

# Hamline School of Law - Employment Law Online Spring 2010

Professor Ken Swift  
[kswift@hamline.edu](mailto:kswift@hamline.edu)  
(651) 523-2397  
222 w

## **Course Introduction and Web Site Registration**

This section of Employment Law is taught fully online. All aspects of this course, including the readings, assignments, and multimedia material such as videos and MP3 files, will be available online, save for the final exam, which must be taken in person. The first step you must take is to become enrolled in the course website, where you will find all of these materials.

The class web site is hosted by Lexis/Blackboard and can be found at: <http://www.lexisnexis.com/lawschool/>. If you do not have a current Lexis password, please contact your Lexis representative (Jillian Kalogerson, [jillian.kalogerson@lexisnexis.com](mailto:jillian.kalogerson@lexisnexis.com)) **no later than prior to the first day of the semester**, and preferably a couple of weeks prior. Also, if you are a visiting student (non-Hamline Law), contact me prior to the first class so that you may be enrolled in the course website.

To gain access to the website, you must be "enrolled" by me. Approximately two weeks prior to the first day of the semester I will begin enrolling students. At that time, you will have access to the course text (discussed below) and introductory videos. The first set of questions will be available approximately one week prior to the start of the semester.

**NOTE:** There are two introductory videos assigned for the first unit. Some information in those videos may be due to the above information below, but some will not be. You are responsible for information both in this document and in those introductory videos.

## **I. Required Text**

The course will utilize an electronic casebook consisting of cases, statutes, and articles. The casebook will be available on the course website. You may read it from the course website or download it onto your computer. If you prefer a paper copy, you are free to print it out. The text will be available on the course website approximately two weeks prior to the start of the semester.

You may find supplemental reading helpful to understand the issues in the required text. There are numerous treatises and hornbooks that you may find helpful, although I will not direct you to any particular source.

## **II. Course Structure, Assignments, and Due Dates**

The course is divided out into two-week units. For each unit you will be given a checklist of all of the items which you must complete prior to the due date, and the suggested order to which they should be completed.

Within the two-week units, there will be several subunits. Each subunit will generally include the following:

- 1. Presentations:** These are short videos or MP3 files which provide an introduction to, an overview of, the materials you will be studying in the unit. These are accessed through the course website.
- 2. Readings:** These are the cases, statutes, and articles assigned for the subunit.
- 3. Assessment:** Your comprehension of the reading materials is assessed using several different types of inquiries:

**A. Questions:** There will be numerous sets of questions designed to help highlight the key rules and reasoning which you should take from the cases and other readings. These will be multiple choice, multiple answer, true false, and fill in the blank type questions. These questions are accessed through the course website and labeled "Questions." (Example: the first set of questions you will be required to complete is titled *Introduction to Employment Will-Questions*)

**Note:** After you submit your responses to the questions, you are immediately informed which questions you answered correctly and which you entered incorrectly. To receive credit for completing a set of questions, **you must answer all the questions correctly**. You will have as many opportunities to complete the questions as necessary to achieve the perfect score.

**B. Essay:** For most subunits you will also have short answer questions designed (designated as "Essay" questions on the course website) to ensure that you understand the rules and reasoning from the cases. These questions are also access through the course website, but are not automatically graded. I will review these responses after the due date.

**C. Exam Style Questions:** There will be a six longer essay style questions throughout the course – no more than one per unit.

**D. Group Discussion Boards:** In each unit, you will be asked to participate in group discussions on course topics.

### **III. Grading**

The grade in this course will be based on the following point total:

Final Exam	80 points
Participation and Effort	10 points
Exam Questions	Required/ may lower grade (see below)

#### **1. Final Exam**

The final will be a closed book exam based upon the assigned readings, including the notes and essays in the course text. The final will consist of multiple choice / true false questions and, possibly, essay questions. **NOTE: the final exam must be taken in person.**

#### **2. Participation and Effort**

The points for participation and effort will be based upon:

1. Timely completion of all assignments (see "Due Dates"- section IV below)
2. Thoroughness of responses to essay questions
3. Participation in group discussion boards;
4. Participation in small group exercises;

Throughout the course, as discussed above, you will be asked essay questions. Failure to provide thorough, thoughtful responses to those questions will result in loss of participation and effort points.

I also reserve the right to raise a grade by one grade increment (ex: B to B+) for significant and consistent work that exceeds the normal expectation of the class, as determined in my sole discretion. This would entail outstanding work on the exam style essays, essay questions, and group activities.

**NOTE:** The participation points are not based upon a curve and it is my hope that every class participant will receive all of the allotted points.

#### **3. Exam Style Essay Questions**

These questions are graded on a "reasonable effort" standard meaning that I will review the answers to see that you have read the assigned material, considered carefully the purpose of the assignment, and have given a thorough and thoughtful response. The answers will not be reviewed, however, on whether they are "correct", as they are part of the learning experience in the course.

For each question you will be given either a "1" for meeting the reasonable effort standard or a ".5" for submission that does not meet that standard. Failure to submit an assignment will result in a zero.

5-6 points:	No change in final grade
4-4.5 points:	Final grade lowered by one level
Below 4 points	Grade lowered head instructor's discretion/possible incomplete

**Note:** as with the participation and effort points, the points for the exam style essay questions are not curved.

#### **IV. Due Dates**

The due date for assignments is the last day on the unit, as listed below in Section VII. The due time is 11 p.m. on the due date. All components of the two week unit are due on that date, including the readings, questions, essay questions, exam style questions, and group discussion boards.

#### **V. Office Hours**

An online course can present some difficulties in instructor-student interaction, if only due to the lack of a planned meeting time that a physical classroom provides. However, know that I am always available to answer questions and discuss class topics via e-mail, phone, or in person.

I check e-mail very frequently and normally respond within 24 hours (sometimes 48 hours on weekends). If you send an e-mail and you do not get a response within that timeframe, please resend it. Please feel free to stop by anytime I am in my office or to set up an appointment.

## **VI. Course Overview and Objective**

Over the past 100 or so years there has been a rapid expansion of laws governing the employer/employee relationship. While many of these laws were initially borne out of the labor union movement, today there are numerous employment laws that apply to all employers and employees. Most practicing attorneys, regardless of their specialty, are regularly faced with issues arising under the expansive umbrella of “Employment Law.”

This is a survey course. Employment Law covers a wide variety of issues, laws, and claims. Many Employment Law subject areas, such as workers’ compensation, are so complex that attorneys who practice in the particular subject area handle only those types of cases. The goal of this course is to expose you to the wide variety of laws and issues that apply to the employer/employee relationship. From there, you will have the ability to spot these issues as a practicing attorney and, perhaps, discover a discipline in which you would like to specialize.

Two subject matter areas which **will not** be covered in this course are Labor Law and Employment Discrimination. Hamline offers separate courses in both of these subjects.

## **VII. Reading Assignments and Due Dates**

Date	Reading Chapters and Unit Topics
1/19-2/1	The Employer- Employee Relationship: Introduction To Employment at Will Interviewing and References
2/1-2/15	The Employer- Employee Relationship: Creating and Enforcing a Contract Limitations on Dismissal
2/15-3/1	The Employer- Employee Relationship: Post Employment Restrictions on Employees
3/1-3/15	Unemployment Insurance Family and Medical Leave Act
3/15-4/5	Fair Labor Standards Act (FLSA)
3/29-4/19	Workers’ Compensation
4/19-5/3	Occupational Safety and Health Act (OSHA)

Notes:

1. The final date listed for the unit is the due date for all assignments
2. All assignments due by 11 p.m. on the due date
3. Please utilize the checklist, provided with each two-week unit, to ensure that you complete all units
4. The units on The Fair Labor Standards Act and Workers’ Compensation are each three weeks, overlapping to account for spring break.