

School of Management & Labor Relations, Employment Law: 37:575:315:93, Fall 2022

Course Description

Analysis of major issues in employment law, including laws protecting employees from discrimination, as well as wage and hour laws and laws covering employee privacy, workers' compensation, unemployment insurance, immigration and safety and health.

This course will help students to understand the basic framework of employment law in the United States and to develop the ability to think critically and to read, analyze and evaluate legal statutes and decisions. Students will learn to identify, understand, and explain conflicting views on legal and policy arguments.

Read each section of the Syllabus component below carefully. Note: if you are new to Canvas, complete the Canvas tutorials under [Course Tools Tutorials](#).

Instructor Information

Instructor: Joyce Klein

Tel: (Office) (732) 775-5677

E-mail: kleinj@rutgers.edu

Virtual Office Hours: Available by appointment via Zoom

Canvas Tutorials & Technical Support

If you are new to Canvas or need a refresher tutorial, visit:

- [Getting Started In Canvas for Students](#)

If you need technical assistance at any time during the course or to report a problem with Canvas:

- Contact [Rutgers IT Help Desk](#). 877-361-1134, accessible 24 hours a day, 7 days a week.
- Refer to the [Canvas Student Tutorial](#)
- View tutorials at [Course Tools Tutorials](#) (in the Modules section)

Course Delivery Format

This course runs from September 1 through December 12, 2021. It is delivered *entirely* online through the Learning Management System, Canvas. There will be no Face-to-Face, in-person classroom sessions.

The course is delivered in *asynchronous* mode. This means the learning activities and communication takes place outside of real-time. You do not have to log in at any specific scheduled time; you log in at your convenience. However, there may be times when you want to meet with your professor or other students.

Note: Even though you don't need to log in at any specific time, **you are required to adhere to all course work due dates.**

Virtual Office Hours

- Virtual Office Hours will be conducted through Zoom upon request.

How to Access Zoom

Virtual office hours are conducted through ZOOM. If you have not activated your Rutgers ZOOM account, you will need to do so prior to class starts. Follow the steps below:

1. Follow instructions on [Creating Rutgers ZOOM Account](#). Note: be sure to read what to do if you have an existing personal ZOOM account that uses your Rutgers email.
2. Once you have activated your Rutgers ZOOM account you will then need to make sure your Canvas default email is in the format **netid@rutgers.edu**. Follow instructions on [How to check and set your Canvas Default Email](#) if needed. Then you can access the scheduled ZOOM class sessions.
3. To access and join the scheduled class sessions, select the ZOOM tab from the left navigation menu, then select Join to join the scheduled session. If you are new to ZOOM, review the tutorials under [Course Tools Tutorials](#) or at [Rutgers ZOOM Homepage](#).

Special Needs Accommodations

Rutgers, the State University of New Jersey abides by the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments (ADAA) of 2008, and Sections 504 and 508 which mandate reasonable accommodations be provided for qualified students with disabilities and accessibility of online information. If you have a disability and may require some type of instructional and/or examination accommodation, please contact me early in the semester so that I can provide or facilitate in providing accommodations you may need. If you have not already done so, you will need to register with the [Office of Disability Services](#), the designated office on campus to provide services and administer exams with accommodations for students with disabilities. Below is the full contact information for the Office of Disability Services:

Office of Disability Services contact and address

Lucy Stone Hall, Livingston Campus, 54 Joyce Kilmer Avenue, Suite A145, Piscataway, NJ 08854-8045.

- E-mail Address: dsoffice@rci.rutgers.edu
- Phone: (848) 445-6800 • Fax: (732) 445-3388
- <https://ods.rutgers.edu/>

Course Materials

- Textbook (you need to purchase):
 - Robert N. Covington, *Employment Law in a Nutshell*. 4th Edition. West Nutshell Series. ISBN 978-1634607636.
- Additional Materials:
 - Lecture videos, multimedia, and any supplemental materials, such as cases are provided in their relevant weekly "To-Do" pages. You do not need to purchase any of the additional materials.

Course Objectives

By the end of this course, you will be able to:

1. Make an argument about an employment law matter using contemporary and/or historical evidence;
2. Apply legal precedent to current issues in the workplace;
3. working productively in teams, in social networks, and on an individual basis;
4. Communicate effectively at a level and in modes appropriate to an entry level professional; and
5. Demonstrate an ability to interact with and influence others in a professional manner and effectively presenting ideas and recommendations.

Computer and other Technology Requirements

- Access to the internet
- Reliable computer
- Headphones/Headsets - highly recommended
- Webcam - optional
- Microsoft Word
- [Basic Computer Specifications for Canvas](#)

For convenience, you can also download/install the Canvas Student App for Android or iOS devices. Follow the instruction on the respective app centers:

- [Canvas Student App for Android](#)
- [Canvas Student App for iOS](#)

Course Structure & Schedules

This course is structured in a weekly module format. A Module is a chunk of the course content broken out by topic(s). Each Module equates to one Week. Each week starts on a Monday and ends on a Sunday. The first and last week of the semester are exceptions.

The weekly/module activities are noted in the Modules section under the corresponding **Week # To Do** pages. Each To Do page includes:

- Topic introduction of the week (these are Instructor Notes for each class listed under the readings section of each weekly To-Do pages.)
- Learning Objectives (what you should be able to do by the end of each week)
- Learning Materials
 - Readings
 - Multimedia (Audio, and/or Videos, Lecture recordings)
- Learning Activities - what activities you will be doing to help you learn
 - Discussion (may not be every week)
 - Assignments (may not be every week)
- Assessment/Assignments - the activities that will be assessed (graded)

The course is divided into 15 Weeks as follows (link to the weekly modules):

[Week 1 \(September 6-11\)](#): Introduction, Understanding the Federal Courts: Court Role and Stature

- Readings: (Once on the web page, read the sections on District Court, Court of Appeals and Supreme Court)
- About the New Jersey Courts (Read the introductory page and the following: Supreme Court of New Jersey)
- Appellate Division (The initial two paragraphs are required reading. However, if you are interested, continue to explore the website to see where you can access recent court opinions and other information.)
- Civil Cases: US Courts
- Lectures and/or Other Media
- Employment Law Video (Joyce M. Klein)
- Assignments:
- Week 1 Discussion Forum: Meet Your Learning Community (Due September 11)

- Complete Academic Integrity Contract (Due September 11)

Week 2 (September 12-18): Reading & Briefing Cases, Anatomy of a Lawsuit

- Readings:
 - How to Read and Brief Cases
 - Wooley v. Hoffman (Sample Briefing)
 - What does a typical employment related lawsuit look like?
 - Sample complaint filed in New Jersey Superior Court
 - Civil Cases – US Courts
- Lectures and/or Other Media:
 - Housekeeping/Discussions Video (Joyce M. Klein)
 - Employment Law – Anatomy of a Typical Employment Related Lawsuit (Professor James Cooney)
- Assignments:
 - Case Brief: Pierce v. Ortho Pharmaceutical (Due September 25)

Week 3 (September 19-25): Employment at Will & Exceptions

- Readings:
 - Employment Law Week Three Class Notes
 - Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 5-18, 39-65, 73-81
 - Cases: Pierce v. Ortho Pharmaceutical and Wooley v. Hoffman La Roche, Inc.
- Lectures and/or Other Media:
 - Introduction to Employment at Will and Instructions Video (Joyce M. Klein)
 - Employment at Will and Exceptions (Professor James Cooney)
- Assignments:
 - Discussion Forum 1: Charlie and the Wonder Warehouse (Due September 21. Additional Comments Due September 24)

Week 4 (September 26-October 2): Whistleblower and Restrictive Covenants

- Readings:
 - Employment Law Week Four Class Notes
 - Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 90-101
 - Cases: Hernandez v. Montville Board of Education; Nike Inc. v McCarthy
- Lectures and/or Other Media:
 - None

- Assignments:
- Discussion Forum 2: Big Box Store (Due September 28. Additional Comments due October 1)

Week 5 (October 3-9): Who is an Employee in Private Sector or Public Sector?

- Readings:
- Employment Law Week Five Class Notes
- Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 20-29
- Case: Carter v. Reynolds

- Lectures and/or Other Media:
- None

- Assignments:
- Discussion Forum 3: Rita's Nail Salon (Due October 5. Additional comments due October 8)

Week 6 (October 10-16): Workplace Privacy, Part 1

- Readings:
- Employment Law Class Week Six Notes
- Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 115-137 and 177-206
- Case: O'Connor v. Ortega

- Lectures and/or Other Media:
- None

- Assignments:
- Discussion Forum 4: Gretchen, the Administrative Assistant (Due October 12. Additional Comments due October 15)

Week 7 (October 17-23): Workplace Privacy, Part 2

- Readings:
- Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 207-220
- Cases: Treasury Employees v Von Raab; City of Ontario v Quon (Majority Opinion only to page 17)

- Lectures and/or Other Media:
- None

- Assignments:
- Discussion Forum 5 – Drug Testing for Marijuana in the New Workplace (Due October 19. Additional Comments due October 22)

Week 8 (October 24-30)

- Midterm Review and Exam (Exam Available from October 25-28)

Week 9 (October 31-November 6): Title VII – Theories of Discrimination and the EEOC

- Readings:
 - Employment Law Week Nine Class Notes
 - Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 221-243
 - Sample EEOC Charge of Discrimination
 - Filing a Charge of Discrimination
- Lectures and/or Other Media:
 - Introduction to Discrimination in the Workplace Video (Joyce M. Klein)
 - Theories of Action (Prof. Rosemarie Cipparulo)
 - EEOC Video (Prof. James Cooney)
- Assignments:
 - Discussion Forum 6: Filing a Claim of Discrimination (Due November 2. Additional comments due November 5)

Week 10 (November 7-13): Discrimination on the Basis of Race, Color and Religion

- Readings:
 - Employment Law Class Week Ten Notes
 - Cases: McDonnell Douglas Corp. v. Green; Griggs v. Duke Power Company; McRory v. Rapides Regional Medical Center
- Lectures and/or Other Media:
 - Theories of Action (Rosemarie Cipparulo) (Note: This video is the same one you watched in Week 9. You need to watch it again this week. It's really important material. Watching it a third time would be great!)
 - Discrimination Based on Religion, Part 1 (Prof. James Cooney)
 - Discrimination Based on Religion, Part 2 (Prof. James Cooney)
- Assignments:
 - Discussion Forum 7: DizzyLand

Week 11 (November 14-20): Discrimination on the Basis of Sex (Including Sex Harassment) and Disability

- Readings:

- Employment Law Class Week Eleven Notes
- Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 243-252, 272-281
- Cases: Boyd v. Ozark Airlines; Lehmann v. Toys R Us
- Report of Investigation into Allegations of Sexual Harassment by Governor Andrew M. Cuomo (Read pages 1-13 Executive Summary)
- Lectures and/or Other Media:
- None
- Assignments:
- Discussion Forum 8: Government Cuomo's Office (Due November 16. Additional comments due November 19)

Week 12 (November 21-27) Workers Compensation & FMLA/NJ FLA (Thanksgiving week)

- Readings:
- Employment Law Week Twelve Class notes
- A brief history of workers compensation
- New Jersey department of labor's division of temp disability and family leave insurance
- Case: Halliman v. Los Angeles Unified School District
- Lectures and/or Other Media:
- Introduction to Protective Workplace Laws Video (Joyce M. Klein)
- Assignments:
- Discussion Forum 10: NotsosmartMart (Due November 30. Additional comments due December 3 Extra time for Thanksgiving)

Week 13 (November 28 – December 4) FLSA

- Readings:
- Employment Law Class Week Thirteen Notes
- Text Book: Robert N. Covington, Employment Law in a Nutshell, Fourth Edition, pages 379-401
- Lectures and/or Other Media:
- None
- Assignments:
- Discussion Forum 10 Continued

Week 14 (December 5-11) Study for Final Exam

Week 15 (December 12-18) Final Exam

- Exam Available Dec 12-14

There is also a [Frequently Asked Questions \(FAQ\) Forum](#) in the Modules section for you to post any questions you have related to the course. These FAQs are different from the "graded" discussion forums. **Note:** if your inquiry is personal in nature, please email the instructor. Do not post in the public forum.

Discussion Forums

Discussion forums make up 60% of your total grade. Each discussion forum is 100 points; 50 points for your Initial response, and 25 points each for the first two replies to your colleagues. Be sure to follow the [Discussion Post Guidelines](#) and [Discussion Post Rubric](#) for each Discussion.

Grading Structure

Grading Components	% of Final Course Grade
Discussion Forum Participation and 1 Case Brief	60%
Exam 1	20%
Exam 2	20%
Total	100%

Grading Scale

Points Range	Grade	Performance
90 - 100	A	Outstanding
88 - 89.99	B+	Good
80 - 87.99	B	Good
78 - 79.99	C+	Satisfactory
70 - 77.99	C	Satisfactory
69.99 and below	F	Poor

Student Services

- [Rutgers Student Support Services](#)
- [Student Health & Wellness Services](#)
- [Registrar's Office](#)
- [Rutgers Dean of Students - Student Affairs](#)

Student Code of Conduct

You are expected to conduct yourself in a professional, responsible, courteous, and respectful manner at all times during the course. Offensive language, harassment, posting videos or other media that is not related to the course, and/or any other inappropriate behavior will not be tolerated. Your responses to discussion posts, or any other communication with your classmates and/or your instructor must be of the highest professional and respectable standards. Refer to [Discussion Post Guidelines](#) when communicating in your Canvas class.

Your Responsibilities

Online learning requires a high level of discipline, dedication, and time management skills. While online learning offers you flexibility and convenience to learn from anyplace, anytime, *you are still expected to **adhere to the all due dates***.

You are expected to:

- Have access to a reliable computer, and access to the Internet
- Log in to Canvas for your course *on a daily basis*
- Check for any announcements, update to the syllabus, assignments, and/or discussions and respond accordingly
- Actively participate in the Discussion Forum
- Complete the assigned readings and/or media
- Complete the assigned exercises and projects
- Adhere to all due dates

In case of computer failure

Make sure you have an alternative plan of access to your Canvas course in case your computer crashes (it happens). Additionally, be sure to backup your important documents and assignments on a flash drive or other external device.

Academic Integrity

Be sure to review and abide by the [Rutgers Academic Integrity](#)

TurnItIn Statement

Students (You) agree that by taking this course all required papers may be subject to submission for textual similarity review to **Turnitin.com** (via Canvas Assignments Portal) for the detection of plagiarism. All submitted papers will be included as source documents in the Turnitin.com reference database solely for the purpose of detecting plagiarism of such papers. Use of the Turnitin.com service is subject to the [Usage Policy](#) posted on the Turnitin.com site.

If you do not agree please contact me immediately.

Where to Next?

After reviewing the content of this Course Syllabus, proceed to Modules, and review the [Learning Support Resources](#) section. Then continue on to Week 1: To Do.