



**Louisville Metropolitan Campus**  
1031 Zorn Avenue, Suite 200, Louisville, KY

**HRMG 5700 EMPLOYMENT LAW**

<b>Course</b>	HRMG 5700 Section 58 EMPLOYMENT LAW
<b>Instructor</b>	Name: JOAN B. HENDERSON, J.D. Phone: (812) 283-7672 Email: <a href="mailto:JOANBHENDERSON@AOL.COM">JOANBHENDERSON@AOL.COM</a> Fax: (812) 288-9020
<b>Term &amp; Dates</b>	<b><u>NOTE: THE FIRST CLASS WILL NOT MEET ON AUGUST 12, 2008. THE FIRST CLASS WILL MEET ON AUGUST 19, 2008. THERE WILL BE A MAKE-UP CLASS TO BE DISCUSSED ON AUGUST 19, 2008.</u></b>  DATES: FALL I, 2008- AUGUST 11-OCTOBER 11, 2008 CLASS DAY: <b>TUESDAY</b> CLASS TIME: 6:00 P.M.-10:00 P.M.
<b>Location</b>	Louisville Metropolitan Campus
<b>Course Description</b>	This course provides an overview of legal issues affecting human resources management. It focuses on the impact of law on individuals in organizations, recognition of legal problems, and the legal impact of human resource decisions. The course content includes laws, regulations, and court decisions covering labor-management relations.
<b>Prerequisites &amp; Incoming Student Competencies</b>	Please see the Webster Catalog for general admission requirements. Generally, the student must have earned a recognized baccalaureate degree from an educational institution accredited by one of the accrediting agencies in the United States. The School of Business requires an official transcript from the baccalaureate granting institution with a minimum grade point average (G.P.A.) of 2.5. Students below this should consult the catalog. Students are expected to earn a "B" or better average to remain in the Webster program. Students are expected to know basic English grammar and research paper format, including footnotes/citations. Students are expected to have a basic understanding of ethics in his/her business or profession. The student should be prepared to accept various points of view without pre-judgment.
<b>Course Objectives</b>	Areas to be covered in the course are: Regulation of the Employment Relationship, Discrimination in Employment, Privacy issues, and labor laws. Reference will be made to the U.S. Constitution and the protection it affords to both the American worker and the American employer.

<b>Course Level Learning Outcomes</b>	<p>The student will develop:</p> <ol style="list-style-type: none"> <li>1. A basic understanding of ethics in today’s business climate</li> <li>2. An understanding of the relationship between the U.S. Constitution and today’s business ethics.</li> <li>3. Concepts, research, and techniques used in understanding employment law</li> <li>4. An understanding of civility issues in the business world today.</li> <li>5. An exposure to current legal issues in the news today.</li> </ol>
<b>Materials</b>	<p>The required text is: Bennett-Alexander, Dawn D. and Laura P. Hartman, <u>Employment Law for Business</u>, Fifth Edition, McGraw-Hill Irwin</p> <p><b>Texts can be obtained by calling MBS Direct at 1-800-325-3252, or at Virtual Bookstore at <a href="http://www.mbsdirect.net">www.mbsdirect.net</a>. Credit cards and checks are accepted. Make sure you purchase the correct edition.</b></p>
<b>Supplemental Resources</b>	<p>Each student must have a copy of the U.S. Constitution and, and must bring it to the FIRST CLASS and to each class thereafter.</p> <p>Assignments will be given for newspaper reviews and additional readings.</p>
<b>Grading</b>	<p><b><u>Grades:</u></b></p> <p>A           96-100  A-           94-95  B+           90-93  B            85-89  B-           81-84  C            76-80  F            Less Than 75  I            Incomplete Work</p>
<b>Activities</b>	<ol style="list-style-type: none"> <li>1. Research Paper (Due 9/16 &amp; rough draft (Due 9/2) submitted on time..... 25%</li> <li>2. Oral presentation of research paper (Presentations begin 9/23)... 10%</li> <li>3. Two (2) newspaper articles &amp; oral presentations. (First due August 26; Second due September 23. Ten points each ..... 20%</li> <li>4. Interview due 9/ 9..... 10%</li> <li>5. Written paper on U.S. case: <u>Ledbetter v. Goodyear Tire &amp; Rubber Co.</u> decision of May 29, 2007 (Due 8/23).....10%</li> <li>6. Letter to the editor regarding chapter 6. Due 9/9).....10%</li> <li>7. Assigned briefs or reviews: Retaliation due 9/9: First Amendment due 9/30. Each worth 5 points.... 10%</li> <li>8. Class discussion, participation, handout articles and pop quizzes.....5%</li> </ol> <p style="text-align: right;"><b>TOTAL 100%</b></p>

**Policy Statements:  
University Policies**

**CONDUCT**

Students enrolling in a graduate program at Webster University assume the obligation of conducting themselves in a manner compatible with the University's function as an educational institution. Misconduct for which students are subject to discipline include the following categories:

1. All forms of dishonesty, cheating, plagiarism, or knowingly furnishing false information to the University.
2. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University authorized activities.
3. Theft or damage to property at the University.

Students who cheat or plagiarize may receive a failing grade for the course in which the cheating or plagiarism took place. Students who engage in any of the above misconducts may be subject to dismissal from the University. To the extent that penalties for misconduct (e.g. theft or destruction of property) are prescribed by law, the University will consider appropriate actions under such laws.

**ATTENDANCE POLICY**

**Students are expected to attend all class sessions of every course. PRIOR TO an unavoidable absence, the student must contact the instructor by calling the office at (812) 283-7672 and leaving a message either with Glenda or on the answering machine.** The student is subject to appropriate academic penalty for incomplete or unacceptable makeup work or for excessive or unexcused absences. Generally, a student who misses more than one four-hour course period (per course) without a documented military or medical excuse and advance permission of the instructor should withdraw from the class. The University reserves the right to involuntarily drop enrolled students from classes, which they do not attend. Students who do not attend the first class session, who have not made prior arrangement with the instructor for being absent, will be dropped from the course.

**MAKE-UP WORK REQUIREMENTS**

For each class missed, makeup work will be assigned and must be submitted at the next class. The instructor will assign the topic and amount of work. This makeup work will be incorporated into the class participation grade. If make-up work is not submitted on time, the student's final grade will be subject to a reduction of one (1) letter grade.

Students are responsible for any class material presented during their absence and any assignments due should be submitted prior to the absence, if possible.

	<p><b>Drops and Withdrawals</b> Should you choose to drop or withdraw from this course, the date on which you notify the university of your decision will determine the amount of tuition refund you receive. Refer to the university policies on drops and withdrawals (published elsewhere) to find out what the deadlines are for dropping a course with a full refund and for withdrawing from a course with a partial refund.</p> <p><b>Special Services</b> If you need accommodations for a disability, please let the instructor know at the beginning of the course so that assistance can be provided.</p> <p><b><u>DISCLAIMER</u></b> This syllabus is intended to provide a basic structure to this course. It MAY be modified for class size, student competencies, etc. This syllabus is subject to change at the sole discretion of the instructor.</p>
<b>Course Policies</b>	<b><u>PRIOR TO</u> an unavoidable absence, the student must contact the instructor by calling the office at (812) 283-7672 and leaving a message either with Glenda or on the answering machine.</b>

Weekly Schedule

**NOTE: THE FIRST CLASS WILL MEET ON AUGUST 19, 2008 AND A MAKE-UP CLASS WILL PROBABLY BE HELD ON AUGUST 23, 2008. THE MAKE UP CLASS WILL BE DISCUSSED DURING CLASS ON AUGUST 19, 2008.**

**CLASS I: AUGUST 19, 2008:**

**PRIOR TO THE FIRST CLASS, EACH STUDENT SHOULD READ THE COMPLETE PREFACE AND INTRODUCTION IN ORDER TO UNDERSTAND THE BASIC LEGAL CONCEPTS.**

**READ CHAPTER 1, PAGES 1-68. (SKIP PAGES 33-43; 65-68, Skip Petruska case.**

**BRING A COPY OF THE U.S. CONSTITUTION TO THE FIRST AND EVERY CLASS THEREAFTER.**

**BRING YOUR CHOSEN RESEARCH TOPIC QUESTION TO THE FIRST CLASS. WHAT DO YOU WANT TO RESEARCH THIS TERM? REVIEW THE TABLE OF CONTENTS FOR IDEAS. PUT THE TOPIC IN QUESTION FORM THAT CAN BE ANSWERED WITH A YES OR NO RESPONSE.**

**A. FIRST CLASS: AUGUST 19, 2008**

1. Overview of course and requirements, completion of forms, explanation of written papers and oral presentation of same.
2. Lecture: Introduction to the philosophy of employment law and the necessity of same
3. Class discussion of the U. S. Constitution and employment law.
4. Each student should be prepared to discuss issues involving the Constitution and the material in Chapter I.
5. Concentrate on knowing the facts and court decision in the cases other than Petruska. (skip Petruska)
6. Lecture and class discussion on legal aspects of Chapter I.
7. Discussion on make-up class date
- 8 **ASSIGNMENT FOR NEXT MEETING:**

A. Read Chapter 2 and Chapter 3 through pages 150. Omit: Wilson p. 92-93; Griggs, pp 94-95; Conn.v Teal, pp 100-101.

Also omit in Chapter 3: Rowe, pp.170;

MAKE SURE YOU READ PP.147-150 ON THE POLYGRAPH.

B. Brief the Clackmas Gastroenterology v. Wells case pp. 18-21. Use the brief format discussed in class. This is a no credit exercise, however, it will be reviewed, so put some

effort into it.

- C. Type research paper outline to hand in at beginning of class
- D. Handout of Retaliation claim from Bench and Bar, March 2007 and Newsletter on Retaliation. Each student is to read the articles and write a two-three page typed summary. This is due at the beginning of class on 9/23. (Worth 5 points).

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**B. SECOND CLASS MEETING: MAKE-UP CLASS TO BE SCHEDULED. MAYBE ON SATURDAY, AUGUST 23, 2008**

- 1. Hand in research paper outline.
- 2. Hand in Clackmas brief
- 3. Class Lecture and discussion Chapter 2 and part of 3.
- 4. Discussion of Clackmas.
- 5. Possible guest speaker on the use of the polygraph in business

**6. ASSIGNMENT FOR NEXT MEETING:**

- a. Read Chapter 3 pages 150-175.
- b. First newspaper article due at beginning of class 8/26
- c. Oral presentations of newspaper articles
- d. Handout from Newsletter (2 short articles and a Courier article on discrimination. Each student is to write a summary in brief format using the articles. It should be typed and approximately 1-1/2 pages long. (No credit, except for class participation credit)

**C. THIRD CLASS MEETING: AUGUST 26, 2008**

- 1. Oral presentation of First newspaper article & hand-in written summary
- 2. Discussion on Handouts from Newsletter on discrimination.
- 3. Hand in written typed summaries.
- 4. Class lecture and discussion on Chapter 3, pp. 135-175.

**ASSIGNMENT FOR NEXT MEETING:**

- a. Read Chapters 4 & 5 pages 179-257.
- b. Brief Grutter case p. 203-208. (No credit. Briefs will be handed in)
- c. **FIRST ROUGH DRAFT OF RESEARCH PAPER DUE SEPTEMBER 2, 2008.**

**D. FOURTH CLASS MEETING: SEPTEMBER 2, 2008**

- 1. Class discussion and lecture: Chapters 4 & 5 pages 179-257.
- 2. Class discussion of Grutter case p. 203-208
- 3. Hand in first rough draft.

**4. ASSIGNMENT FOR NEXT MEETING:**

- a. Read Chapter 6 pp. 260-306; omit Price pp. 278-279; omit Am. Fed. pp. 289-291.
  - b. Read Chapter 7, omit pp. 356-360. Omit Showalter pp. 321-322; Meritor pp. 326-327; Andrews pp 339-341; Penn. v. Suders and Robinson pp. 350-353; Burlington pp. 361-363.
  - c. Type your letter to the editor regarding your reaction to the information in Chapter 6. This is worth 10 points and should be carefully prepared. It should be about 2-3 pages in length.
  - d. Newspaper Handouts on equal/unequal pay (Ledbetter decision, May 29, 2007. Each student is to write a typed summary of 3-5 pages brief of the case. This is worth 10 points on your grade, so prepare a good report. Due September 9, 2008.
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**FINAL DRAFT OF RESEARCH PAPER DUE SEPT. 16, 2008.**

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**E. FIFTH CLASS MEETING: SEPTEMBER 9, 2008**

- 1. Letter to the Editor on Chapter 6 due at beginning of class
- 2. Ledbetter brief due at beginning of class.
- 3. Class discussion and lecture on Chapters 6 & 7.
- 4. Rough draft returned with instructor's comments

**5. ASSIGNMENT FOR NEXT MEETING:**

**a. FINAL RESEARCH PAPER DUE SEPT. 16, 2008.**

- b. Read chapter 8 pp. 368-405. Omit: Williamson, pp384-385; Nichols, pp. 389-391; Buonanno pp. 402-404.
  - c. Read Chapter 9 pp. 406-452. Omit: Lumpkins, pp.423-425; Pime, pp. 440-443; Peterson,
- .....

**F. SIXTH CLASS MEETING: SEPTEMBER 16, 2008**

**1. FINAL RESEARCH PAPER DUE AT BEGINNING OF CLASS**

- 2. Class discussion and lecture on chapters 8 9.

**3. ASSIGNMENT FOR NEXT MEETING:**

- E. Oral Presentations of research papers begin
  - F. Read Chapters 10, pp. 455-469 (Omit 469-470); Omit Garcia, pp. 460-462. Espinoza 470-471.
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- a. Read Chapter 11 pp. 486-523. Omit pp. 513-519. Omit: Western pp. 497-498; Schuster and Hazen pp. 500-509; Oubre pp. 508-5098; Pottenger pp. 511-3

- b. Read Chapter 12, pp. 524-586. Omit: Moysis and School Board, pp. 540-543; Carruthers, pp. 544-546; Collins, pp. 551-553; Mason pp. 561-567. Read Chapters 10, pp. 455-469 (Omit 469-470); Omit Garcia, pp. 460-462. Espinoza 470-471.
- c. Read Chapter 11 pp. 486-523. Omit pp. 513-519. Omit: Western pp. 497-498; Schuster and Hazen pp. 500-509; Oubre pp. 508-5098; Pottenger pp. 511-513.
- d. Read Chapter 12, pp. 524-586. Omit: Moysis and School Board, pp. 540-543; Carruthers, pp. 544-546; Collins, pp. 551-553; Mason pp. 561-567.
- e. Second newspaper article due 9/23.

**G. SEVENTH CLASS MEETING: SEPTEMBER 23, 2008**

- 1. Class discussion and lecture on chapters 10, 11, and 12.
- 2. Oral research paper presentations
- 3. Second newspaper article handed in and oral presentations of same.
- 4. **ASSIGNMENT FOR NEXT MEETING:**
  - a. Read Chapters 13, 14 pp. 588-687.
  - b. Handout on First Amendment- turn in on 9/30 in brief format.
  - c. Research paper presentations

**H. EIGHTH CLASS MEETING: SEPTEMBER 30, 2008**

- 1. Class discussion and lecture on chapters 13, 14
- 2. Hand in First Amendment brief and discussion on same

**3. ASSIGNMENT FOR NEXT MEETING:**

- a. Read Chapter 15 pp. 688-718

**I. NINTH CLASS MEETING: OCT. 7, 2008**

Completion of class discussions and lectures on remaining chapters.