

**EMPLOYMENT LAW
BUS 325
SPRING 2011**

Dr. Nancy Lasher

**Office Hours: M & Th 1:00-2:00,
3:30-4:00**

Office: Business Building 322

**Most Wednesdays I am available
by appointment.**

Phone: (609) 771-2175 or 3063 (message)

E-mail: lasher@tcnj.edu

Required Text and Materials:

Bennett-Alexander & Hartman, Employment Law for Business, 6th Ed.

The Wall Street Journal or *The New York Times*

Various articles, cases, and materials available on SOCS or handed out in class

***If you have not taken BUS 200, Introduction to the Legal and Regulatory Environment of Business**, read Chapter 6 (Administrative Law) in Marianne Jennings, Business, Its Legal, Ethical, and Global Environment, 8th ed., on reserve in the library during the first week of the semester.

This class focuses on the state and federal laws affecting employment relationships, such as affirmative action, age discrimination, accommodating disabilities and workplace safety. We will not only learn the law; we will see how the law applies in today's world. In order to do this current events will be a major part of this course. We will also continue to develop our critical thinking skills. Critical thinking enables us to view the multiple sides that exist on any given issue, analyze the arguments pro and con and provide useful information to our colleagues, employers, and of course, professors, and keeps us from committing a work place faux pas.

Course Goals

At the conclusion of this course students should be able to:

- Understand the structure of the U.S. legal system and describe the role each government "player" has in making and enforcing employment and labor related laws
- Extract the issue, decision and reasoning from written court opinions
- Discuss and write about newsworthy issues affecting employment law in an analytical manner
- Identify the key cultural, economic, global, legal, political, regulatory, social, and technological factors in an organization's employment environment and analyze their effects on potential compliance with the law
- Recognize the individual's and the organization's legal and ethical responsibilities to its employees

Course Objectives

In this course you will learn the concepts and skills required to:

1. Synthesize cases and readings to reach a well-informed conclusion on what the law requires in a given situation.
2. Research employment related areas of law and public policy through WESTLAW and other search engines.
3. Analyze current public policy and economy related issues affecting the workplace and predict changes to the law.
4. Be able to construct a compliance program for an organization.
5. Write a well researched and informative document that educates the reader.
6. Effectively present material to the class.

Class Requirements

The text for this course is Bennett-Alexander & Hartman, Employment Law for Business, 6th Ed. It provides material to help you (1) understand the basic concepts underlying the law and regulations, (2) identify stakeholders and define their interests, and (3) analyze whether conduct in a given situation is ethical or unethical, legal or illegal. *The Wall Street Journal* or *The New York Times* will provide material for class discussion EVERY TIME the class meets, as well as providing information for your class projects, your exams and your future careers. These newspapers not only contain articles dealing with workplace issues, but since the workplace does not operate in a vacuum it is important to know the condition of the economy as well since the laws which are enacted and the level of violations and amount of enforcement are very much related to the economic condition of the country.** The additional readings handed out in class or available via SOCS also contain information necessary for your successful completion of the class requirements.

In order to participate fully in class discussions and benefit from lectures, every student should read the assigned material before the scheduled class. You are responsible for understanding all the concepts and applications contained in the text, even if we have not discussed them in class. Cases are an important learning tool and we will discuss many of them in class so come prepared.

Class begins on time and does not end until the instructor so indicates. Absent an emergency, cell phones and other electronic devices are to be turned off before class begins. **Ringling cell phones as well as texting are a disruption that will result in the loss of five points from the offender's final grade.**

I utilize campus email to send articles and announcements and to contact you if I need to so you are responsible for checking your TCNJ email on a regular basis.

Participation

Participation is a significant percentage (20%) of your grade in this class. Your participation grade is based on participation and not just on attendance (although without

regular attendance it is impossible to earn a passing participation grade. See the TCNJ policy on attendance: <http://www.tcnj.edu/~recreg/policies/attendance.html>). I expect you to make significant contributions to classroom discussions, on an ongoing basis, that show you grasp the key concepts and can apply them to real-world issues. I also expect that you will be prepared when I call on you in class, volunteer answers to questions, participate actively during your classmates' presentations, and also ask me questions about the material as well. I do not want you to leave at the end of the period confused about the day's material.

When you see an article that is of interest to the class email the link to the class using SOCS. This way we can all come prepared for many hours of lively classroom discussion.

In order to better focus our class discussions, I may sometimes give short in class writing assignments (about 10 minutes in length). Your efforts on these short tasks will be taken into consideration as part of your participation grade.

Grading

All grading is done using a percentage scale. The percentage scale is converted to a letter grade at the end of the semester. **Grades are not negotiable.** I will answer your questions regarding your grade on any assignment, but unless I have made a mistake I will not change a grade.

A = 92-100

A- = 90-91

B+ = 88-89

B = 82-87

B- = 80-81

C+ = 78-79

C = 72-77

C- = 70-71

D+ = 68-69

D = 60-67

F = 59 and below

YOUR FINAL GRADE WILL BE BASED ON:

Participation	20%
Midterm	25%
Training Project	25%
Final Exam	30%

****To sign up for a 15 week subscription to The Wall Street Journal, go to <http://subscribe.wsj.com/semester>. Please enter my name (Lasher) when prompted to do so. The cost is \$29.95.**

****To sign up for a 15 week subscription to The New York Times, call 800-698-4637, or go to <http://www.nytimes.com>. The cost is \$2.50 per week (\$37.50 total) for a Mon.-Fri. 15 week student subscription. You will need to use your TCNJ.edu address for the**

discounted rate and give the NY Times an ending date (use May 6, 2011). When signing up please enter my name (Lasher) and Employment Law as your subject if asked.

EVALUATION:

Participation:

- | | |
|--------|--|
| 90-100 | Excellent, consistent participation. Participates frequently in a constructive manner. Volunteers frequently and is prepared when called upon. Is able to discuss both current events and the cases. |
| 80-89 | Good participation, prepared when called upon and sometimes volunteers. |
| 70-79 | Adequate participation. Volunteers occasionally and is usually prepared when called upon. |
| 60-69 | Acceptable attendance. Rarely volunteers and is sometimes prepared when called upon. |
- 59 and below Neither attendance nor participation are acceptable.

Training Materials and Papers:

- | | |
|--------|---|
| 90-100 | Few surface errors (grammar, punctuation, spelling). Well organized and thoughtful. Training materials highlight important information that will be covered by you in greater depth during the session. The paper discusses the research upon which you based your training program, and also includes a well written introduction and conclusion and appropriate citations. Paper is well organized, transitions are appropriately used. Overall excellent work. |
| 80-89 | Very good work, obviously high effort. Presentation materials require some refinement. Paper needs some editing for grammar and/or spelling, light editing for paragraphing, sentence structure or organization of thoughts and substantiating material. Connection between substantiating material and conclusions needs to be stronger. |
| 70-79 | Presentation and paper need much editing for spelling/grammar/paragraphing/sentence structure or organization. Assertions are not adequately supported. Presentation and paper do not flow or it may be difficult to understand what you are saying. |
| 60-69 | All around poorly written and poorly constructed. Everything requires major editing. Does not fulfill the assignment requirements. Little or no substantiation for assertions or too much quoting of sources without your own ideas. |

59-0 Failure to meet even minimal assignment requirements.

Training Session:

- 90-100 All around excellent. Knowledgeable, enthusiastic. Looking at the audience, engaging the class in a discussion. Background material presented. Providing depth of knowledge on your topic (teaching the class something new).
- 80-89 Very good presentation and discussion. Covers key concepts. Receptive to class comments and discussion.
- 70-79 Straightforward but does not adequately cover the entire topic. Some presenters do not appear knowledgeable. Class is not engaged.
- 60-69 Poorly organized, inaccurate, not enough material presented.
- 59 and below Failure to fulfill assignment requirements.

ADA Policy

I adhere to the College's Americans With Disabilities Act (ADA) policy which can be found on the web: <http://www.tcnj.edu/~affirm/ada.html>

Due Dates:

From the Dean's Office: Except in the case of a TCNJ authorized absence or documented personal emergency, faculty are encouraged NOT to make individual exceptions to course assignment due dates and exams. Our work is no less coordinated or time-sensitive than many tasks encountered in the workplace and meeting deadlines and obligations is simply one more step in preparation for a business career.

Projects/Papers

All papers and training materials are to be handed in to me in hard copy. I do not accept assignments in electronic format. Having said that, you are required to e-file a copy of your training materials and papers in the SOCS dropbox, but the copy that I read and grade will be the hard copy that you turn in. Papers are to be typed in 12-point Times New Roman font. **Papers must include page numbers, and must be thoroughly proofread.** Unless it is a group project, all written work is to be your individual effort. Any suspected collaboration or other violation of the College's academic integrity policy: (<http://www.tcnj.edu/~academic/policy/integrity.html>) will be prosecuted under the College's policy on cheating and will result in an "F" for the assignment. Plagiarism results in an automatic "F" for the assignment as well. Grades will be lowered one full grade for each day (including Saturday and Sunday) that an assignment is late.

Additionally, if while reading your paper I come upon a third misspelled word, you will receive your paper back for a rewrite (minus 10 points).

With regard to papers, I will look at any partial or full draft or outline that is a serious effort **if handed to me at least seven days before the due date**. We will go through your draft **together** (no dropping it off and running) so that you understand the changes and revisions I am suggesting in order to improve your paper.

A Note on Writing Issues

The ability to communicate clearly is essential to success in both the business and the academic worlds. I encourage you to seek out assistance with your writing. If you are a good writer and can self-edit then simply having a friend proofread your work may be sufficient. However, if you are not an “A” writing student then speak with me or go to The Writer’s Place in Roscoe West Hall for help. (If I read a paper of yours and decide that you need help with your writing, I will require that you go to The Writer’s Place. Failure to follow up with The Writer’s Place will result in a grade of zero on all future assignments.) By the way, you can go to The Writer’s Place for assistance with your section of the group paper before handing it into the designated group editor (see below).

A Note on Research

Wikipedia is not an acceptable authoritative source for your research and any reliance on Wikipedia, whether noted or not will result in an “F” for the assignment. Wikipedia’s own website makes no promise of accuracy—Wikipedia’s general disclaimer states that “Wikipedia cannot guarantee the validity of the information found here” (Wikipedia, 2011).

Midterm Exam

The midterm exam will be given in class and will consist of several essay questions with each question containing several parts. You will score points for accurately answering each part of the question in well written, well organized paragraphs. Failure to answer a part of the question means that you lose points as you would for an incorrect answer.

Group Research/Training Project

You will be conducting a training session for the class on an employment law related issue. In addition to the training session you will hand in a short paper discussing the research you used to develop your training materials. You will work in groups of up to four students. I expect the rest of the class to participate actively as trainees for two very good reasons: your personal participation grade and remember that your turn will come as well. You may use handouts, slides, etc. for your presentation. Your paper, which is a well written summary of the law upon which you based your training materials is due on the same day as your presentation. **Make sure that at least one group member acts as the editor and puts the paper and works cited list together into a cohesive, consistent whole that speaks with one voice.** Note that appointing an editor does not absolve the other group members from turning in well-written work and any group member who does not hand in his or her best effort in a timely way to the overall paper editor will have his or her project grade lowered.

Also due on the same day as the paper will be each student's evaluation of the other group members. Everyone is expected to contribute equally to the group.** The training presentation is 50% of the grade and the paper is worth the other 50%. Presentations will be scheduled during late March and early April.

**If there is a serious problem or issue within the group, please do not wait until the evaluation to tell me about it. I cannot help to solve a problem after the fact.

Final Exam

The final exam will be given during the College's scheduled final exam time. It will consist of several essay questions with each question containing several parts. You will score points for accurately answering each part of the question in well written, well organized paragraphs. Failure to answer a part of the question means that you lose points as you would for an incorrect answer.

Schedule of Classes and Readings

Week of:	Topics Covered	Assignment (including cases at end of each chapter)
Jan. 17	American Legal System	xxix - xxxii Struggles in Steel
Jan. 24	Employment Regulation Title VII	Chs. 1 & 2
Jan. 31	The Employment Environment	Ch. 3 (omit pp. 140-144, bottom of 156-top of 158, 182-186)
Feb. 7	Affirmative Action	Ch. 4
Feb. 14	Race Discrimination National Origin Discrimination	Chs. 5 & 6
Feb. 21	Gender Discrimination **PROJECT TOPICS DUE BY 2/24	Ch. 7
Feb. 28	Sexual Harassment **MIDTERM EXAM 3/3	Ch. 8
Mar. 14	Affinity Orientation Religious Discrimination	Chs. 9 & 10
Mar. 21	Age Discrimination	Ch. 11
Mar. 28	Disability Discrimination	Ch. 12
Apr. 4	Labor Law	Ch. 14
Apr. 11	Fair Labor Standards Family and Medical Leave	Ch. 15
Apr. 18	OSHA, ERISA	Ch. 15
Apr. 25	Workplace Privacy, Review	Ch. 13
May 2	Reading Days and FINAL EXAMS	

Supplemental readings may be assigned as appropriate.

Important Dates:

March 7-11 Spring Break