**IMMIGRATION LAW & EMPLOYEE RIGHTS**  
*(Fall 2016)*

Instructor: James M. Cooney, Esq.  
Rutgers University, Labor Studies & Employment Relations Department, SMLR  
Course #37:575:321:01 (3 Credits)  
Wednesdays (8:40 a.m. – 11:40 a.m.)  
Class Location: Tillet Hall, Room 246, Livingston Campus  
Tel: 848-932-8560; E-mail: 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.

**Learning Objectives:** The student is able to:

*Labor Studies & Employment Relations Department:*  
- Apply employment relations legal concepts, and substantive institutional knowledge, to understanding contemporary developments related to work. (Goal 2)

*School of Management & Labor Relations:*  
- Demonstrate an understanding of how to apply knowledge necessary for effective work performance. (Goal VI)

**Additional Course Objective(s) from the Instructor:**  
- Demonstrate basic knowledge of immigration law, underlying policies, and applicability of selected employment laws to immigrant workers.  
- Demonstrate ability to comprehend court decisions and other readings on immigration law issues.  
- Apply immigration law concepts to a given fact pattern.

**Grading Criteria:**  
(1) Mid-term Exam (50%)  
(2) Final Exam (50%)  
(*Credit is also earned for attendance and in-class contributions*)

**Attendance:** Students are expected to attend class on a regular basis. Please note that excessive unexcused absences will lower your grade. Unexcused absences in excess of 3 classes may result in a failing grade. Students arriving late to class, or departing class early, must sign-in/out with a TA.

**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 Records Retention:** Exams, papers, and any other items submitted by students for grading are retained for 2 years before shredding and disposal. Any student wishing to review any such item must make a request prior to that time.

**Academic Integrity:** The conduct of all students is governed by the Rutgers University Academic Integrity Policy:  

**Laptops/Cell Phones:** 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 should refrain from texting while in class. Points may be deducted from the grades of students who consistently violate the foregoing policy.

**Recording:** Students are not permitted to videotape or otherwise record any classroom lecture or activity, absent prior express consent and authorization by the Instructor.

**Class Schedule:**

SEPT. 7:  
-Course Overview

**NO READINGS**

SEPT. 14:  
- 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)

SEPT. 21:  

**NO READINGS**

SEPT. 28:  
-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)
OCT. 5:  -Non-Immigrant Worker Protections

**READINGS:**
-H-1B Worker Rights (U.S. Department of Labor)
-Cuellar Aguilar v. Deggeller Attractions, Inc. (8th Cir. 2015)

OCT. 12:  -Undocumented Status
-Employment Eligibility Verification
-Attempts by States to Regulate Immigration Issues

**READINGS:**
-Form I-9, Employment Eligibility Verification

OCT. 19:  -MID-TERM EXAM

**NO READINGS**

OCT. 26:  -Economic Impact of Immigration

**READINGS**
-Adding It Up: Accurately Gauging the Economic Impact of Immigration Reform (Ojeda & Robinson, May 2013)
-The Labor & Output Declines from Removing All Undocumented Immigrants (American Action Forum 2016)
-Facts About Immigration & the U.S. Economy (Economic Policy Institute, August 12, 2014)

NOV. 2:  -MOVIE: “Lost in Detention” (PBS Frontline 2011)

**NO READINGS**

NOV. 9:  -Labor Laws & Immigrant Workers

**READINGS:**

NOV. 16:  -Employment Discrimination Laws & Immigrant Workers

**READINGS:**
-EEOC Compliance Manual Regarding National Origin Discrimination
-Garcia v. Spun Steak Co., 13 F.3d 296 (9th Cir. 1993)
NOV. 30:  - 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)

DEC. 7:   - Prospects for Immigration Reform
            - Executive Action

            **READINGS**
            - *The DREAM Act* (The White House)
            - *Executive Grants of Temporary Immigration Relief, 1956-Present* (IPC, October 2014)

DEC. 14:  FINAL EXAM (not cumulative)

(Date revised: 09/01/2016)