

# RUTGERS

Labor Studies and Employment Relations Department  
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## EMPLOYMENT LAW Course No. 37-575-315-04

### SYLLABUS

#### SPRING 2016

**Professor Brian J. Manetta, Esq.**

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**Course Location:** Lucy Stone Hall, Room B-269

**Office Hours:** Before or after class or by appointment

**COURSE DESCRIPTION:** This course will provide an overview of the laws governing the employment relationship. The course will cover major issues in employment law, including but not limited to the employment at will doctrine, employee privacy, employment discrimination and employment torts, as well as statutory and common law protection for working men and women. Students will analyze and synthesize information and ideas from multiple sources to generate new insights.

#### **GRADING AND EVALUATION:**

Midterm examination: 40% of grade

Final examination: 40% of grade

Attendance and participation: 20% of grade

The final examination will not be cumulative

**ATTENDANCE:** Students are expected to attend and be prepared for all class sessions. Unexcused absences will be detrimental to student grades. Students are also expected to be prepared and participate fully in class discussions.

#### **BOOKS/READINGS:**

Readings will be posted on SAKAI or disseminated in class. Students are responsible to check SAKAI for additional readings prior to each class session.

## COURSE SCHEDULE

### Week 1

1/25/2016

Introduction and course overview  
An introduction to the court system  
How to find and read a case

#### READINGS:

*Labor and Employment Law: Text and Cases* pp. 18-19, 23-30;  
*Understanding the Federal Courts*  
*Welcome to the New Jersey Court System*

### Week 2

2/1/2016

Employment at will

#### READINGS:

*Labor and Employment Law: Text and Cases (14<sup>th</sup> Ed.)*, 583-604  
*Woolley v. Hoffman-LaRoche, Inc.*, 99 N.J. 284 (1985)  
*Principles of Employment Law, Chap. 1*

### Week 3

2/8/2016

Employment torts

#### READINGS:

*Labor and Employment Law: Text and Cases (14<sup>th</sup> Ed.)*, pp. 604-613  
*DiCosala v. Kay*, 91 N.J. 159 (1982)  
*Carter v. Reynolds*, 175 N.J. 402 (2003)  
*Gibson v. Kennedy*, 23 N.J. 150 (1957)  
*Restatement (Second) of Agency*, §228  
*Restatement (Second) of Agency*, §229  
*Summary Judgment Brief in Evans v. Jenkins*

### Week 4

2/15/2016

Employee privacy

#### READINGS:

*Labor and Employment Law: Text and Cases*, pp. 615-660

### Week 5

2/22/2016

Employment Discrimination

#### READINGS:

*Labor and Employment Law: Text and Cases*, pp. 387-462  
*Lehmann v. Toys 'R' Us, Inc.*, 132 N.J. 587 (1993)  
*McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973)  
*Taylor v. Metzger*, 152 N.J. 490 (1998)

### Week 6

2/29/2013

The employment lawsuit, procedures and remedies  
Review for midterm examination

#### READINGS:

*Labor and Employment Law: Text and Cases*, pp. 463-514

Week 7  
3/7/2016

**MIDTERM EXAMINATION**

3/14/2013

**SPRING BREAK**

Week 8  
3/21/2016

Age and Disability Discrimination

**READINGS:** *Labor and Employment Law: Text and Cases*, pp. 515-582

Week 9  
3/28/2016

Wage and hour laws, unemployment compensation

**READINGS:** *Principles of Employment Law, Chap. 5*  
*Excerpts of the Fair Labor Standards Act, 29 U.S.C. §201, et. seq.*

Week 10  
4/4/2016

Family Medical Leave (FMLA, NJ FLA)  
Workers Compensation

**READINGS:** *Labor and Employment Law: Text and Cases*, pp. 563-577  
*New Jersey Employment Law, Ch. 6*

Week 11  
4/11/2016

Whistleblower Protection

**READINGS:** *New Jersey Employment Law, Ch. 2, Section III*  
*Selected excerpts from the New Jersey Conscientious Employee*  
*Protection Act, N.J.S.A. 34:19-1, et. seq.*  
*D'Annunzio v. Prudential Ins. Co. of America*, 192 N.J. 110 (2007)  
*Blackburn v. United Parcel Serv., Inc.*, 3 F. Supp. 2d 504 (D.N.J. 1998)  
*Pierce v. Ortho Pharmaceutical Corp.*, 84 N.J. 58 (1980)

Week 12  
4/18/2016

Constitutional issues

**READINGS:** *Pickering v. Board of Education*, 391 U.S. 563 (1968)  
*Connick v. Myers*, 461 U.S. 138 (1983)  
*Principles of Employment Law*, by Peggie R. Smith, et. al., pp. 72-80

Week 13  
4/25/2016

Safety and Health

**READINGS:** *Labor and Employment Law: Text and Cases*, pp. 353-386

Week 14  
5/2/2016

Review for final examination

Week 15

**FINAL EXAMINATION - TBD**