

**IMMIGRATION LAW & EMPLOYEE RIGHTS**  
**(Spring 2016)**  
**(Wednesday Night Class)**

Instructor: James M. Cooney, Esq.  
Rutgers University, Labor Studies & Employment Relations Department, SMLR  
Course #37:575:321:01 (3 Credits)  
Wednesdays, 7:15 p.m. – 10:05 p.m.  
Class Location: Cook-Douglass Lecture Hall, Room 109, Douglass/Cook Campus  
Tel: 848-932-8560; E-mail: [jcooney@work.rutgers.edu](mailto:jcooney@work.rutgers.edu)  
Office Hours: Before & after class or by appointment

**Course Description:** Contemporary immigration law in the U.S.; employer compliance issues; employee rights; immigrant employee representation and related policy debates.

**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 Announcements section. 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:

*[http://academicintegrity.rutgers.edu/files/documents/AI\\_Policy\\_9\\_01\\_2011.pdf](http://academicintegrity.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf)*

**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. 20: -Course Overview

**NO READINGS**

JAN. 27: -History of U.S. Immigration  
-U.S. Citizenship Status

**READINGS:**

-*Timeline of U.S. Policy on Immigration and Naturalization*  
-*U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898)  
-*Reports on Birthright Citizenship Reform Proposals* (Immigration Policy Center, 01/04/2011)

FEB. 3: -Lawful Permanent Resident Status  
-Non-Immigrant Status

**READINGS:**

-*Legal Immigration to the U.S.* (American Immigration Lawyers Assoc)  
-*Why Don't They Just Get In Line?* (IPC, March 2013)  
-*Nonimmigrant Admissions* (U.S. Dept. of Homeland Security)  
-*H-1B Worker Rights* (U.S. Department of Labor)

FEB. 10: -MOVIE: "Wetback – The Undocumented Documentary"

**NO READINGS**

FEB. 17: -Undocumented Status  
-Deportation and Removal  
-Employment Eligibility Verification

**READINGS:**

-*Padilla v. Kentucky*, 130 S.Ct. 1473 (2010)  
-*Form I-9, Employment Eligibility Verification*  
-*"E-Verify History & Milestones"* (U.S.C.I.S.)

FEB. 24: -Attempts by States to Regulate Immigration Issues

**READINGS:**

-*Form I-9, Employment Eligibility Verification*  
-*E-Verify FAQs* (NCSL, December 2012)  
-*Arizona v. U.S.*, 567 U.S. \_\_\_\_ (2012)

MARCH 2: MID-TERM EXAM

MARCH 9: -Labor Laws & Immigrant Workers

**READINGS:**

-*Hoffman Plastic Compounds v. NLRB*, 535 U.S. 137 (2002)

-*Flores v. Amigon*, 233 F.Supp. 462 (E.D.N.Y. 2002)

-*Fernandez-Lopez v. Cervino, Inc.*, 288 N.J. Super. 14 (App. Div. 1996)

MARCH 16: NO CLASS (Spring Break)

MARCH 23: -MOVIE: "Lost in Detention"

**NO READINGS**

MARCH 30: -Employment Discrimination Laws & Immigrant Workers

**READINGS:**

-*EEOC Compliance Manual Regarding National Origin Discrimination*

-*Garcia v. Spun Steak Co.*, 13 F.3<sup>rd</sup> 296 (9<sup>th</sup> Cir. 1993)

-*EEOC v. Premier Operator Services*, 113 F.Supp. 1066 (N.D.Tex. 2000)

APRIL 6: -Economic Impact of Immigration

**READINGS**

-*The Myth of Self-Deportation* (Filindra, April 2012)

-*Adding It Up: Accurately Gauging the Economic Impact of Immigration Reform* (Ojeda & Robinson, May 2013)

-*Facts About Immigration & the U.S. Economy* (Economic Policy Institute, August 12, 2014)

APRIL 13: -Current Efforts at Immigration Reform  
-Executive Action

**READINGS:**

-*The DREAM Act* (The White House)

-*Executive Grants of Temporary Immigration Relief, 1956-Present* (IPC, October 2014)

-*When Reagan & GHW Bush Took Bold Executive Action on Immigration* (The Hill, October 2, 2014)

APRIL 20: -Agricultural Workers  
-Day Laborers

**READINGS**

-*Summary of Federal Laws & Regulations Affecting Agricultural Workers* (U.S. Dept. of Agriculture, 2002)

-*"All Work and No Pay:" Day Laborers, Wage Theft, and Workplace Justice in New Jersey* (Seton Hall Law School, January 2011)

APRIL 27: FINAL EXAM (not cumulative)

*(Date revised: 01/09/2016)*