

EMPLOYMENT LAW
Summer Session 2023

Instructor: James M. Cooney, Esq.
Rutgers University, Labor Studies & Employment Relations Department, SMLR
Course #37:575:315 (3 Credits)
July 11 – August 15, 2023
“Live” Classes Meet **Virtually Via Zoom** on Tuesdays at 6:00 PM
Tel: 848-932-8560; E-mail: jacooney@rutgers.edu
Virtual Office Hours: By appointment

***NOTE:** A more comprehensive Syllabus may be found on the Canvas website for this course.

Class Meeting Times: Classes will *meet virtually via Zoom* at 6:00 PM on Tuesdays. **Students are required to attend the virtual Zoom classes.** The remaining materials for each week will be provided on an *asynchronous* basis, for students to complete at a time of their choosing.

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.

Learning Objectives: By the end of the course, the student should be 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 employment-at-will and the various exceptions.
- Demonstrate basic knowledge of the policies underlying common-law, constitutional, and statutory employment law principles.
- Demonstrate ability to comprehend court decisions on employment law issues.
- Apply employment law concepts to a given fact pattern.

Grading Criteria:

- (1) Mid-term Exam (50%)
- (2) Final Exam (50%)

Academic Records Retention: Exams, papers, and any other items submitted by students for grading are retained for 2 years before 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. (Link is posted on Canvas)

Course Materials: No textbook. Course reading materials can be found on Canvas. The Instructor reserves the right to supplement, substitute, and/or modify the listed reading selections.

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:

JULY 11:
(Week #1) **TOPICS:**
 -Court System
 -Anatomy of an Employment Lawsuit
 -Remedies
 -Employment at Will & Exceptions

READINGS:
“Understanding the Federal Courts”
Pierce v. Ortho Pharmaceutical
Woolley v. Hoffman-LaRoche, Inc.

JULY 18:
(Week #2) **TOPICS:**
 -Constitutional Issues
 -Title VII, Civil Rights Act of 1964

READINGS:
Pickering v. Board of Education
City of Ontario v. Quon
McDonnell Douglas Corp. v. Green
Griggs v. Duke Power

JULY 25:
(Week #3) **TOPICS:**
 -**Midterm Exam*****
 -Family & Medical Leave
 -Polygraphs & Psychological Testing
 -Disability Discrimination

READINGS:

Gerety v. Hilton Casino Resort
Cruz v. Publix Super Markets, Inc.
Polkey v. Transtecs Corp.
Karraker v. Rent Center Inc.

AUG. 1:
(Week #4)

- Whistleblower Protection
- Employment-related Torts
- Drug Testing
- Non-Compete Agreements

READINGS:

Abbamont v. Piscataway Twp.
Taylor v. Metzger
Treasury Employees v. Von Raab
Nike, Inc. v. McCarthy

AUG. 8:
(Week #5)

- Movie: “North Country” (watch on own)
- Sex Discrimination and Harassment

READINGS:

Lehmann v. Toys ‘R’ Us, Inc.

AUG. 15: **Final Exam*** (not cumulative)**
(Week #6)

(Dated: 05/30/2023)