

Hamline School of Law - Employment Law Summer 2009

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I. Required Text

1. Mathew W. Finkin, et al., *Legal Protection for the Individual Employee*, (3rd Ed. West Group 2002)
2. Course Pack (may be printed from the course website (available approximately two weeks prior to the start of class) or purchased from the bookstore)

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, Attendance, and Participation

Course content will be presented through a combination of traditional classroom experience and online, distance learning. **One-half** of this course will be presented through distance learning activities such as CALI and other question exercises, PowerPoint presentations, and podcasts.

This online portion of the course will require significant weekly work in addition to the classroom preparation. Due dates and related assignments are discussed below. Distance learning exercises and materials will be available on the course website by May 23rd. You may begin working on the units prior to the first class.

The classroom component will be a mixture of Socratic lecture and small-group and role-playing activities. You are expected to arrive on time, stay for the entire class, and participate in all class discussions and activities.

Important Note:

Because of the unique, intensive structure of this course, students must come to class having read the complete assignment and prepared to engage in discussion and group activities.

Excessive absence, defined as missing more than one full day of class, will result in academic discipline, including the possibility of dis-enrollment from the course. In addition, an inability or unwillingness (a “pass”) to participate in class will be treated as an absence for that day. If you have a legitimate reason for being unprepared, such as a family emergency or illness, please send me an email prior to class.

III. Grading

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

Final Exam	80 points
Distance Learning Writing Exercise	15 points
Participation and Effort	10 points

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. The final exam will be self scheduled on either Sunday, June 28th or Monday, June 29th.

Distance Learning Writing Exercise

You will have a writing exercise based upon a distance learning unit. You will have the choice to select from three exercises – one from each unit. This exercise will require you apply the knowledge you have gained from the units in written form. This exercise will be available from the course website on 6/18 and will be due **by 10 p.m. on 6/25**.

Participation and Effort

The points for participation and effort will be based upon:

1. The handling of assigned cases;
2. Small group exercises;
3. Thoroughness of responses to essay questions in the distance learning exercises.

Throughout the various distance learning exercises (on CALI and the LEXIS course website), you will be asked essay questions. Failure to provide thorough, thoughtful responses to those exercises will result in loss of participation and effort points. In addition, you may be required to re-do the exercise.

I also reserve the right to raise a grade by one grade increment (ex: B to B+) for significant contribution to class, as determined in my sole discretion. Significant contribution entails frequent, thoughtful, and pertinent contributions to the class.

NOTES:

1. 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.
2. You must complete all distance learning assignments and exercises to receive credit for this course.

IV. Office Hours and Web Site

Please feel free to stop by anytime I am in my office or to set up an appointment. I also check and respond to my email regularly.

The class web site is hosted by Lexis/Blackboard and can be found at <http://webcourses.lexisnexis.com>. The distance learning units will be accessed from the course website. If you have a current Lexis password, I will have enrolled you in the course prior to the first class meeting. If you do not have a current Lexis password, please contact your Lexis representative **prior to the first class**. **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.**

V. 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.

VI. Reading Assignments and Distance Learning Exercise Due Dates

Case names refer to cases in the course pack. Note that many of the cases for the first class session are from the course pack, which **also available on the course website**.

Date	Reading	Topic	Distance Learning <u>Due Date</u>
5/31	1-44, <i>Griffin</i> , 44-46, 57-72, <i>Malorney</i> , <i>Chambers</i> , 72-79, <i>Pine River</i> , <i>Hunt</i> , <i>Brookshaw</i> ,	Introduction & Establishing Employment	
6/7	98-126, 145-156, 168-187, 195-213	Termination and Employee Privacy	
DL*	Please see course packet for cases	Noncompete Agreements	6/10 Noncompete Agreements Unit
6/14	227-241 259-333, <i>Shiloh</i>	FLSA	
DL*	775-787, 790-817, 824-826	Unemployment Compensation	6/17 Unemployment Compensation Unit
6/21	624-696	Workers' Compensation	
DL*	402-424, 473-504, 515-537	OSHA	6/24 OSHA
6/25	Distance Learning Writing Exercise - Due		

*DL - Distance Learning

Notes:

1. The distance learning units must be completed by 10:00 p.m. on the above due dates. The units will be unavailable after the due dates.
2. The Distance Learning Units will be available no later than May 23rd. You are free (and encouraged) to complete the Distance Learning Units ahead of time.
3. The attached pages replace the same numbered pages from the course pack. The changes correspond to an elimination of final writing assignments on the Noncompete and Unemployment Insurance Benefits units.