TEXT: Rothstein & Leibman, Employment Law, Concise 8th ed. (Foundation 2015) (Be sure to get the Concise Eighth Edition, not the regular one)

READING ASSIGNMENTS
Casebook assignments designated CB.

I. INTRODUCTION/BACKGROUND

A. Sources of Employment Law
   1. Historical Antecedents -skim CB 15-25
   2. Sources of Modern Employment Law – CB 26-31, 38-48
   3. The Evolving Workplace

B. What is Work? What does it mean to us?
   CB 3-14

II. CREATION OF THE EMPLOYMENT RELATIONSHIP

A. Finding a Job: Want Ads, Referrals – CB 51-62

B. Legal Restrictions on Who Can Take a Job: IRCA – 62-79

C. Preferences – CB 78-79

D. The Employer's Ability to Find Out About and Screen Applicants
   2. Polygraphs and Other Truth Testing Devices – CB 99-103
   3. Medical Screening – CB 103-106
   4. Drug Testing and Other Lab Procedures – CB 106-118
5. Negligent Hiring and the Dilemma of References - CB 118-123

E. Statutory Limits Affecting the Hiring Process – Skim CB 125-290

   1. Title VII
   2. ADEA
   3. ADA

III. THE EMPLOYMENT RELATIONSHIP

A. Wages and Hours - CB 293-337

   1. Fair Labor Standards Act and Comparable State Laws
      a. Wage Rate
      b. Overtime

   2. Equal Pay and Pay Discrimination – CB 338-355

B. Employee Benefits: Health Care/Insurance, Family and the Workplace - CB 357- 404

   1. Health Care and Insurance

   2. ERISA Aspects of Health Care; Discrimination in Benefits

   3. COBRA and HIPAA

   4. Family and the Workplace

C. Conditions of Employment - CB 405-470

   1. Regulation of Employee Behavior and Appearance

   2. Sexual Harassment

   3. Privacy

   4. Free Speech
D. Preventing and Compensating Injuries at the Workplace - CB 471-559

1. Prevention: The Occupational Safety and Health Act
   a. Introduction and Background
   b. Jurisdiction: Of Migrant Laborers and of Preemption of State Criminal Prosecution of Employers
   c. Promulgation of Standards – Skim
   d. Specific Employer Duties
   e. Employee Rights
   f. Other Safety Issues

2. Workplace Injury: Workers' Compensation Systems

IV. LEAVING A JOB - CB 563-659

A. Discharge and the Erosion of the At Will Doctrine

1. Introduction

2. Judicial Erosion of the At Will Doctrine
   a. Employer Breach of Contract Theories
   b. The Public Policy Exception
   c. Other Sources of Protection
   d. Remedies and Preemption
e. Evaluating Employment Security

B. Discharge, NLRA and Laws Forbidding Discrimination

C. Unemployment, Layoffs, and Shutdowns

1. Bankruptcy Issues

2. Plant Closings: WARN Act

3. Unemployment Insurance

Regular class attendance, participation and completion of assigned writing projects are required and may be considered in assigning final grade.