WORKPLACE LAW (Law 721)
Professor James Leonard
Spring Semester 2015

Class Rules and Information

GENERAL INFORMATION

Workplace Law is a 2-credit-hour course that meets Wednesdays from 3:30 to 5:20 in Room A225. My office is in Room 219 in the Dean's Administrative Suite. Office hours are Wednesdays 2:30 p.m. – 3:30 p.m. or by appointment (please see my secretary Laura Dotson in the Dean's office). My e-mail address is **jleonard@law.ua.edu**; my office phone is 348-5927. Communication is encouraged.

COURSE DESCRIPTION

Workplace Law is primarily a course in the regulation of the private workplace. We shall focus on the legal protections available to employers and employees beginning with hiring process, the regulation of the terms and conditions of employment, and finally the termination of the employment relationship. We shall specifically address these substantive areas: hiring (including interviewing, applications, references, polygraphs, personality tests, drug and genetic tests, etc.), wage and hour rules, health benefits, employee freedoms in the workplace, occupational health and safety, disabling injuries, discharge, and employee duties to an employer. Please note that other law school courses cover topics related to the workplace such as Alternative Dispute Resolution, Employment Discrimination, Disability Law, Labor Arbitration, Labor Law, Workers Compensation and ERISA.

LEARNING OBJECTIVES

By the end of the course, you should be able to:

- Identify legal issues that are most likely to affect employers and employees throughout the stages of a typical career.
- Become familiar with the principal federal statutes that apply to the American workplace.

- Appreciate the variety of federal, state, and common law rules that may apply to a particular employment law issue.
- Understand the critical federal role in the regulation of the workplace.
- Develop compliance strategies for employers.

REQUIRED TEXTS

The texts for this course are:

- Rothstein and Liebman, Employment Law: Cases and Materials, concise 7th ed. (Foundation Press, 2011).

- Rothstein, Liebman and Yuracko's Employment Law, Cases and Materials, 7th, 2014 Supplement, 7th Unabridged and Concise Editions (Foundation Press, 2011).

You may also find the following treatise about employment law useful:

- Rothstein, Craven, Schroeder & Shoben, Employment Law, 4th ed. (West, 2010) (On Library Reserve: KF3455.E4682 2010)

ATTENDANCE

School policy requires regular class attendance. Once you miss 300 minutes of class time in a two credit hour course (i.e., three weekly session of this course), you are likely to be withdrawn after the Dean's office reviews your reasons for non-attendance. As a practical matter it is foolish to miss class unnecessarily since the final exam will be based mostly on issues discussed in class. Punctuality is also important. I take roll once at the beginning of class. If you plan to arrive late, please let me know in advance.

CLASS PARTICIPATION

Learning in this class is an interactive process. You are expected to come to class having read the assignments and prepared to discuss them.

TWEN

Everyone enrolled in this course must register for the course page on TWEN. If you need assistance doing so, please ask me for help or inquire at the Library reference desk. **NB: You are on constructive notice of postings on TWEN.**

GRADES & EXAM

Your course grade will be based on a final essay exam. Please note that the examination is scheduled for Tuesday, April 28th at 9:00 a.m.

ADA ACCOMMODATIONS

The Law School is committed to meeting the needs of students with physical, learning, and other disabilities, and provides appropriate accommodations and services tailored to each person's specific requirements. The Law School's administration and the University's Office of Disability Services work together to help individuals with disabilities achieve and maintain individual autonomy. Students with disabilities are encouraged to contact the Office of Disabilities Services so that the individual's needs for support services can be evaluated and accommodated in a timely manner. If you have any questions, please contact Associate Dean Claude Arrington at carrington@law.ua.edu.

CONDUCT:

All students are expected to be honorable and to observe standards of conduct appropriate to a community of scholars. University policies, the Law School Honor Code, and other appropriate policies, will be followed in the event of misconduct.

TENTATATIVE SYLLABUS

We will cover these topics in the order indicted. Generally speaking, we'll cover approximately fifty pages of text for each week's 2-hour session. At the end of each class, I'll announce the assignment for the following week in case there is any need to adjust for carryovers. Please note that the syllabus is a general plan subject to deviation, and that I reserve the right to make alterations to the course coverage. Note also the following abbreviations: CB = Rothstein et al. casebook; UP = 2014 Update.

Lesson 1: Introduction
- Read CB 1-53 & UP 121-123

Lesson 2: The Hiring Process: Labor Pool, Applications
- Read CB 54-91 & UP 127-135

Lesson 3: Applications, Truth Detecting, Drug Testing, and Wage & Hour Rules
- Read UP 136-142, CB 92-116, CB 244-262

Lesson 4: Wage and Hour Rules continued
- Read UP 172-177, CB 270-305

Lesson 5: Health Benefits (ERISA)
- Read CB 311-350

Lesson 6: Health Benefits (FMLA, Non-discrimination), Workplace Freedoms
- Read CB 351-352, UP 182-186, CB361-376, 377-396

Lesson 7: Workplace Freedoms, continued.
- Read CB 397-445

Lesson 8: Occupational Health & Safety
- Read CB 447-494

Lesson 9: Disabling Injury and Illness
- Read CB 496-534

Lesson 10: Discharge
- Read CB 537-580

Lesson 11: Discharge, continued

- Read CB 581-620

Lesson 12: Employee Duties to the Employer

- Read CB 636-661

Lesson 13: Unemployment

- Read CB 681-724

Lesson 14: TBA