

Seattle University

BLAW 5910 Employment Law Fall 2018

Tuesdays 6:00 – 8:40 pm

Pigott 204

Instructor: T. Noble Foster, JD Attorney at Law
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COURSE DESCRIPTION: This course provides an overview of the many laws and regulations that affect the workplace. We will examine the constantly shifting landscape of employer-employee rights and responsibilities, and learn how courts, lawmakers, and regulators shape this dynamic. During the course, we will cover such topics as: who is an employee (vs. an independent contractor, intern, etc.); laws regulating the hiring process; immigration laws, employer best practices; the employment at-will doctrine and its exceptions; torts by employers against employees and by employees against third-parties; employment agreements; arbitration of employment disputes; workplace investigations; workplace privacy, speech, and social media issues; regulation of off-work activities; implied duty of loyalty, trade secrets, and noncompetition covenants; minimum wage, overtime, and related wage and hour issues; leaves of absence and reasonable accommodation; workplace safety; and severance, unemployment compensation, and related termination issues.

Text: Walsh, **Employment Law For Human Resource Practice** (5th Ed.)
Cengage © 2016
ISBN 978-1-305-11212-4

Course Objectives

1. Identify the federal, state, and local laws and regulations that control employment law and labor relations.
2. Demonstrate the ability to develop appropriate management policies that reflect best practices in employee hiring, retention, promotion, and termination.
3. Develop oral and written communication skills to manage individual and employee performance more effectively.
4. Increase analytical skills by researching facts and analyzing cases related to employee-employer relations.

MBA Program Learning Outcomes

1. Exhibit effective presentational and inter-personal communication skills
2. Exhibit effective critical thinking skills
3. Exhibit the capacity to effectively marshal human resources, both in a leading and collegial teaming role
4. Exhibit the ability to identify, measure, interpret, and incorporate relevant information in analyzing problems and making effective business decisions
5. Exhibit the ability to recognize ethical and legal issues and to respond appropriately

Course Schedule*

Week	Date	Chapter	Topic
1	Oct 2	1 2	Introduction to Employment Law Employment in the New American Workplace
2	Oct 9	6 7	Employment Tests Hiring and Promotion Decisions
3	Oct 16	4 5	Recruiting and Hiring Immigration Issues, Background Checks, References
4	Oct 23	3 8 9	Overview of Discrimination Law Affirmative Action Harassment
5	Oct 30	10 11	Disability and Religion Other Diversity Issues MIDTERM
6	Nov 6	12 14	Wages, Hours and Pay Unions and Collective Bargaining
7	Nov 13	13 15	Benefits Occupational Safety and Worker Health
8	Nov 20	17	Social Media and Privacy Issues on the Job
9	Nov 27	16 18 19	Performance Appraisals, Training, and Development Termination of Individual Employees Downsizing
10	Dec 4		Review Session
11	Dec 11		FINAL

EXAMS: There are two examinations – a Midterm and a Final. Both are multiple choice and True-False format. The Midterm has 40 questions, one point each. The Final Exam has 40 questions, one point each.

HOMEWORK: There are 4 homework assignments, each worth 5 points. The homework may consist of a Canvas Discussion, Assignment or other activity related to the readings and in-class discussion.

TERM PAPER - ASSIGNMENT SPECIFICATIONS AND SCORING GUIDE

Write a paper about a case, statute, regulation, industry, or company relating to a selected legal issue in the workplace. Topic must be approved in advance by instructor. Focus of the paper: Identify a current situation in which you find that the law currently does **not** effectively protect the legal interests of the

employee or employer. Present your proposed solution to the problem in the form of a new law or regulation, or a new policy that could be adopted by a company or an entire industry. Your paper should be structured in a way that seeks to persuade the reader that your proposed solution would be better than current law. Describe why current law is insufficient, and what could be done, in practical and concrete terms, to initiate corrective measures. Support your argument with citations to authorities. Completed papers should be about 3,000 words or less. Cases, statutes and other supporting material should be referenced in the text and complete citations should be listed as endnotes following the text. The term paper is worth 50 points.

SCORING: The following elements are considered in scoring term papers:

STRUCTURE: Effective structuring of argument in support of conclusion(s). Paper includes a clear thesis; good transitions; reasonable arguments; understandable explanations; persuasive use of legal authorities; supportable conclusions.

KNOWLEDGE: Demonstrates knowledge of substantive and procedural legal concepts and processes. Paper demonstrates solid understanding of legal concepts and procedures; contains correct analysis of cases, statutes, regulations, and theories.

PRESENTATION: Overall professional quality of the paper.

Paper is the quality of work expected in a professional setting, with no distracting typos, misspellings, errors of grammar or syntax. Complete citations to references are included.

IN-CLASS ACTIVITIES: Legal cases will be presented, analyzed and discussed in class as a means for advancing understanding of the concepts contained in the readings. Students are expected to be prepared for and to actively participate in these interactive learning sessions.

GRADING: •Homework Assignments = 20 •Term Paper = 50 •Midterm = 40 •FINAL= 40.
Total points available = 150.

REQUIREMENTS: *Course schedule is subject to change. Read assigned materials before class. Class attendance is mandatory. Come to class prepared. Make-up exams and/or quizzes will not be given. No tape recording of lectures permitted. There may be additional assigned readings. You will be required to study these readings as part of your preparation for class. Foreign language dictionaries may be used anytime, including during exams. Seattle University holds its students to very high standards of behavior. Both the “Code of Student Conduct” and the “Academic Honesty Code” will be strictly enforced.

SYLLABUS/SCHEDULE CHANGES: *This syllabus and the schedule are subject to change at any time in the sole discretion of the instructor. Your continued enrollment in the class constitutes your agreement to observe the policies in the syllabus. Any changes made to the syllabus will be posted to the class website and/or otherwise communicated to the class.

Academic Resources

- Library and Learning Commons (<http://www.seattleu.edu/learningcommons/>)
(This includes: Learning Assistance Programs, Research [Library] Services, Writing Center, Math Lab)
- Academic Integrity Tutorial (found on Canvas and SU Online)

Academic Policies on Registrar website (<https://www.seattleu.edu/redhawk-axis/academic-policies/>)

- Academic Integrity Policy
- Academic Grading Grievance Policy
- Professional Conduct Policy (only for those professional programs to which it applies)

Notice for students concerning Disabilities

If you have, or think you may have, a disability (including an ‘invisible disability’ such as a learning disability, a chronic health problem, or a mental health condition) that interferes with your performance as a student in this class, you are encouraged to arrange support services and/or accommodations through Disabilities Services staff located in **Loyola 100, (206) 296-5740**. Disability-based adjustments to course expectations can be arranged only through this process.

Office of Institutional Equity

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on sex in educational programs or activities that receive Federal financial assistance. This prohibition includes sexual misconduct, which encompasses sexual harassment and sexual violence. Seattle U remains committed to providing a safe and equitable learning, living, and working environment. Seattle U offers emergency, medical, and other support resources, as well as assistance with safety and support measures, to community members who have experienced or been impacted by sexual misconduct.

Seattle U requires all faculty and staff to notify the University’s Title IX Coordinator if they become aware of any incident of sexual misconduct experienced by a student. For more information, please visit <https://www.seattleu.edu/equity/>. If you have any questions or concerns, you may also directly contact the Title IX Coordinator in the Office of Institutional Equity (**email: oiie@seattleu.edu; phone: 206.296.2824**) University Resources and Policies.