Week 6**

**Topic 1: National Origin Discrimination**

Reading

**Topic 2: Disability Discrimination**

Reading

Video
Disability Myths (Profs. Rosemarie Cipparulo and Lisa Schur)

**Topic 3: Religious Discrimination**

Reading

Video
Religious Discrimination Part 1 (Prof. James Cooney)
Religious Discrimination Part 2 (Prof. James Cooney)

**Assignment:**
Writing assignment #2A due by 11:59 p.m. July 11.
Week 7

**Topic 1:** Sexual Harassment and Discrimination

**Reading**

**Video**
Sexual Harassment (Prof. Lisa Schur)

**Mid-term exam**


Week 8

**Topic 1:** Whistleblower Protection

**Reading**

**Topic 2:** Employment Related Torts

**Reading**

**Assignment:**
Peer Comments on Writing Assignment #2A – 4 Comments by the end of week 8 – 11:59 p.m. July 25
Week 9

**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&sreturn=20130022095250

*Video*
Workplace Bullying (Prof. Rosemarie Cipparulo)

**Topic 3:** Family & Medical Leave (FMLA and NJFLA)
*Reading*
Internet Resource
U.S. Department of Labor Fact Sheet #28, ”The Family and Medical Leave Act of 1993”
(http://www.dol.gov/whd/regs/compliance/whdfs28.pdf)
N.J. Attorney General, ”The New Jersey Family Leave Fact Sheet”
(http://www.state.nj.us/lps/dcr/downloads/flafactsheet.pdf)

**Assignment:**
Forum #2 opens at 12:01 a.m. July 26 and closes 11:59 p.m. August 1

Week 10

**Topic 1:** Non-Compete & Confidentiality Agreements
*Reading*
Nike, Inc. v. McCarthy, 379 F.3d 576 (9th Cir. 2004)

**Topic 2:** Worker’s Compensation
*Reading*
http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1888620/

**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. August 2
Week 11
Assignment: All 4 peer comments on writing assignment #2B due by 11:59 p.m. August 8

Final Exam Preparation/Complete Exam

Final exam open 12:01 a.m. Saturday, August 15 through 11:59 pm Tuesday, August 17. Graded exam available after exam period closes.