EMPLOYMENT LAW
(Spring 2016)
(Monday Class)

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315:05 (3 Credits)
Mondays, 12:00 p.m. – 3:00 p.m.
Class Location: Rutgers Cinema, Room 2, Livingston 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. 25:  -Course Overview

NO READINGS

FEB. 1:  -Federal & State Court Systems
         -Anatomy of an Employment Lawsuit
         -Remedies

READINGS:
"Understanding the Federal Courts"
"Welcome to the NJ Court System"

FEB. 8:  -Employment at Will & Exceptions

READINGS:

FEB. 15: -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. 22:  Movie: “North Country”

NO READINGS

FEB. 29:  -Proving Discrimination
          -Race & Color Discrimination

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

MARCH 7:  MID-TERM EXAMINATION
MARCH 14: NO CLASS (Spring Break)

MARCH 21: -Constitutional Issues

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

MARCH 28: -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)
- Guyton, Gregory P. “A Brief History of Workers’ Compensation”

APRIL 4: -Family & Medical Leave (FMLA and NJFLA)

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

APRIL 11: -Non-Compete & Confidentiality Agreements
- Drug Testing

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

APRIL 18: -Whistleblower Protection
- Employment-related Torts

**READINGS:**

APRIL 25: -Privacy Issues at the Workplace

**READINGS:**

MAY 2: FINAL EXAM (not cumulative)

(Date revised: 01/09/2016)