This course is devoted to examining developments in federal law which establish and define the respective rights of managers and workers in employment areas falling outside the scope of the National Labor Relations Act. Particular attention will be focused upon the law of equal employment opportunity (Civil Rights Act of 1964, Equal Pay Act, Age Discrimination in Employment Act, Executive Order 11246, IRCA, ADA), as well as governmental policies designed to protect against and compensate workers for occupational injuries or illnesses.

Additionally, we will examine the legal principles established through common law and constitutional law that affect a worker's right to privacy, restrict employment at will policies, and restrain an organization's right to screen workers for drugs and alcohol.

This course is designed for the human resource professional who must deal daily with matters that have legal significance. Students will review and apply the relevant statutes, judicial decisions, executive orders and administrative policies that help shape the respective rights of managers and workers. The course is premised on the thesis that professionals in human resources need to understand the principles of employment law, so that they can better evaluate an organization's decisions against these principles and implement sound personnel decisions.

**Required Text**

Wolkinson, Benjamin & Richard Block:  
*Employment Law: Workplace Rights of Employees and Employers.* (Blackwell: Cambridge, 1996)

Decker, Kurt: *Family and Medical Leave* (West, 2000)

Player, Mack: *1999 Case and Statutory Supplement to Employment Discrimination Law, Cases and Materials* (West, 1999)

**Requirements:**

Final  50%
2 Legal Problem Papers  50%

**Office Hours:**

Room: 435 S. Kedzie Hall  
Mondays and Wednesdays, 2:00pm - 3:00 pm or by appointment  
voice mail: 517-353-1696  
email: wolkinso@msu.edu


**Reading Assignments**

I. **Title VII of the Civil Rights Act of 1964**
   1st assignment is to read "Civil Rights Act of 1964“ starting on page 82 from the Player materials and read the first two chapters of the Wolkinson/Block book, version 1996.

II. **Evidence and Proof in EEO Cases**
    Wolkinson, Chapter 3, pp. 23-58
    Direct Evidence Cases: Brown vs. East Mississippi, pp. 179-183
    Heim vs. Utah, pp. 184-186; McDonald vs. Santa Fe Transportation, pp. 98
    Disparate Impact Cases: Griggs vs. Duke Power, pp. 245-251

III. **Gender and Leave Issues**
    Wolkinson, Chapter 4, pp. 59-91
    BFOQ Considerations: Hardin vs. Stynchomb, pp. 141-148;
    Pregnancy: Chambers vs. Omaha Girls Club, pp. 349-356;
    Sexual Harassment: Fiolek vs. Department of Corrections (handout)
    Family Medical Leave Act - Department of Labor Regulations
    Reproduction Hazards; UAW vs. Johnson Control
    "Song of the Canary" - Department of Labor Training Film

IV. **Age, Religion, and National Origin Issues**
    Wolkinson, chapter 5, pp. 92-128
    Retirement Benefits, Hazin Paper Co., pp. 619-623
    Accommodating Religious Minorities, TWA vs. Hardison, pp. 545-554
    Bhatia vs. Chevron, pp. 329-331

V. **Employment of the Handicapped**
    Wolkinson, Chapter 6, pp. 128-156
VI.  **Courts and Affirmative Action**  
Wolkinson, Chapter 7, pp. 160-176  
Ellis Cose, "Affirmative Action and the Dilemma of the Qualified",  *Rage of the Privileged Class*, 1993, Chapter 6, pp. 111-133  
Steelworkers vs. Weber, pp. 150-160

VII.  **Occupational Safety and Health**  
Wolkinson, Chapter 8, pp. 180-208  
"Anatomy of an Accident" Department of Labor Training Film

VIII.  **Workers' Compensation Law**  
Wolkinson, Chapter 9, pp. 209-245

IX.  **Drug Tests and Issues**  
Wolkinson, Chapter 12, pp. 287-308

X.  **Employment of Will and Common Law Exceptions**  
Wolkinson, Chapter 10, pp. 247-267

XI.  **Privacy Issues**  
Wolkinson, Chapter 11, pp. 268-286  