COURSE SYLLABUS
SURVEY OF EMPLOYMENT LAW
GOLDEN GATE UNIVERSITY LAW SCHOOL COURSE 831

Fall Semester 2008
Mondays 6:30 pm to 9:10 pm
Classes from August 18 to November 24, 2008
Labor Day Holiday Monday September 1, 2008

Adjunct Professor:

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Workplace Fairness: It s Everyone’s Job
See: www.workplacefairness.org

Office Hours: Please arrange meetings by calling or emailing Mr. Yamauchi at his office.

Text: Worklaw: Cases and Materials, by Crain, Kim and Selmi, LexisNexis Publication

1. Attendance and Preparedness Policy

Students are expected to attend every class, read all assigned materials and participate in discussions and presentations.

2. Grading Method

Letter grades will be determined using two weighted examinations to determining your grade. 40% for the mid-term exam and 60% for the final exam. Push/pull points for attendance and the quality of class participation may adjust your grade up or down one step. For examples, one step up could be from a B to an A- and one step down could be from an A to an A-.

Outline of Class Assignments for Each Class Meeting   NOTE: DATES MAY BE ADJUSTED
Class 1 - August 18, 2008

Introductions and Course Overview and Expectations
Visit www.workplacefairness.org and become familiar with its content

Ch. 1, Origins, pp. 3-26
Payne v. Western & Atlantic RR
Lochner v. New York

Ch. 1, Origins, pp. 27-49
NLRB v. Jones & Laughlin
Ch. 2, Contemporary Era, pp. 51-56, 67-74

Class 2 - August 25, 2008

Ch. 2, Contemporary Era, pp. 74-80, Part Two, pp.81-84
Ch. 3, Contracting for Indiv. Security, pp.85-104
Savage v. Spur Distributing
Board of Regents v. Roth

Ch. 3, Contracting for Indiv. Security, pp. 104-131
Guilliano v. Cleo
Woolley v. Hoffman LaRoche
Anderson v. Douglas & Lomason

HOLIDAY MONDAY SEPTEMBER 1, 2008

Class 3 – September 8, 2008

Ch. 3, Contracting for Indiv. Security, pp. 131-154
Asmus v. Pacific Bell
Goff-Hamel v. Obstetricians
Pugh v. See's Candies

Ch. 3, Contracting for Indiv. Security, pp. 154-163
Cotran v. Rollins Hudig
Ch. 4, Public Policy Protections, pp. 177-196
Sheet's v. Teddy's Frosted
Hayes v. Eateries

Class 4 - September 15, 2008

Ch. 4, Public Policy Protections, pp. 196-206, 212-227
Gannt v. Sentry Insurance
Amos v. Oakdale Knitting
Strozinsky v. School Dist.
Ch. 4, Public Policy, pp. 227-246
Whistleblowers
Balla v. Gambro
Crews v. Buckman Labs

**Class 5 - September 22, 2008**

Ch. 5, Revisiting Presumption of At-Will, pp. 247-259
Ch. 6, Collective Job Security, pp. 261-278
Local 1330 v. US Steel

Ch. 7, Employee Mobility, pp. 301-328
Hopper v. All Pet
Dicks v. Jensen
Pepsico v. Redmond

**Class 6 - September 29, 2008**

Ch. 7, Employee Mobility, pp. 328-343
Augat v. Aegis
Dalton v. Camp
Reeves v. Hanlon

Ch. 8, Dignitary Interests, pp.351-365, 373-380
Wornick v. Casas
Bodewig v. K-Mart
Holloman v; Keadle
K-Mart v. Trott

**Class 7 – October 6, 2008 - MID-TERM EXAMINATION HANDOUT**

The mid-term exam will be handed out at the end of class to be returned before the next class on October 13, 2008. This is an Aopen book exam® with a grade value of up to 40 points. You may use the textbook and your class notes only.

Dignitary Interests, pp. 380-390, 395-405
Borquez v. Ozer
Smyth v. Pillsbury
Jennings v. Minco Tech.
Colgate-Palmolive Co.

Ch. 8, Dignitary Interests, pp. 405-421, 436-444, 447-453 (notes)
McCavitt v. Swiss Reinsurance
Zinda v. Louisiana Pacific

**Class 8 - October 13, 2008 - MID-TERM EXAMINATION TO BE HANDED IN**

Ch. 9, Employee Voice, pp. 455-572, 477-485
Connick v. Myers
Edmonson v. Shearer Lumber
Ch. 9, Employee Voice, pp. 485-508, 512-516
NLRB v. Washington Aluminum Co.
Timekeeping Systems, Inc.

**Class 9 - October 20, 2008**

Ch. 10, Employment Discrimination Law, pp. 535-561
McDonnell Douglas v. Green
St. Mary's Honor Ctr. v. Hicks
Desert Palace v. Costa

Ch. 10, Employment Discrimination Law, pp. 561-564, 577-598
EEOC v. Joe's Stone Crab

**Class 10 - October 27, 2008**

Ch. 10, Employment Discrimination Law, pp. 598-625
Meritor Savings v. Vinson
Burlington Industries v. Ellerth

Ch. 10, Employment Discrimination Law, pp. 625-653
Sutton v. United Air Lines
US Airways v. Barnett

**Class 11 - November 3, 2008**

Ch. 10, Employment Discrimination Law, pp. 669-681, 686-693
FMLA & Diversity Issues

Ch. 11, FLSA, pp. 699-703, 710-727, 735-741
Heath v. Perdue Farms
Dinges v. Sacred Heart

**Class 12 - November 10, 2008**

Ch. 11, FLSA, pp. 755-786, 790-794
RUI One Corp. v. City of Berkeley

Ch. 12, Health and Pension Plans (Health Benefits), pp. 795-822, 835-837
Aetna v. Davila -
DiFelice v. Aetna
McGann v. H&H Music

**Class 13 - November 17, 2008**

Ch. 12, Health and Pension Plans (Pensions), pp. 837-840, 855-859
Ch. 14, Arbitration and Workplace Disputes, pp. 949-954, 963-975, 986-991
Gilmer v. Interstate/Johnson
Ch. 15, Employer Initiatives, pp. 1011-1022
Prepare a position statement presenting your public policy and legal views on one issue listed under “The Issues” from this website. This written statement must be between five and ten pages, double spaced with 12 font text and contain the following sections:

A. Statement of the Issue

B. The Significance of the Issue to Employers and Employees

C. The Significance of the Issue to American Public Policy

D. Position Statement on this Issue

E. The Reason(s) for this Position

F. What Can Be Done to Resolve this Issue

Students should conduct an independent review of relevant court decisions, legislation, position statements of advocates and other materials to gain a better understanding of the chosen current issue. During this class, you should be prepared to make a presentation to the class on your issue and position statement and to respond to questions and challenges to your position.

If the number of students make individual presentations impractical, students may be assigned to groups to write the position statement and present the issue to the class.

If necessary, we may review prior class assignments, work on sample exam questions or catch up on assignments.

**FINAL EXAMINATION**

The final examination will be an in class OPEN book exam using the textbook and your class notes only. The final examination will have a grade value of up to 60 points.