

Employment Law Policies and Syllabus Fall 2013

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Meeting Schedule: Monday and Wednesday 1:50 – 3:20 p.m.

Required Reading:

- 1) Employment Law: Cases and Materials, Rothstein and Liebman, 7th Edition (Foundation Press 2011) ISBN: 978-1-59941-882-7
- 2) Employment Law Cases and Materials 2013 Supplement, Rothstein, Liebman and Yuracko, ISBN 9781609304058 (not published until August 5, 2013)
- 2) Employment Discrimination: Selected Cases and Statutes, Zimmer, Sullivan and White (Aspen Publishers 2011) ISBN # 9781454808084

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 surveys the numerous state and federal statutory and common law schemes that regulate the employment relationship in the United States. Students will be expected to understand: the employment at-will doctrine and the exceptions to that doctrine; how the torts of defamation, emotional distress and wrongful discharge apply in the workplace; the wage and hour, overtime, and child labor provisions of the federal and state fair labor standards acts; and the limits of employee privacy rights in the workplace. If time permits, we may discuss the protections provided by occupational safety and health acts. We will engage in a limited discussion of state and federal antidiscrimination legislation and also may examine a variety of fringe benefit regulations. 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. Because students will be expected to use technology and multimedia in their professional careers, it is anticipated that students will be assigned judicial decisions and asked to use multimedia tools (such as PowerPoint) to present their case summaries and analyses (essentially their case briefs). It is unlikely that any student will make more than two or three case presentations during the semester.

Attendance Policy: Twenty-four 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 2,000 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, visit web sites that the class has not been instructed to visit at that particular time, or engage in any other online or technology based activities (including cellular telephones, text messaging, or social networks) not directly related to the current classroom discussion, then that student will be reminded that his or her conduct is disruptive both to other students and to the classroom in general. If that student subsequently engages in such conduct in spite of the previous request to refrain from such conduct, then he or she will be asked to drop the course and thus 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). Several short quizzes also may be given during the semester. If quizzes are administered, each quiz will be worth 5% of the final grade. It is anticipated that the final 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 and presentations will be considered in assigning a final grade.

Assignments: Always look at Westlaw (or another statutory resource) to read the relevant statutory material cited in the textbook pages assigned for that day. **Also, please always read all corresponding Supplement pages.**

August 21: Work and Law and the Development of Employment Law
pp. 2 – 43,

Aug. 26: pp. 44 - 83

Aug. 28: pp. 83 – 110, supplement. case

Sept. 2: Class does not meet – Labor Day

Sept. 4: Employment arbitration videotape (At least 500 word analysis – who wins and why, who was the most effective attorney and why)