

SYLLABUS
EMPLOYMENT LAW
Spring 2017 Module 3
January 3, 2017 to February 24, 2017
BUL 6841 Section 7804

Adjunct Professor Rochelle Kentov
Mondays and Wednesdays 6:15 p.m. to 8:10 p.m.
Hough Hall, Room 140

Telephone: (727) 463-1356 (this is a cell phone so you may send text messages)

email: rochelle.kentov@ufl.edu; csimon3@tampabay.rr.com

Course Description: This course is an overview of various laws and regulations that determine the rights and obligations of employees and employers. Topics covered include the nature of the employment relationship and common law principles, prohibitions against discrimination on the basis of certain protected characteristics such as race and gender, wage and hour law, the Family Medical Leave Act, the National Labor Relations Act, and other similar areas of labor and employment law. The primary focus is on federal laws governing the employment relationship, but there will be discussion of state and local laws.

Course Objectives: Students completing this course will:

- ◆ Explain and apply the legal concepts regarding race, religion, national origin, gender (including sexual harassment, pregnancy discrimination, and the Equal Pay Act), age, and disability discrimination as well as the Fair Labor Standards Act and the Family Medical Leave Act.
- ◆ Explain and apply the legal concepts regarding the National Labor Relations Act.
- ◆ Understand and apply the legal concepts of disparate treatment and disparate impact in discrimination claims.
- ◆ Understand why various employment laws were passed and discuss where these laws stand today.

- ◆ Understand the doctrine of “employment at will” and the exceptions thereto including, among other things, WARN, violations of public policy, whistle-blowing, and breach of implied contract.
- ◆ Learn the processes for assessing a fact situation and identifying/applying an appropriate regulation, legal statute, or court rule.

Course Materials:

Required Reading:

1. Patrick J. Cihon & James Ottavio Castagnera, *Employment and Labor Law*, (9th Edition, 2017, Cengage Learning)
2. Court and administrative decisions and statutes may be provided by the instructor, and students may be required to retrieve cases and other materials from time to time.

Method of Instruction: This course will be taught primarily through using a discussion format. Your participation in the class is vital to its success. I expect you to read each assignment before class, brief the cases in each reading assignment before class, and be prepared and ready to participate in each class. If voluntary participation lags, I may call upon students at random. As you read about employment law, learn it and discuss it, you will learn to make good arguments from the points of view of employers and employees, even if you may personally disagree with particular points of view. By working with the arguments on both sides of employment law issues, you will be able to respond to employment law issues knowledgeably.

Grading: There will be two quizzes, a brief essay and a final exam. The first quiz is worth 20 points and the second is worth 25 points. The essay due on January 25 is worth 5 points. You will get full credit for the essay if you submit the essay on time and you will get no credit if you do not submit the essay on time. The final exam is worth 50 points. The quizzes and final exam consist of multiple choice questions and true/false questions. I may increase course grades based upon active and informed participation in class. For further information regarding the grading policies at UF please go to the

following webpage:

<http://www.registrar.ufl.edu/catalog/policies/regulationgrades.html>

Attendance: A sign-in sheet will be circulated at or near the beginning of each class. Students are responsible for making sure they sign the sign-in sheet, whether they arrive on time or late.

Office Hours: I will be available to meet with students after class and by appointment.

Reasonable Accommodations Policy: Students requesting classroom accommodations must first register with the Dean of Students Office. The Dean of Students Office will provide documentation to the student who must then provide this documentation to the Instructor when requesting the accommodation.

Classroom Civility: During class, please do not (a) sign onto the Internet or the school network for any reason, including web surfing, instant messaging or email; (b) send or receive messages on cell phones or any other electronic device; or (c) play any games on your computer, phone or any other device. All of these activities are a distraction to you and the students around you and are a violation of College rules.

Course Web Page: There will be a course web page on the UF e-Learning site (Canvas) which you can access with your UF login and password.

Amendments to the Syllabus: The syllabus may be amended, if necessary.

Assignments: Students are expected to complete the assigned reading and brief the cases in the assigned reading prior to the beginning of class. The assignments may be revised as circumstances dictate.

Class Schedule:

January 4: An Overview of Employment and Labor Law
Before class, read Guide to Briefing Cases, pages xxiv through xxvi, and read Chapter 1.

January 9: Employment Contracts and Wrongful Discharge – employment-at-will and its exceptions, wrongful discharge based on public policy,

express and implied contracts of employment, protection for corporate whistleblowers and civil liability under SOX

Before class, read Chapter 2 and brief the cases in Chapter 2.

January 11: Equal Employment Opportunity -- Title VII of the Civil Rights Act and Race Discrimination

Before class, read Chapter 6 and brief the cases in Chapter 6.

January 16: Martin Luther King Day – University closed - class will not meet

January 18: Equal Employment Opportunity -- Gender and Family Issues: Title VII and Other Legislation

Before class, read Chapter 7 and brief the cases in Chapter 7.

January 23: QUIZ: Chapters 1, 2, 6 and 7

Assignment Due on January 25: An essay consisting of 250 words or less, describing the employment law/labor law related theme in a movie, book or article you have selected and how accurate it is from an employment law/labor law related standpoint. Watch a movie or documentary with an employment law/labor law related theme. Examples are Philadelphia (1993), Norma Rae (1979), and Disclosure (1994), but you may choose a different movie or documentary with an employment law//labor law related theme. Alternatively, find and read a book or current article with an employment law/labor law related theme. The article can be in a newspaper or magazine or on the internet.

January 25: Equal Employment Opportunity – Discrimination Based on Religion and National Origin and Procedures Under Title VII

Before class, read Chapter 8 and brief the cases in Chapter 8.

January 30: Equal Employment Opportunity – Discrimination Based on Age

Before class, read Chapter 9 and brief the cases in Chapter 9.

February 1: Equal Employment Opportunity – Discrimination Based on Disability

Before class, read Chapter 10 and brief the cases in Chapter 10.

February 6: Labor Relations Law – Unfair Labor Practices by Employers and Unions

Before class, read Chapter 14 and brief the cases in Chapter 14.

February 8: QUIZ: Chapters 8, 9, 10 and 14

February 13: The Fair Labor Standards Act

Before class, read Chapter 22 and brief the cases in Chapter 22.

February 15: Occupational Safety and Health

Before class, read Chapter 20 and brief the cases in Chapter 20.

FINAL EXAM: February 22, 6:15 p.m. to 8:10 p.m., Hough Hall, Room 140

Final exam will include all material covered during the course.