



Albertus Magnus College

Course Syllabus

Course Code and Title:

MG 335-DL1 Human Resource Law

Course Description: In this course students examine the American labor force, the laws and regulations that have evolved to protect its workers and the federal agencies involved in carrying out these laws. Union structure, operation and relations will be discussed as well as non-union organizations in the public sector.

PROGRAM AND COURSE OFFERING INFORMATION

Program: ADP

Session (Mod): Mod

Class Meetings:

Mondays: Online assignments due by 11:00 p.m.

Wednesdays: Online assignment due by 11:00 p.m.

Delivery method (On-ground, Blended or Online): Online

Number of Credits: 3

Textbook:

- Guerin & DelPo, The Essential Guide to Federal Employment Laws, (Nolo 2019 6th Ed.) ISBN: 9781413326154
- Supplementary readings as posted to course eLearning site

INSTRUCTOR INFORMATION

William A. Aniskovich, JD

Associate Professor of Business Law and Management

Chair, Tagliatela School of Business and Leadership

Director, Healthcare Management Program

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Office Hours:

Tuesdays: 8:30 a.m. – 9:30 a.m. and 11:15 a.m. - Noon

Thursdays: 8:30 a.m. – 9:30 a.m. and 11:15 a.m. - Noon

Fridays: 3:00 p.m. – 5:00 p.m.

(or by appointment)

Instructor Biography

Professor Bill Aniskovich is the Chair of the School of Business and the Director of College's Healthcare Management Program. He is the CEO of Stonington Behavioral Health, Inc. and an attorney with the New Haven law firm of Brenner, Saltzman & Wallman, LLC. Bill was a "Pro Deo" scholar at The Catholic University of America in Washington, D.C. where he graduated summa cum laude, Phi Beta Kappa in 1985 with a BA in Politics. He earned a master's degree in American Government and his law degree at the University of Virginia in Charlottesville, VA in 1989, where he was member of the Virginia Law Review. The UVA Law Review published his Note on the Bill of Rights and the Framers Science of Politics in 1989. Returning to Connecticut after graduating from law school, Bill was elected to the Connecticut State Senator in 1990. He served seven terms in the Senate, finishing his career in 2004 as the Senate Minority Leader Pro Tempore. In 2004, Bill was appointed by Health and Human Services Secretary Tommy Thompson to the SAMHSA Mental Health Services National Advisory Council in Washington, D.C. Bill was appointed to the Board of Governors for Higher Education, in 2005 and served there until 2010. While a lawmaker, Bill received numerous awards for his legislative and professional advocacy on behalf of persons with mental illness and substance abuse disorders. Bill joined Stonington Behavioral Health, Inc. in 1995 and became its CEO in 2004. Under Bill's leadership, Stonington has experienced significant growth in programs for adults, including a 34-bed TRICARE-certified residential program for active duty service members with PTSD in North Stonington, CT as well as a 180-bed community sober residence for adults with substance abuse and co-occurring disorders. Bill also led the successful federal court litigation that protects the rights of persons with mental illness and substance abuse disorders under the federal Fair Housing Act and the Americans with Disabilities Act (CHMC v. City of New London). At Brenner, Saltzman, Bill's focus is municipal, elections and business law. He currently serves as the Town Attorney for the Town of Branford. Bill is a life-long resident of Branford, where he lives with his family.

GENERAL COURSE POLICIES

Tradition of Honor: As a member of the Albertus Magnus College Community, each student taking this course agrees to uphold the principles of honor set forth by this community, to defend these principles against abuse or misuse, and to abide by the regulations of the College. To this end, every student must write and sign the following statement at the end of each examination: *"I declare the Honor Pledge."*

Intellectual Honesty: Plagiarism is a serious offense against academic integrity and intellectual honesty. In completing written assignments, the student must work independently unless the class instructor indicates otherwise. It is important for students to understand that they must reference the sources for all direct quotes, for the rephrasing of information from an outside source, and for ideas borrowed from readings. Students will be required to use APA format when referencing sources. Failure to cite appropriate references in any of these instances results in an act of plagiarism, intentional or unintentional. If it has been determined that a student plagiarized a written assignment, the student may be dismissed from the Master of Arts in Leadership Program. The instructor will report instances of plagiarism to the college administration.

Writing Guidelines: The writing guidelines for this course will follow the Chicago Manual of Style, 17th Edition (CMOS) format standards. Referenced pages must be correctly formatted and alphabetized; sources must be appropriate to the assignment, correctly cited, and traceable; and the number of citations and sources must be adequate for each paper. Citing your sources properly requires following the CMOS style format rules. Please use the documentation guidelines found on the Purdue Online Writing Lab link posted in the course syllabus.

Appropriate Classroom Conduct: Students are expected to show a respect for order, the rights of others, and to exemplify a sense of honor and integrity in the classroom. Student conduct is considered an integral part of the educational process. Therefore, no student should be denied the right to learn as a direct result of disruptions in the classroom. Active learning, open inquiry, and the free expression of informed opinion are the foundations of a liberal education at Albertus Magnus College. However, student behavior that interferes with an instructor's ability to conduct the class is prohibited. Students are expected to be considerate and respectful of the rights, views, and interests of other students and faculty. The faculty member will take appropriate action if students do not abide by these rules.

Accommodations for Special Needs: Please advise the instructor of any special needs at the beginning of the semester. Those students seeking accommodation based on disabilities should provide a Faculty Contract Sheet obtained through the Academic Development Center (Room 314) in Aquinas Hall, 203-773-8564.

Green Dot Statement: If you or someone you know experiences stalking, relationship violence, or sexual assault, please know you are not alone. There are resources that can help: Jessica Wheeler, Deputy Title IX Coordinator (jwheeler2@albertus.edu), Kelsey Alexander, Coordinator for Prevention of Gender-Based Violence (kalexander@albertus.edu), the Counseling Center (counseling@albertus.edu), or the Health Clinic (healthclinic@albertus.edu).

Blended and Online Course Etiquette: This course involves use of the Albertus eLearning system online. It is important to maintain appropriate professional interactions with your classmates and Instructor in the online environment. Please click the following link to review the Albertus policies regarding proper etiquette for interaction in all blended and online course work: [Link to Albertus' Netiquette Guide](#)

Withdrawing from a Course:

It is the responsibility of the student to officially drop or withdraw from a course. However, failure to attend a course for 14 calendar days may result in an administrative withdrawal from the course. The policies on course withdrawals and administrative withdrawals may be found online at <http://www.albertus.edu/policy-reports/academic-policies-regulations-eug#apgr>

The Center for Teaching & Learning Excellence (CTLE):

The CTLE provides free tutoring services in multiple subjects and for writing both live and online, as well as other academic support services. You may use the free eTutoring on the MyAlbertus portal, which includes subjects such as statistics, math, psychology, sciences and writing. On the main campus you will find tutors in Rosary Hall (the library) for 1) writing, 2) math, 3) science, and 4) technology. More specifically, you will find the Writing Center and math and science tutors on the 2nd floor of Rosary Hall. The ITS (information technology services) office is on the 1st floor of Rosary Hall, and this is where you will find Tech tutors. In the late afternoon you will also find Tech tutors and math tutors in the Professional and Graduate Studies (PGS) office in Aquinas Hall. Please make use of these services to support your success in this and other courses. The CTLE bulletin board across from the Registrar's office provides information on all of the CTLE support services and specialized programs.

Internet Resources (public sources):

Purdue OWL CMOS Style Guide (website with detailed Chicago Manual resources):

https://owl.purdue.edu/owl/research_and_citation/chicago_manual_17th_edition/cmoss_formatting_and_style_guide/chicago_manual_of_style_17th_edition.html

COURSE GRADING AND ATTENDANCE POLICIES

Attendance Policy: Students are expected to attend all class sessions and must complete all course requirements as assigned. All courses are treated as having two sessions per week and attendance will be taken for all “sessions”. There are strict penalties for missing either an on-ground class or the blended portion of the class. These penalties are “no fault” penalties. In other words, it doesn’t matter why you missed the class; the penalties apply no matter how legitimate or frivolous the reasons for your absence. If you do not post your online “main assignment” by the assigned date and time, you will be marked as “Absent” from that “class.” That absence is equivalent to an absence from an on-ground class.

You may miss one class session without penalty to your attendance. If you miss two classes, whether online or on-ground, your course grade will automatically be penalized ½ a course grade. If you miss three classes, your course grade will automatically be penalized one full grade. If you miss four classes, your course grade will be penalized two full grades. If you miss five or more classes, you will not be able to pass the course.

If for some extreme reason a student cannot attend class, he or she may be able to make up the work with professor approval, by submitting answers to the material covered in class that is stated on the course weekly syllabus. This work MUST however be handed in no later than following class for credit.

Class Cancellations: When classes are cancelled due to inclement weather or another emergency, the instructor will make arrangements to cover the material missed during this class session. This may be done through email, an assignment submitted through eLearning, or with an additional on-ground session.

Assignment Due Dates: Specific due dates are set for each assignment. Late assignments are not accepted beyond the specified date and time. This is essential for the development of knowledge in each class and to ensure the learning objectives and outcomes for the course are met. If a student has an emergency situation, they must contact the instructor as soon as possible to make arrangements for the completion of any missed assignments.

Course Format **Distance Learning (DL)**

This course is also being offered in an online format in the Albertus eLearning portal. Students are expected to be considerate and respectful of the rights, views, and interests of other students and faculty while in the online course room. Students are expected to participate in all online discussions and to complete all online assignments.

Grading Policy and Methods of Assessment

Element	Percentage of Grade
8 Monday Assignments	32%
7 Wednesday Assignments	28%
Final Paper	40%

Grading Criteria:

- Written work will be graded according to the following general criteria:
 - Substance of the assignment is addressed directly and accurately
 - Work reflects a thoughtful response to the assignment (logic, flow, creativity)
 - Work is well crafted (flow, grammar, spelling, format, etc.)
- Each of the eight (8) “Monday” online assignments are worth 4 points, for a possible total of 32 points. These weekly assignments are the “Monday class.” Failure to submit a timely weekly assignment means both an absence for that “class” and a 0 for that assignment. The assignments are due by 11:59 PM on Monday.
- Each of the eight (7) “Wednesday” online assignments are worth 4 points, for a possible total of 28 points. These weekly assignments are the “Wednesday class.” Failure to submit a timely weekly assignment means both an absence for that “class” and a 0 for that assignment. The assignments are due by 11:59 PM on Wednesday.
- There is a Final Paper due on the last day of class that is worth 40 points (40% of your final grade). This paper (described on eLearning) is an opportunity for you to use the tools that you have learned in class to analyze a topic in the area of federal employment law. It is intended to allow you to demonstrate your command of the course content on a topic of your choice.
- **Case Analysis. This course will introduce you to a way of analyzing legal issues called “IRAC.” IRAC stands for: Issue, Rule, Application, Conclusion. This method of analysis requires you to read about a situation and decide what “issue” that situation presents. Then, you must identify the legal “rule” used to resolve that issue. The next step is the analysis—“apply” the rule to the facts of the situation. Finally, you draw a conclusion about who wins the dispute and “why.” I want you to remember this: it’s the “why” that is important, not the “who.”**

Final Course Grade:

Final grades for the course will be assigned based on the Table below.

A	94-100	4.0
A-	90-93	3.70

B+	87-89	3.30
B	84-86	3.00
B-	80-83	2.70
C+	77-79	2.30
C	74-76	2.00
C-	70-73	1.70
D+	67-69	1.30
D	60-66	1.00
F	Below 60	0.00

COURSE OBJECTIVES AND LEARNING OUTCOMES

Course Objectives:

This course will:

- Identify the kinds of business and business practices that raise legal issues under federal employment laws
- Analyze case law decisions that interpret and apply federal employment laws
- Explain strategies employed by businesses to achieve and maintain compliance with federal employment laws

Learning Outcomes:

By completion of this course, each student should know/demonstrate the ability to:

1. explain the wage gap for certain demographic groups and articulate the employer requirements under the Equal Pay Act to address the wage gap issues;
2. describe the various grounds for a claim under Title VII of the Civil Rights Act of 1964 and articulate the appropriate employer response to allegations of discrimination in the workplace;
3. discuss what disabilities are covered by the Americans with Disabilities Act and what the law requires employers to do under the “reasonable accommodation” rule;
4. understand the purpose and limitations of the Genetic Information Nondiscrimination Act;
5. analyze the “general duty” that an employer owes to its workers under the Occupational Health and Safety Act and articulate the scope of the federal government’s power to enforce this law;
6. articulate the rules that a business must follow under the Family and Medical Leave Act;
7. assess the basic worker protections under the Fair Labor Standards Act and explain legal protections for employee privacy in the workplace; and
8. demonstrate a knowledge of the basic principles of federal employment law as covered in this course and assess employment situations using those principles.

Week One

Topic: Equal Pay Act

Learning Objective(s): Explain the wage gap for certain demographic groups and articulate employer requirements under the Equal Pay Act to address the wage gap issues.

Reading Assignment: Guerin, Overview (pp. 1-21) and Chapter 5

Description of Homework Assignments:

Monday Assignment

In the “Sure Glad to Know Ya” Forum, please introduce yourselves and share your major, place of employment and your personal learning objectives for this course

Due Monday by 11:59 PM

Wednesday Assignment

Review the following fact pattern and answer the questions in the Week One Journal. Minimum 250 words. Make sure you provide a detailed explanation of “why” you think what think...otherwise, you’re just telling me how you feel---and this ain’t no psychology course!

A female worked for a city government as an “HR Analyst – classification and compensation.” She earned a salary equivalent to \$31.01 on an hourly basis. A male HR Analyst working for the same city at the same time earned a salary equivalent to \$32.93 per hour. The job descriptions for their two positions were not identical, although the city’s HR Director said that she considered the jobs to be equal. The woman’s position required a bachelor’s degree and five years of experience. The male’s position required either a bachelor’s with two years of experience or an associate’s degree and five years of experience. The city offered several reasons for the differential in pay between the two employees. The male employee had worked at least 15 more years for the city, although he had fewer years as an HR Analyst and a lengthy break-in-service had caused him to lose seniority credit for his earlier city work. The city also cited the male’s “citywide” experience as a basis for his higher pay, as he had moved between several different departments over the years. However, citywide experience is not listed on his job description or anywhere else as a requirement or preference. Lastly, the city attributed the male’s higher pay to his compensation history. His pay level during his previous stint with the city was taken into account in setting his pay when he was re-hired. The female sued for pay discrimination under the Equal Pay Act.

- 1. What should the court decide?**
- 2. Why?**

Due by Wednesday at 11:59 pm

Week Two

Topic: Civil Rights Act of 1964 (Title VII)

Learning Objective(s): Understand the various grounds for a claim under Title VII of the Civil Rights Act of 1964 and articulate the appropriate employer response to allegations of discrimination in the workplace.

Reading Assignment:

- Guerin, Chapter 18
- McDonnell Douglas case excerpt
- IRAC PowerPoint
- Northland case excerpt
- Northland IRAC Sample

Description of Homework Assignments:

Monday Assignment

Review the following fact pattern and answer the questions in the Crane Forum. Respond to at least one other post for full credit

A female crane operator was told it was company policy that crane operators urinate over the side of their cranes rather than stop work to take bathroom breaks. Management justified the policy by saying that there was a shortage of staff and that it was necessary for the cranes to operate continuously in that area of the plant. Shifts for crane operators were typically twelve hours. There was evidence that the same policy was applied to male

crane operators and that they routinely urinated over the side or back of their cranes in lieu of bathroom breaks. The employer offered the woman some alternative jobs, but none were crane operator positions. She quit.

- 1. Does the female crane operator have a valid sex discrimination claim?**
- 2. What factors must the female crane operator show to establish intentional discriminatory treatment?**

Due Monday by 11:59 PM

Wednesday Assignment

Read the case McDonnell Douglas Corporation v Green posted to the eLearning. Submit a one-page IRAC analysis of the case.

Due Wednesday by 11:59 PM

Week Three

Topic: Americans with Disabilities Act (ADA)

Learning Objective(s): Describe what types of disabilities are covered by the Americans with Disabilities Act and what the law requires employers to do under the “reasonable accommodation” rule.

Reading Assignment:

Guerin, Chapter 2

Ekstrand case excerpt

Keith v County of Oakland case excerpt

Description of Homework Assignments:

Monday Assignment

Read *Ekstrand v School District of Somerset*. In the *Ekstrand* Forum tell me whether you agree with the result or not. Tell me why. Now respond to another student post for full credit.

Due Monday by 11:59 PM

Wednesday Assignment

Read Keith v County of Oakland posted to the eLearning site. Submit a one-page IRAC analysis of the case.

Due Wednesday by 11:59 PM

Week Four

Topic: Genetic Information Nondiscrimination Act (GINA)

Learning Objective: Discuss the purpose and limitations of the Genetic Information Nondiscrimination Act

Reading Assignment:

- Guerin, Chapter 9
- Link to Atlantic article for Monday Forum:
https://www.theatlantic.com/health/archive/2017/03/genetic-discrimination-law-gina/519216/?utm_source=share&utm_campaign=share
- Keith v County of Oakland case excerpt

Description of Homework Assignments:

Monday Assignment

Read “*The Loopholes in the Law Prohibiting Genetic Discrimination*” posted to eLearning. In the GINA Forum tell me whether you agree with the change in the law being described in the article. Tell me why. Now respond to another student post for full credit.

Due Monday by 11:59 PM

Wednesday Assignment

Read Lowe v. Atlas Logistics posted to the eLearning site. Submit a one-page IRAC analysis of the case.

Due Wednesday by 11:59 PM

Week Five

Topic: Occupational Health and Safety Act (OSHA)

Learning Objective(s): Explain the “general duty” that an employer owes to its workers under the Occupational Health and Safety Act and articulate the scope of the federal government’s power to enforce this law.

Reading Assignment:

- Guerin, Chapter 12
- *Sea World* case excerpt

Description of Homework Assignments:

Monday Assignment

Read Sea World v. Perez posted to the eLearning site. Submit a one-page IRAC analysis of the case.

Due Monday by 11:59 PM

Wednesday Assignment

In the *Sea World* Forum tell me how the CEO of Sea World could have avoided this entire lawsuit. Now respond to another student post for full credit.

Due Wednesday by 11:59 PM

Week Six

Topic: Family and Medical Leave Act (FMLA)

Learning Objectives: Articulate the rules that a business must follow under the Family and Medical Leave Act And identify the legal protections for employee privacy in the workplace.

Reading Assignment:

- Guerin, Chapter 8
- *Lichtenstein* case excerpt

Description of Homework Assignments:

Monday Assignment

Review the following fact pattern and answer the questions in the Week Six Journal. Minimum 250 words.

A night dispatcher for a trucking company with several hundred employees took medical leave to recover from a serious operation for a heart problem. He had worked at the trucking company for a number of years and was a “rotational employee.” His normal work schedule was twelve-hour days, with seven days of work followed by seven consecutive days off. Thus, he normally worked every other week. On December 26, after he had been on medical leave for twelve weeks, the company informed him that he was being terminated for exceeding the leave

allowed under the company's medical leave policy. The man's doctor cleared him for a return to work on December 28. However, the employer refused to rescind the termination. He sued.

1. To succeed in his case what factors does the employee have to establish?

2. What should the Court decide? Why?

Due Monday by 11:59 PM

Wednesday Assignment

Read Lichtenstein v. University of Pittsburgh Medical Center. Submit a one-page IRAC analysis of the case.

Due Wednesday by 11:59 PM

Week Seven

Topic: Fair Labor Standards Act (FLSA) and Employee Privacy

Learning Objectives: Articulate basic worker protections under the Fair Labor Standards Act and explain legal protections for employee privacy in the workplace.

Reading Assignments:

- Guerin, Chapter 7
- O'Connor v. Ortega

Description of Homework Assignments:

Monday Assignment

Review the following fact pattern and answer the questions in the Week Seven Journal. Minimum 250 words.

The FBI received a tip that an employee of an IT company was accessing child pornography from his workplace computer. When approached by the FBI, the company confirmed that the employee had regularly visited the Web sites. Company officials entered the employee's office in the evening and made copies of the contents of his computer's hard drive. All of the computers in the workplace were the property of the employer, and the employer was able to monitor all employees' Internet activity. When they were hired, employees were told that their computer use was subject to monitoring and that computers should not be used for personal business. The employee was the only user of the office, and it was kept locked. A password created by the employee was needed to use the computer. After the employee was arrested and charged with crimes, he argued that the FBI had violated his constitutional rights by searching his computer without a warrant.

1. Did this employee have a reasonable expectation of privacy in the contents of his workplace computer?

2. Did the government violate his constitutional rights by conducting an illegal search?

Due Monday by 11:59 PM

Wednesday Assignment

Read the case O'Connor v. Ortega posted to the eLearning site. Submit a one-page IRAC analysis of the case.

Due Wednesday by 11:59 PM

Week Eight

Topic: Exam Week

Learning Objectives: Demonstrate a knowledge of the basic principles of federal employment law as covered in this course and assess employment situations using those principles.

Description of Homework Assignments:

Monday Assignment

Complete the “Concepts Quiz” posted to eLearning.

Due Monday by 11:59 PM

Wednesday Assignment

Submit your Final Paper

Due Wednesday by 11:59 PM