EMPLOYMENT LAW
(Spring 2016)
(Thursday 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 102, Cook-Douglass 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. 21: -Course Overview

**NO READINGS**

JAN. 28: -Federal & State Court Systems
-Anatomy of an Employment Lawsuit
-Remedies

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

FEB. 4: -Employment at Will & Exceptions

**READINGS:**

FEB. 11: -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. 18: Movie: “North Country”

**NO READINGS**

FEB. 25: -Proving Discrimination
-Race & Color Discrimination

**READINGS:**

MARCH 3: MID-TERM EXAMINATION

MARCH 10: -Constitutional Issues

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

MARCH 24:  -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”*  

MARCH 31:  -Family & Medical Leave (FMLA and NJFLA)

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

APRIL 7:  -Non-Compete & Confidentiality Agreements
            -Drug Testing

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

APRIL 14:  -Whistleblower Protection
            -Employment-related Torts

**READINGS:**

APRIL 21:  -Privacy Issues at the Workplace

**READINGS:**

APRIL 28:  FINAL EXAM (not cumulative)

(Date revised: 01/09/2016)