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

Fall Semester 2009
Thursdays 3:30 pm to 6:10 pm
Classes from August 20 to November 19, 2009

Adjunct Professor:
Sheila Thomas
Law Offices of Sheila Thomas
Oakland, CA
510-339-3739
510-339-3723 fax
email: sheilayt@sbcglobal.net

Office Hours: Please arrange meetings by calling or emailing Professor Thomas at her office.

Texts: Worklaw: Cases and Materials, by Crain, Kim and Selmi, LexisNexis Publication and 2009 Supplement. Please review the assigned reading in the Supplement before reading assignments in the textbook because in some instances the text in the casebook has been omitted and substitutions made in the supplement.

1. Attendance and Preparedness Policy

Students are expected to attend every class, read all assigned materials and participate in discussions and presentations. Students will be expected to read and prepare for discussion of specific problems assigned during the course related to specific employment issues focused on in class. Push/Pull points may be given for attendance and the quantity and quality of discussions and presentations.

2. Grading Method

Letter grades will be determined using two weighted parts to determining your grade: 80% for the Final Examination and 20% for class participation/presentations. A push/pull adjustment may move your grade up or down one. As examples, one grade up would be from a B to B+ and one grade down would be from a B to B-. 
Outline of Class Assignments for Each Class Meeting  NOTE: DATES FOR ASSIGNMENTS MAY BE ADJUSTED

Class 1 - August 20, 2009

Introductions and Course Overview and Expectations

Part One Introduction: Regulating Work pp. 1-2

Ch. 1, Origins, pp. 3-49
Payne v. Western & Atlantic RR
Lochner v. New York
Supplement (“Supp.”), p. 3
NLRB v. Jones & Laughlin
The Philosophy of Unionism, Industrial Pluralism and the Practice of Collective Bargaining
The Decline of Unionism, Collective Bargaining, and Labor Law
The Ossification of American Labor Law
The Emerging Individual Rights Model

Ch. 2, Contemporary Era, pp. 51-67, Supp. pp. 5-19
The Workforce of the Future
The Globalized Labor Market
Williams v. Mohawk Industries, Inc.

Class 2 - August 27, 2009

Ch. 2, Contemporary Era, pp. 67-79, Supp. pp. 19-21
The Reconstitution of Work: “Precarious Employment”
Supp. pp. 22-41
Defining the Boundaries of the Employment Relationship
Estrada v. Fedex Ground Package System, Inc.
Fedex Home Delivery v. National Labor Relations Board

Part Two, pp.81-83

Ch. 3, Contracting for Indiv. Security, pp. 85-131
Savage v. Spur Distributing
Board of Regents v. Roth
Guilliano v. Cleo
Woolley v. Hoffman LaRoche
Anderson v. Douglas & Lomason

Handout Problem for Discussion in Next Class

**Class 3 – September 3, 2009**

Ch. 3, Contracting for Indiv. Security, pp. 131-163
Asmus v. Pacific Bell
Goff-Hamel v. Obstetricians
Pugh v. See's Candies
Cotran v. Rollins Hudig

Ch. 4, Public Policy Protections, pp. 177-196
Sheet's v. Teddy's Frosted
Hayes v. Eateries

Handout Problem for Discussion in Next Class

**Class 4 - September 10, 2009**

Ch. 4, Public Policy Protections, pp. 196-246, Supp. 45-55
Gannt v. Sentry Insurance
Kirk v. Mercy Hospital Tri-County
Amos v. Oakdale Knitting
Strozinsky v. School Dist.

Whistleblowers
Balla v. Gambro
Crews v. Buckman Labs

**Class 5 - September 17, 2009**

Ch. 5, Revisiting Presumption of At-Will, pp. 247-259

Ch. 6, Collective Job Security, pp. 261-288, Supp. pp. 57-70
Local 1330 v. US Steel
Childress v. Darby Lumber, Inc.
Roquet v. Arthur Andersen

Ch. 7, Employee Mobility, pp. 301-328, Supp. 73-
Hopper v. All Pet
Dicks v. Jensen
Pepsico v. Redmond

**Class 6 - September 24, 2009**
Ch. 7, Employee Mobility, pp. 328-349, Supp. pp. 73-81
Augat v. Aegis
Dalton v. Camp
Reeves v. Hanlon
Fearnow v. Ridenour

**Class 7 – October 1, 2009 (Class Begins at 2:30 p.m.)**

Ch. 8, Dignitary Interests, pp. 351-453, Supp. 83-93 (Omit Smyth v. Pillsbury and accompanying notes and Jennings v. Minco Tech)

Wornick v. Casas
Bodewig v. K-Mart
Holloman v. Keadle
O’Connor v. Ortega
K-Mart v. Trotti
Borquez v. Ozer
Luck v. Southern Pacific Transportation Co.
Colgate-Palmolive Co.
McCavitt v. Swiss Reinsurance
Soroka v. Dayton Hudson Corp.
Zinda v. Louisiana Pacific

**Handout Problem**

**Class 8 - October 8, 2009 (Class Begins at 2:30 p.m.)**

**Review of First Seven Weeks**

Ch. 9, Employee Voice, pp. 455-511, Supp. pp. 95-110 (Ends w/discussion of Ledbetter v. Goodyear)

Connick v. Myers
Garrett v. Ceballos
Edmonson v. Shearer Lumber
NLRB v. Washington Aluminum Co.
Timekeeping Systems, Inc.

**Class 9 - October 15, 2009 (Class Begins at 2:30 p.m.)**


McDonnell Douglas v. Green
St. Mary's Honor Ctr. v. Hicks
Desert Palace v. Costa
Burlington Northern & Santa Fe Ry. Co. v. White
UAW v. Johnson Controls, Inc.
EEOC v. Joe's Stone Crab

**October 22, 2009**

No Class

**Class 10 - October 29, 2009**

Ch. 10, Employment Discrimination Law, pp. 598-664, Supp. pp. 126-139

Meritor Savings v. Vinson
Burlington Industries v. Ellerth
Ledbetter v. Goodyear Tire and Rubber Company

Disability Discrimination
Sutton v. United Air Lines
US Airways v. Barnett

National Origin Discrimination
Garcia v. Spun Steak

**Class 11 – November 5, 2009**

Chapter 10, Employment Discrimination

Age Discrimination, pp. 664-668, Supp. 140-149

FMLA & Diversity Issues

pp. 669-693, Supp. 149-162

Handout: Ricci v. City of New Haven

Ch. 11, FLSA, pp. 699-754, Supp. 165-188
Heath v. Perdue Farms
Davis v. Food Lion
Dinges v. Sacred Heart

**Class 12 - November 12, 2009**

Chapter 11, FLSA 754-794, Supp. 188-205
RUI One Corp. v. City of Berkeley

Ch. 14, Arbitration and Workplace Disputes, pp. 951-974, Supp. 237-251
Gilmer v. Interstate/Johnson
14 Penn Plaza LLC v. Pyett

Handout of Problem for Discussion in Next Class (More information to be provided)

**Class 13 - November 19, 2009**

Ch. 14, Arbitration and Workplace Disputes, pp. 974-1003, Supp. 251-255
Cole v. Burns International Security Services
Hooters of America, Inc. v. Phillips

Ch.15, Employer Initiatives, pp. 1011-1033

Review of Class Problem

Review for Final Examination

**FINAL EXAMINATION-Final Examination to be handed out on December 1, 2009**

The final examination will be an exam consisting of essay questions worth a total of 100 points. Final grades are based on class participation and presentations, final exam point scores and possible push/pull adjustments.