PROFESSOR:  Harry L. Hopkins
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OFFICE HOURS:  Daily, with or without appointment

COURSE MATERIALS:  “Understanding Employment Law,” Bales, Hirsch, and Secunda, Lexis Nexus, plus extensive assignment of treatises and cases appearing in “Understanding Employment Law” and other works. The semester will include several guest lecturers who are experts in the topics covered by this course.

COURSE DESCRIPTION:  Some students will have, or will, take various other stand-alone courses covering various practices and laws in the field of labor and employment laws. Those who practice in this area of law, however, are confronted on a near-daily basis by “other” regulations and laws not typically covered in stand-alone courses. The primary emphasis of this course is to focus on those “other” regulations and laws. Also, the stand-alone courses will be summarily covered in this course so that students will have a basis for deciding whether to take those courses.

This course will cover the employment relationship between an employer and an employee and a judge or court and enforcement of those rights and the various tests that determine independent co-arbitrator status. It will cover the employment-at-will doctrine and its erosion over the years, plus consideration of wrongful discharge cases. Employee privacy protection claims and defamation in the workplace setting will be covered. We will also study an employee’s duty of loyalty to his/her employer, trade secrets, employee inventions, and covenants against competition.

The course will then proceed with consideration of various state and federal statutes that impact the workplace, including wage and hour laws (federal and state), the Family and Medical Leave Act (federal) and unemployment laws (federal and state) and the Worker Adjustment and Retraining Notification Act (federal). There will also be summary coverage of employment welfare plans and pension plans (ERISA) and safety and health regulations governing workplace (OSHA and MHSA). In addition, and to place these law in context with other rules and laws governing the employment relationship, there will be a summary consideration of the National Labor Relations Act, The Equal Pay Act, Title VII of the Civil Rights Act of 1964, the Age Determination in Employment Act of 1967, and the Americans with Disabilities Act of 1990.

GRADE:  Students will be graded on the basis of a written examination.

CLASS REQUIREMENTS:  Class attendance is in accordance with established Law School policy. Class participation is expected. To encourage class participation, students will be assigned certain topics and will present those topics to the class.