

Immigration Law & Employee Rights (Spring 2026)

Prof. James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:321:01 (3 Credits)
Class Meets: Mondays, 10:20 AM–1:20 PM (U.S. Eastern Time)
Class Location: Tillett Hall, Room 246 (Livingston Campus)
Contact Info: Use Canvas messaging system or send email to:
jacooney@rutgers.edu
Campus Phone: 848-932-8560
Virtual (or Actual) Office Hours: By appointment

Note:

This is an abbreviated version of the course syllabus. More detailed information can be found on the Canvas course site. The syllabus content may be modified.

Course Description:

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

Grading Criteria:*

- (1) Personal Introduction (5%)
 - (2) Academic Integrity Quiz (5%)
 - (3) Mid-term Exam (45%)
 - (4) Final Exam (45%)
- (*Credit is also earned for in-class contributions)

Attendance:

Students are expected to attend class on a timely and 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 to class late or departing early must sign-in/out with the TA and will receive partial credit for attending that class.

Course Materials:

There is no textbook. All course learning materials are found on Canvas. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

Use of “AI” Strictly Prohibited:

The use of artificial intelligence (“AI”) such as ChatGPT, Grammarly, etc., is not permitted at any stage of the writing process on quizzes or on any assignment.

GPTZero or similar tools will be used to help detect student use of AI. Any written assignment or quiz answer flagged for AI use will be scored as a “0.”

No Individual Extra Credit:

I do not offer extra credit or “grade adjustments” to individual students upon their request, since this is unfair to other students who do not receive the same opportunity. However, I sometimes will offer an extra credit opportunity to the class as a whole, since that is fair to all students.

Recording:

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

Academic Integrity:

The conduct of all students is governed by the Rutgers University Academic Integrity Policy. See the Canvas course site for details and for a link to the Policy. Students will take a graded Quiz to demonstrate knowledge of the Policy and the course syllabus.

Disability Accommodations:

Rutgers University welcomes students with disabilities into all of the University’s educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where they are officially enrolled, participate in an intake interview, and provide supporting documentation. *See the Canvas course site for further details and to view other applicable policies.*

Learning Objectives - At the end of the course, 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.

Course Schedule & Topics:

Class 1 (Jan. 26) - Introduction & Course Overview

Readings:

- Course syllabus and Canvas site
- Rutgers University Academic Integrity Policy

Assignments:

- Post personal introduction
- Take Academic Integrity Quiz

Class 2 (Feb. 2) - U.S. Immigration History (Overview)

Readings:

- *U.S. Immigration Timeline* (History.com)

Class 3 (Feb. 9) - U.S. Citizenship Status

Readings:

- *The Supreme Court's Role in Defining American Citizenship* (Gabriel Chin, SCOTUS Blog, 01/27/2021)
- *Defining 'American': Birthright Citizenship & the Original Understanding of the 14th Amendment* (James Ho, Green Bag, Summer 2006)
- *Can Birthright Citizenship Be Changed?* (Gerald Neuman, Harvard Law Today, 01/24/2025)

Class 4 (Feb. 16) - Lawful Permanent Resident Status

Readings:

- *Legal Immigration to the U.S.* (American Immigration Lawyers Association)
- *Patel v. Garland* (U.S. 2022)

Class 5 (Feb. 23) - Non-Immigrant Status

Readings:

- *Nonimmigrant Admissions* (Office of Homeland Security Statistics)
- *H-1B Worker Rights* (U.S. Dept. of Labor)
- *Moore v. Cognizant Tech. Solutions* (M.D. Fla. 2016)

Class 6 (March 2) – Loss of Status; Undocumented Immigrants

Readings:

- *Padilla v. Kentucky* (U.S. 2010)
- *The DREAM Act: An Overview* (American Immigration Council)
- *DACA: An Overview* (American Immigration Council)

Class 7 (March 9) – Mid-Term Exam

No Readings

No Class (March 16) – Spring Break

Class 8 (March 23) - Employment Eligibility Verification; Form I-9 Violations; Discrimination Based on Citizenship or Immigration Status

Readings:

- *Form I-9, Employment Eligibility Verification*
- *Selected Immigrant & Employee Rights Section Cases*

Class 9 (March 30) - Labor Laws & Immigrant Workers

Reading:

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

Class 10 (April 6) - FLSA, Workers' Compensation & Immigrant Workers

Readings:

- *Flores v. Amigon* (E.D.N.Y. 2002)
- *Fernandez-Lopez v. Cervino, Inc.* (App. Div. 1996)

Class 11 (April 13) - To Be Determined

Class 12 (April 20) - Employment Discrimination & Immigrant Workers

Readings:

- *EEOC Compliance Manual Regarding National Origin Discrimination* (Sections I, II, V & VI)
- *Garcia v. Spun Steak* (9th Cir. 1993)
- *EEOC v. Premier* (N.D. Tex. 2000)

Class 13 (April 27) - Enforcement Policy Choices; Constitutional Rights

Media/Readings:

- *Lost in Detention* (PBS 2011)(documentary video)
- *Know Your Rights: Immigrants' Rights* (ACLU)

Class 14 (May 4) – Final Exam (not cumulative)

No Readings

(Dated: 01/04/2026)