

SYLLABUS - EMPLOYMENT DISCRIMINATION LAW (Spring 2010)
Hamline University School of Law (Professor David Larson)

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Required Reading: 1) *Cases and Materials on Employment Discrimination*, Zimmer, Sullivan & White; Aspen Publishers (7th Ed. 2008)

2) *Employment Discrimination Selected Cases and Statutes 2009*, Zimmer, Sullivan, and White, Aspen Publishers

3) *Employment Discrimination Stories*, Joel Friedman (Editor), Foundation Press (2006), ISBN 1-58778-888-8

Syllabus revisions that are made during the semester will be posted on TWEN, so please always refer to TWEN for the most up-to-date copy of the syllabus.

Goals and Objectives: This course focuses on anti-discrimination statutes, including Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Equal Pay Act, the Age Discrimination in Employment Act, the Rehabilitation Act of 1973, and the Americans with Disabilities Act. We also will discuss state and local legislation. We will examine both the legislative history of these statutes and the manner in which they currently are being interpreted and applied.

By the time that we have finished the course, students are expected to understand which individuals are included in the protected classes identified by race, color, religion, sex, national origin, age, disability and sexual orientation. Students also will be expected to be able to analyze possible employment discrimination situations by applying the appropriate model or models (direct evidence, individual disparate treatment, systemic disparate treatment, mixed motive and disparate impact) as well as the relevant defenses. An additional goal is to improve students' ability both to analyze and apply judicial opinions and to read legislative statutes closely and critically. Accordingly, students should expect that they will be called on to discuss the cases and statutes during the class sessions.

Attendance Policy: Twenty-eight class sessions are scheduled. **Four or more absences will be considered excessive.** Attendance will be taken by circulating the Registrar's attendance sheet. If a student misses four classes, that student will be required to write and submit a 1,000 word paper that discusses one of the issues covered in the classes from which the student was absent. The topic of that paper will be determined by Professor Larson. **Six or more absences will be brought to the attention of the Associate Dean and may result in a course withdrawal (W) or a failing grade (F).**

Technology Policy: In order to facilitate focused interactive class discussion, there will be occasions when the class will be asked to close their notebook computers and/or turn off technology they have been using. If a student uses classroom time to read or send e-mail messages, visits web sites that the class has not been instructed to visit at that particular time, or engages in any other online or technology based activities (including cellular telephones) not directly related to the current classroom discussion, then that student will first be reminded that this conduct is not permitted. If this conduct continues, the student may be asked to drop the course and will not receive academic credit for the course.

Testing and Grading: Students will be given a three hour examination at the end of the semester (during the final examination period). It is anticipated that the examination will involve two or three essay questions. If this is not the case, then any change will be brought to the students' attention during class and also posted on TWEN. Class participation will be considered when assigning final grades.

Assignments (All pages are in the Zimmer, Sullivan, White textbook unless otherwise indicated. ***Always check in the Selected Cases and Statutes to see if additional new material has been added to supplement the pages in the textbook. All of the updated material in the Selected Cases and Statutes is assigned whenever that material corresponds to the textbook pages indicated in the assignments below. Although students are responsible for reading the relevant Selected Cases and Statutes pages, the Syllabus will not list those page assignments separately.***)

Jan 19: pp. XXVII – XXX, 1 – 32 (Individual Disparate Treatment, Discriminatory Intent); Friedman pp. 1 – 12

January 21: pp. 32 - 61, Friedman pp. 13 - 35; Mixed Motive and Individual Disparate Treatment

January 26 : pp. 62 – 78; Friedman pp. 65 - 103

January 28: pp. 78 – 106 (p. 78 Reeves; REMINDER – look in Supplement for a new case on p. 12 Gross, p. 95 Rachid)

February 2: Systemic Disparate Treatment pp. 107 – 140; (p. 116 Manhart; p. 123 Teamsters; p. 129 Hazelwood) Friedman pp. 37 - 63

See Nov. 2008