

University of Baltimore
Summer, 2019 Applied Psychology 646.185 (Course #: 3142)
Course Outline: Employment Law in Human Resource Management

Instructor: Elliot D. Lasson, Ph.D.

Class Meets: Mondays, Wednesdays 5:30-8:00 PM in AC 403

Office: Adjunct Faculty Office on 4th Floor of Learning Commons

Office Hours: Immediately prior to class and by appointment

E-mail: elasson@ubalt.edu

Required Texts: Moran, J. J. (2013). *Employment law: New challenges in the business environment*. (Sixth Edition) Upper Saddle River, NJ: Prentice Hall. ISBN: 978-0133075229

(please note that for the most part, the previous edition of the book will suffice, except as noted; please cross-reference topics with chapters)

Chapters from: Joel, L. G. (2001). *Every employee's guide to the law*. New York: Pantheon. ISBN: 978-0375714450

Other readings as assigned, will be made available via Sakai.

Official Catalogue Course Description

APPL 646 EMPLOYMENT LAW IN HUMAN RESOURCE MANAGEMENT (3 Credits)

Review and analysis of federal laws and their application to human resource management (including employee selection, promotion, performance appraisals, discipline, termination, compensation, benefits and safety). Covers EEO, Affirmative Action, Civil Rights Acts, Americans with Disabilities Act and other anti-discriminatory legislation, as well as FLSA and OSHA. Examines legal issues such as privacy, sexual harassment, drug testing and employees' rights versus employers' rights. Addresses strategies for creating policy and legal concerns in a context of organizational behavior and motivation theories. Prerequisite: This course is open only to the following majors: Applied Psychology or Certificate in Professional Counseling Studies. Other majors may take this course with departmental permission only.

Course Overview

The course is designed for Masters students in the I/O track of the Division of Applied Behavioral Science and other UB graduate students with an interest in Employment Law. The relevant legal areas as they apply to employee selection, performance evaluation, and human resource management in general will be covered. It is hoped that the class will take on a participative tone, with students preparing selected cases from the text to discuss in class. By the end of the class, students should have a good working knowledge of the legal issues related to employment and human resource management. The Moran text is based on various cases, but is quite readable for the non-law school student. There will be readings taken from the Joel book, which is also a good resource for any HR practitioner.

Course Learning Objectives

By the end of this course, students should have developed the following:

- Working knowledge of the U.S. judicial system pertaining to Employment Law and Human Resources including terminology and concepts
- Experience in researching case law and navigating legal terminology and precedent. Students will be assigned two cases each to review and present to the rest of the class.
- A familiarity with current federal, state, and local statutes including any recent changes or trends. This will be accomplished through lecture, the readings, and guest presentations by noted local employment attorneys
- Being able to make a formal presentation to peers on a researched and developed legal topic of current relevance.

Course Structure and Grading

The class will meet on Monday and Wednesday evenings in AC 403 during the eight-week Summer 2019 semester. Attendance is expected and required for each and every class. Students who need to miss a class should contact the instructor in advance, in person, via voice-mail, or via e-mail. In such situations, students are responsible for everything which takes place during that meeting (i.e., notes, handouts, guest speakers, etc.). Students are expected to attend class, having done the required readings beforehand. Students will be expected to draw upon these readings along with other relevant experiences in the facilitation of meaningful class discussion.

The tentative schedule is offered on the next page and is subject to modification. Students are responsible to find out about any changes to the schedule and any readings that will be assigned. Most of the assigned readings will be from the Moran textbook. Some of the readings come from the Joel handbook. An attempt will be made to have copies available for other supplemental readings.

The class format will include traditional lecture, discussion, videos, and guest speakers who will address the class. It is expected that three experts in employment law are scheduled on the calendar.

Court Case Summaries

At the start of the semester, court cases from the textbook will be assigned to students to review, research and summarize. Students will be responsible for two such summaries during the semester and will be presented in class beginning with June 5. It is expected that the student assigned to a case will be familiar with it, be able to summarize it verbally, and be able to “react” to it. This will include tracing the case forward in time to similar cases that deal with the same theoretical issue. This will account for the class participation component of the final grade (10%).

For this assignment, each student should prepare a summary in the form of a handout including the name of the case and student name at the top; a summary of the case and the ruling; the “reaction” to the ruling (agree, disagree, etc.); and 2-3 other (more recent) cases, if any, that are connected to the case in question. Please include references as appropriate. Please utilize legal reference databases such as Westlaw and LexusNexus through the UB Library.

Exams

There will be two exams scheduled for the class, a Midterm and a (non-cumulative) Final. Each exam will be multiple-choice in format and will be given as per the course schedule. A written review

will be distributed the week prior to each of the two exams. This will assist in focusing students on the key areas when studying. There will be no make-up exams, except under extenuating circumstances which are subject to discretionary approval by the instructor.

In-Class Presentations

During the latter half of the semester (beginning on July 11), students will be making an in-class presentation on some area of employment law. Presentations can be in pairs or groups of three (max.). It is recommended that the topic area selected is specific, preferably based on a landmark court case or piece of legislation. Topics such as FMLA, Pregnancy Discrimination Act of 1978, Employment-at-Will, Reference Checks, Paternity Leave, Exit Interviews, Americans with Disabilities (Act), Age Discrimination, and the Equal Pay Act have been used in the past. If an “older” case or piece of legislation is presented, students must include and address recent developments and applications. Topics must be approved by the instructor and submitted via email by June 11. These presentations should be around **15 minutes** in length and allow for a short Q & A period afterward. Students with common interests will be able to partner for the presentations. An effort will be made to accommodate date preferences to the extent possible.

Please note the distinction between two seemingly related terms that apply to the presentation.

Case Law- Case law is a court case which went to trial. There was either a decision in favor of one of the parties or a settlement. It may or not be a “landmark” case, but may establish some level of precedent.

Case Study- A case study is an example of a topic or issue that took place in a corporate setting. It might be a remedial or a preventive program. But, in general, there are no direct court proceedings involved.

The Internet and e-mail are great ways of tapping into available resources, electronic and human. The UB Bogomolny Library’s website can give you access to legal databases. A template in PowerPoint will be made available to help organize these presentations.

The grading will be determined based on the following factors:

| | |
|---|------|
| Midterm | 30% |
| Class Participation (partially based on case reviews) | 10% |
| Final | 30% |
| Presentation | 30% |
| Total | 100% |

The conventional cut-offs, including pluses and minuses, will be used in assigning the final grade:

| | | | |
|-----------------------|---|-----------------------|---|
| 89.5% through 100% ▶ | A | 69.5% through 79.4% ▶ | C |
| 79.5% through 89.4% ▶ | B | 59.5% through 69.4% ▶ | D |

Digital Code of Conduct

Out of a sense of professionalism towards one’s peers, the Instructor and the academic environment

of learning, students should adhere to the following code of conduct:

- (1) Prior to the start of each class, students are expected to silence all electronic communication devices.
- (2) While cell/smart phone use for voice and texting is permitted before, after class or during breaks, such activity is not permitted during class, even when there is not audible disruption. It goes without saying that the use of any electronic device to transmit or receive information during an exam (unless otherwise specified) will constitute cheating.
- (3) Many students elect to bring a laptop to class (or use work stations in the classroom) to take notes. This is acceptable and encouraged. Having a PC might also allow students to do some quick research or reference points to be used towards class discussion. **However, students should not use this access as opportunity to read and/or send email, converse in the social media space (e.g., Facebook, Twitter, etc.), “chat”, or engage in electronic commerce (i.e., browsing or shopping) while class is in session.**
- (4) While the Internet allows for a wealth of information to be collected and shared, electronic plagiarism or otherwise using blocks of content as one’s own without appropriate professional attribution is not permitted. Please consult the *APA Publication Manual* for additional guidance in this area. Please note that simple “Google” type searches may not be acceptable in collecting references when conducting research. This is especially the case when the task guidelines call for references to be collected from “academic” or “refereed” journals which may require using specific professional databases.
- (5) The above guidelines are to some extent based on an “honor system” with no intent or mechanism for constant enforcement. But, the values of respect for peers and instructor as well as professionalism should be the guiding principle and goal that regulates one’s behavior. Of course, extenuating circumstances such as personal or familial emergencies might arise infrequently. Therefore, students should use reasonable judgment in determining under which limited circumstances there would be a qualifying event.

Summer, 2019: Employment Law in HRM
Tentative Course Schedule

| Date | Lecture Topic | Preparatory Readings |
|------|---|--|
| 5/29 | Syllabus, Introduction, and Overview of Employment Law | Gatewood, Feild, & Barrick Chapter 2; Cascio & Aguinis Chapter 2 |
| 6/3 | Employment Relationship & Selection | Moran Chapters 1-2 |
| 6/5 | Civil Rights and Affirmative Action Presentation Topics Due | Moran Chapters 7-8 |
| 6/10 | TBA | *** |
| 6/12 | TBA | Chapter 4 |
| 6/17 | Testing | Moran Chapter 3 |
| 6/19 | Employment Discrimination | Selected Cases from Moran Chapters 9-10, 12-17 |
| 6/24 | Employment Discrimination (cont.) | Selected Cases from Moran Chapters 9-10, 12-17 |
| 6/26 | Interviewing and Hiring Process Issues | Joel Chapter 1 Moran Chapter 2 |
| 7/1 | • Midterm Exam • | *** |
| 7/3 | July 4: No Class | *** |
| 7/8 | Guest Speaker and Topic: TBA | Walsh Chapter 15 |
| 7/10 | Guest Speaker and Topic: TBA | Joel Chapter 6 Moran Chapter 5 Walsh Chapter 18 |
| 7/15 | Sexual Harassment Occupational Safety and Health *** <u>Class Presentations</u> | Moran Chapters 11, 20 Joel Chapter 7 |
| 7/17 | Performance Evaluation and Termination *** <u>Class Presentations</u> | Chapter 5 |
| 7/22 | • Final Exam • | *** |

University of Baltimore
Summer, 2019 Semester
Employment Law in Human Resource Management (APPL 646)

Criteria for In-Class Presentations

Overall score: _____ out of 75 points

Name(s): _____

Topic: _____

Date: _____

Content Components

_____ **Introduction-** the extent to which student has introduced topic area, statute, or landmark case in a way that someone relatively unfamiliar with it understands; explains the historical context as relevant (out of 15 points)

_____ **Case Law-** identification of at least three significant **court cases** which have had a significant impact on the topic area; summary of cases similar to previous in-class case preparations; cases should be in the past five years (out of 15 points)

_____ **Practical Applications in HRM based on case studies-** explanation of how organizations have dealt with this issue; description of at least two case studies or examples taken from the management or business literature (out of 10 points)

_____ **Summary & Future Issues-** analysis of current status and evaluation of future from both a legal and human resource management perspective (out of 10 points)

Delivery Components

_____ **Presentation/Delivery-** how was the delivery; pacing within 15 minute time-frame; for multiple-person presentation, have all equally contributed; use of AV materials; poise [see "Tips for Presentations"] (out of 10 points)

_____ **Competence-** being able to respond to questions and comments from students and instructor in an articulate and informed manner (out of 5 points)

_____ **Handout/Outline-** has/have the presenter(s) left the audience with an informative summary of talk, summarizing key points; can participant pick up outline at later time and recall details of talk?; the handout should not be merely copies of slides; includes other supporting materials of interest, as appropriate; include references (out of 10 points)

University of Baltimore: Summer, 2018 Semester
 APPL 646.185: Employment Law in Human Resource Management
 Case Assignments

| Date | Student | Chapter | Case |
|------|---------|---------|--|
| 6/11 | | 7 | Irion v. County of Contra Costa |
| 6/11 | | 7 | Edward Adams v. City of Chicago |
| 6/11 | | 8 | Taxman v. Board of Education of Piscataway |
| 6/13 | | 3 | Bradley v. City of Lynn |
| 6/13 | | 3 | BNSF Railway Company v. U.S. Dept. of Transportation |
| 6/18 | | 10 | Duckworth v. St. Louis Metropolitan Police Department |
| 6/18 | | 12 | AT&T v. Noreen Hulteen |
| 6/18 | | 12 | UAW v. Johnson Controls |
| 6/18 | | 13 | Simonton v. Runyon |
| 6/20 | | 13 | Jimmie Beall v. London County School District |
| 6/20 | | 14 | Cloutier v. Costco |
| 6/20 | | 14 | Brown v. FL Roberts |
| 6/20 | | 15 | Adam Silva v. St. Anne Catholic School, Wichita |
| 6/20 | | 15 | Cruz v. SPX Corporation |
| 6/20 | | 16 | Delores Oubre v. Entergy Operations, Inc. |
| 6/20 | | 16 | Noreen Kirby v. Payless |
| 6/25 | | 2 | Robert Nelson v. NASA |
| 6/25 | | 2 | Sharon Marie Evans v. Sir Pizza of Kentucky |
| 6/27 | | 2 | Edgar Uribe v. Keebler, Inc. |
| 6/27 | | 2 | Michael McGroarty v. Amer. Background Info Services, |
| 7/16 | | 11 | Patricia Calloway v. Aerojet General Corp. |
| 7/16 | | 11 | Jamie Evans v. Washington Center for Internships and Academic Seminars |
| 7/16 | | 11 | EEOC v. Bud Foods |
| 7/16 | | 20 | Fabi Construction Company v. Secretary of Labor |
| 7/16 | | 20 | Vito Tufariello v. Long Island Railroad Company |
| 7/16 | | 20 | Taylor Administratrix of Estate of Belford v. Comstat Corp |

Pointers for Making Stand-up, In-Class Presentations
by Elliot D. Lasson, Ph.D.

- ◆ Try to start off with an ice-breaker that is indirectly related or even unrelated to your topic
- ◆ Before beginning, offer to answer questions during the presentation; or, ask participants to write down their questions, and save for Q & A segment
- ◆ Try to appear confident; you know more on the topic than anyone else in the room
- ◆ Microsoft PowerPoint is the best tool for formatting and organizing a presentation; it allows for notes, slides, handouts, a slide show. A good accessory to have is a remote “clicker” to allow for advancing through the slides while not directly at the podium.
- ◆ Color talks; try to include as much of it as possible on slides and in handouts
- ◆ Video clips or multimedia are good touches when applicable and when possible
- ◆ Graphs, figures, charts and tables are an effective medium where appropriate (cite reference under each chart)
- ◆ Use "bullet points" instead of narrative, whenever possible; the shorter each point, the better
- ◆ Never read directly from a slide (hopefully, by now, we all can read); the slide should contain the brief points, and your presentation should embellish on these points and emphasize where appropriate
- ◆ A good presentation usually has a handout or two for the audience; decide whether to distribute the hand out before, during, or after the presentation (there is no single correct technique, whichever makes the most sense); e.g., sometimes, audience members may want to take notes on the handout; handouts should have enough information for the recipient to be able to recall the general content of the presentation; the handout should be more detailed than an outline, and **should include references**. A quality outline should be detailed enough to allow for basic recall of the content by an audience member at a later time.
- ◆ Don't show a slide that is identical to something that the audience already has as a handout; if you do, there is no reason to have the slide; if you want to give the audience a copy, give it **following** the presentation
- ◆ Know your time limits in advance; dress rehearsals for timings, etc. are always recommended
- ◆ Beware of “**up-speak**” as that will come across as tentative and less authoritative (see <https://www.linkedin.com/today/post/article/20140120061951-64875646-want-a-promotion-then-don-t-upspeak>)
- ◆ Try to reduce “**filler** words/nonverbal//phrases” like “you know”. (see <http://elliottlasson.wordpress.com/2013/02/27/filler-up-how-is-your-communication>)

Student Success Resources
Syllabus Addendum

Please refer to the complete Addendum posted on Sakai.