

## **HDDR 6341 Employment Law**

Southern Methodist University  
Dispute Resolution and Conflict Management  
5228 Tennyson Parkway Suite 118  
Plano, TX 75024  
972-473-3425

### **Fall 2013 Term**

Wednesdays 6:00 pm to 10:15 pm  
August 7, 2012 – October 9, 2012

### **Instructor Information**

Caryn Carson, JD  
Email: ccarson@smu.edu  
Office Hours: By appointment only  
Credit: 3 hours

### **Course Description**

HDDR 6341 Employment Law (3 credit hours)

A strong understanding of employment law fundamentals is imperative to successful leadership within workplace organizations. From the genesis of the employment relationship and recruiting and hiring to performance management and separations from employment, the law permeates every step of the way. Employment law is a challenging, dynamic area, and this class is intended to acquaint students with the diversity of legal issues that may arise in the employment context. Through lecture, discussion, and interactive exercises and role plays, participants will gain a functional knowledge of employment law. A key objective of this class is to have students acquire the skills to recognize situations impacted by employment law, apply principles to different factual scenarios, and avoid claims or resolve disputes early so as to avoid litigation.

This course covers a wide breadth of substantive employment law. It is not intended as a substitute for other excellent courses offered in this program, such as *Workplace Conflict*. While principles of dispute resolution and conflict management will be referred to as appropriate, and participants will role play the management of conflicts that arise in the workplace, this course is not intended to instruct in theories or models of dispute resolution to be used in an employment setting. Rather, this challenging course will equip participants with a

functional knowledge of key employment law concepts essential to managing conflicts and resolving many of the disputes that arise with great frequency in the workplace.

<http://smu.edu/education/disputeresolution/coursedescriptions.asp>

Key Learning Objectives	How To Achieve
Students will gain a functional knowledge of employment law concepts so as to be able to identify workplace scenarios from which legal issues may arise.	Textbook and other assigned readings will be studied to gain knowledge of well-established employment law concepts as well as evolving or “cutting edge” developments.
Students will be able to apply employment law concepts to workplace scenarios in order to comply with the law and potentially avoid conflict and litigation.	Textbook and other assigned readings will be supplemented by class discussions and exercises to find solutions to common workplace scenarios with legal implications.
Students will be able to utilize their understanding of employment law principles to be able to conceptualize “best practices” in the workplace.	Textbook and other assigned readings will be supplemented by class discussions and exercises to facilitate weighing of priorities and alternatives that comply with the law and advance an organization’s business objectives.

### Required Text

*Employment Law for Human Resource Practice, 4th Edition*

Publisher: South-Western Cengage Learning

Author: David Walsh

ISBN-13: 978-1-111-97219-6; ISBN-10:1-111-97219-2

The Fourth Edition of this text was new last year. New and used copies (as well as eBook rentals) are available through several online booksellers, but I would not recommend delaying in obtaining this text.

There will also be a manual of additional materials that will be required reading. The manual will be loaded onto a flash drive. The flash drive manual will be available at the first class meeting through the office of the Center of Dispute Resolution and Conflict Management.

## Recommended Viewing

We will likely be viewing portions of and discussing well-known movies dealing with employment law topics. Students are not required to view on their own any movies in their entirety, but students may find their in-class participation enhanced by having watched or being familiar with these movies. Movies which may be discussed in class include *Philadelphia* (1993), *Silkwood* (1983), *The Insider* (1999) and *The Last Truck: Closing of a GM Plant* (HBO Documentary, 2009).

## Class Schedule and Assignments

*This schedule may be supplemented or modified during the term, as the instructor deems necessary. Students should have read the materials assigned before class and be prepared to discuss and participate in exercises applying the readings.*

<b>Date</b>	<b>Reading Assignments</b>	<b>Topics</b>
August 7	Text Ch. 1, 2, 4	Class overview, the employment relationship, recruitment, interviews
August 14	Text Chapter 5-6 Manual Tab 2	Background checks, drug and medical screening, GINA, beginning employment
August 21	Text Ch. 3, 7 Manual Tab 3	Discrimination overview, retaliation, hiring and promoting decisions
August 28	Text Ch. 10 Manual Tab 4	Americans with Disabilities Act, reasonable accommodation of disability and religion,
September 4	Text Ch. 9 Manual Tab 5	Harassment
September 11	Ch. 11 Manual Tab 6	Family and Medical Leave Act, pregnancy discrimination, USERRA, national origin discrimination, sexual orientation discrimination
September 18	Ch. 12, 18 (only pp. 645-51 on Whistleblower Protection Statutes) Manual Tab 7	Wage & Hour, Equal Pay Act, whistleblowing
September 25	Ch. 16-17 Manual Tab 8	Performance appraisals, training, privacy, investigations
October 2	Ch. 18-19 Manual Tab 9	Terminations, reductions in force, post-termination issues, exam review
October 9		Final Exam

## Student Evaluation and Grading Scale

50% of the final grade will be based on the final examination. 30% of the final grade will be based on attendance and class participation. 20% of the final grade will be based on a writing assignment that will be provided during the first class meeting and will be due no later than September 18, 2013. The following overall grading scale applies:

### STUDENT EVALUATION AND GRADING SCALE

93-100 = A Exceptional	A superior / outstanding performance. Has mastered the concepts and adds unique contributions to class discussions.
90-92 = A- Excellent	A very good / admirable performance. Displays understanding in all areas of the class, and contributes successfully to class discussions.
87-89 = B+ Outstanding	Above average performance. A few insignificant flaws may appear, but overall has great application of the field.
83-86 = B Good	A generally satisfactory, intellectually adequate performance. Few significant flaws in performance.
80-82 = B- Adequate	A barely satisfactory performance. Contributes little to class discussions and lacks a clear understanding of concepts.
77-79 = C+ Not sufficient	An unacceptable performance. Unable to engage in class discussions and has little comprehension of concepts.

### CLASS DECORUM

Attendance is mandatory and roll will be taken.

Be punctual. Class begins on time.

Breaks will be granted, but students are expected to be back to class on time.

Do not read newspapers, books for other classes, or other outside reading material during class.

Cell phone use, texting, and checking or receiving email during class are not acceptable, except during break times. Please have cell phones turned off or on "silent" when class is in session.

Be prepared for class. Engage in class discussions and activities. Professional respect and courtesy is expected at all times. Do not engage in side-discussions during class because this distracts other students and the instructor.

## **COURSE POLICIES**

### Honor Code

Students are reminded of the SMU Honor Code as referenced in the *Student Hand Book*. Intellectual integrity and academic honesty are both the foundations and the goals for this program. Please reference and review the university policies on the responsibilities, policies, and penalties regarding academic honesty found at:

[http://www.smu.edu/studentlife/PCL\\_05\\_HC.asp](http://www.smu.edu/studentlife/PCL_05_HC.asp)

### Notification of Absence Due to Religious Holy Day(s)

Students who will be absent from class for the observance of a religious holiday must notify the instructor in advance. Please refer to the Student Obligations section of the university catalog for more explanations. You are required to complete any assignments or take any examinations missed as a result of the absence within the time frame specified by your instructor.

### Disabilities Accommodations

Students needing academic accommodations for disability must contact Ms. Rebecca Marin, Coordinator of Services for Students with Disabilities (214-768-4557) to verify the disability and establish eligibility for accommodations. They should then schedule an appointment with the professor to make appropriate arrangements.

### Add/Drop Policy

If you are unable to complete this course, you must officially withdraw by the university deadline; the last day to Add/Drop regular courses without a grade record or Billing. Withdrawing is a formal procedure which you must initiate; your instructor cannot do it for you.

### SMU Emergency Preparedness

As part of the federal government response to the H1N1 (Swine Flu) virus, the Department of Health and Human Services issued a nationwide public health emergency preparedness declaration on April 26, 2009. The declaration was renewed on July 23, 2009 and is currently in force. For the semester ahead, there is concern that the level and intensity of flu cases could increase substantially.

- 1) For updates on the campus-wide status of flu conditions at SMU, please visit <http://www.smu.edu>.
- 2) If flu conditions require cancellation of a class session or other changes for this course, an email will be sent to all class members.
- 3) In the event of a major campus emergency at SMU, course requirements, deadlines, and grading percentages are subject to changes that may be necessitated by a revised semester calendar or other circumstances beyond the instructor's control.