HUMAN RESOURCE LAW

Course Description:

A study of the laws relating to human resource management in today’s business environment. Covers discrimination, labor law, retirement regulations, safety issues, and employee-management topics. Emphasis on current issues, cases, and legislation. Discussion of Texas employment and labor law. May be used as a management major elective or business elective.

This course provides a basis for understanding labor and employment law. This ever-evolving body of law is critical for assessing management decisions from the perspective of the employer as well as that of the employee. As such, it is an important course for all students studying business management, but especially those with an emphasis in human resource management.

The entire focus of the course is on the workplace environment and how the body of employment and labor law is shaped by legal, political and social factors. A major focus of the course is demographic diversity and its role in employment law. The principal focus is federal law, but the class will cover a few areas dealing with state law, Texas in particular, and international applications of human resource law in a global and dispersed working community. Overall though, state and global issues receive relatively minor coverage.

Learning Objectives:

By the end of this course, students who committed themselves to the study will be able to:

- Recognize and prevent potential legal issues;
- Comprehend the statutes, regulations, and common law as they relate to the regulation of employment in the public and private sector in the U.S.;
- Understand the underlying societal factors that contribute to discrimination and the development of anti-discrimination law in the U.S.;
- Understand legislative purposes for enacting employment laws;
- Locate and apply case law, statutes, and regulations to day-to-day factual situations;
- Utilize management techniques; and
- Develop, implement and enforce policies to mitigate or avoid legal liability in anticipated workplace scenarios.

Major Course Requirements:

Class Attendance: Approximately 6% of the grade, and will be a deciding factor in borderline cases. Instructor takes attendance. Meaningful participation is required for award of maximum points. Please provide medical excuses for classes missed due to health reasons. Other excuses must be requested in advance by email or
phone. Total number of points = 50 (maximum of three points per class; 5 points for perfect attendance). 1 point for excused absence when medical note provided or verification of need for absence due to work or other valid reason in professor's discretion; provide advance notice of absence if illness is not involved; 2 points for attending class; and 3 points for participating in discussion. **ALL STUDENTS MUST ATTEND FINAL PRESENTATIONS ON BOTH NIGHTS.**

**Case Presentations:** Each case presentation is approximately 6% of the grade; cumulatively presentations are 11% of the grade. **Case presentations will be assigned.** Each student will be assigned at least two cases to present orally to the class utilizing the IRAC analytical method of case analysis, i.e., 1) the ISSUE decided by the court in the case; 2) the RULE enunciated by the court in the case; 3) the APPLICATION of that rule to the relevant facts of the case; and 4) CONCLUSION of the court (or outcome). Each presentation is worth 50 points (10 points each) for: 1) comprehension of the case facts, 2) understanding of why it is covered in the course, 3) explanation of what the court did and why, 4) delivery, and 5) fielding of questions from instructor and classmates.) Total number of points = 100. **FAILURE TO APPEAR FOR CLASS ON A NIGHT STUDENT IS ASSIGNED A PRESENTATION WILL RESULT IN A ZERO FOR THAT PRESENTATION.** Three-minute limit on each presentation. Presentation will be followed by professor’s questioning.

**Group Presentations:** Group presentation is approximately 11% of the grade. Each student will be assigned to a small group for the presentation and discussion of a modern workplace dilemma and recommendations for managing the situation in a manner that minimizes exposure to liability. Discussions will follow the IRAC analytical method referenced above. Each presentation is worth 100 points (20 points each) for: 1) comprehension of the fact scenario, 2) recognition of the legal issues presented, 3) discussion of the risk involved, 4) recommendations regarding resolving or limiting legal exposure, and 5) logic demonstrated in the individual presentation as part of the group, delivery, and fielding of questions from instructor and classmates. Total number of points = 100.

**Professional Memoranda:** Approximately 11% of grade. One business formatted memo will be assigned in which the student will be hypothetically responding to a question from business management. The memo is worth up to 100 points (50 points for logic and clarity of the answer, 25 points for effective organization and communication of the arguments supporting the answer, and 25 points for grammar and professional appearance of the paper. Only typed papers will be graded. Total number of points = 100.

**Exams:** Each exam is approximately 44% of the grade; cumulatively exams are 40% of the grade. Exams consist of objective (true/false and multiple choice) and short answer/essay questions. Four exams each worth 100 points. Scantron sheets will be provided. Pencils are preferred. Total number of points = 400.

**FINAL PRESENTATION.** Approximately 16% of the grade. This presentation will be a comprehensive review of the law learned and the ability to reason and apply it in a real-life setting. The presentation is given in teams of three. To the extent possible, class
Total Number of Points = 900

Extra Point Opportunities: Three or more opportunities to improve class standing will be offered at random. Each will be worth a maximum of one point added to the FINAL grade. Only assignments turned in on time are given credit.

Required Reading:

Textbook:  Employment Law for Business; Bennett-Alexander & Hartman; Seventh Edition; McGraw-Hill Irwin Publishers

Prerequisites:  MGMT 3320 or permission of instructor; junior standing or above

Course Policies:

Instructional Methodology:  Instruction will include lecture, video scenarios, class discussions, and hand-outs. Emphasis will be placed on practical application of employment concepts. Critical thinking skills are important and will be encouraged through class discussions and special assignments/projects. Current events and personal experience of professor and students that illustrate material covered in class will be used to demonstrate practicality and usefulness of course material.

Oral and Written Communication Content:  Law involves many difficult concepts, and, in addition, human resource law is evolving very quickly. Students are expected to come to class prepared to ask and answer questions. The Socratic method will be used to encourage critical thinking about cases, text readings, and other information. Students are also urged to share relevant personal experiences in class on an informal as well as a formal basis. Writing and critical thinking skills are utilized in the class projects. In addition, all exams include short essay questions.

Technology Applications:  Students are expected to use electronic databases, current news items, community resources, and the library in completing class projects. Communication with instructor by e-mail is also encouraged. Reflection papers will be submitted by email and are due by midnight of the due date.

Ethical Perspective:  Ethics will be discussed continuously throughout the course, as ethics and human resource legal issues are closely intertwined. Cases, class discussion topics, and many of the class projects will involve ethical problems. Exams will also include questions with ethical dimensions.

Attendance Policy:  Regular attendance is highly recommended as exams cover class discussion and presentations; attendance will influence grades as already stated. Test reviews and other test preparation will be covered during class time. Students who arrive late for class will be responsible for making certain that their attendance is counted. Students who miss class are expected to obtain information from classmates regarding what was covered in class.
Hand-outs can be obtained from the instructor via email request. If you must miss class, you are expected to contact the instructor in advance regarding your anticipated absence. If you are forced to miss an examination or deadline, you will be expected to contact the instructor to schedule the examination at another time. The examination must be taken either in advance of the class examination when rescheduling is due to known conflicts or within five (5) days of the actual examination date. Extra credit or other assignments will be accepted only after instructor approval. Approval to submit assignments past the deadline must be discussed with the instructor within 24 hours of the deadline. (Call cell phone number provided.) Medical and employment excuses may be requested to validate absenteeism.

**Code of Ethics:** This course, and all other courses offered by the College of Business (COB), requires all students to abide by the COB Student Code of Ethics (available online at [www.cob.tamucc.edu](http://www.cob.tamucc.edu)). Provisions and stipulations in the Code are applicable to all students taking COB courses regardless of whether they are pursuing a degree awarded by the COB.

**Academic Integrity/Plagiarism:** University students are expected to conduct themselves in accordance with the highest standards of academic honesty. Academic misconduct for which a student is subject to penalty includes all forms of cheating, such as illicit possession of examinations or examination materials, falsification, forgery, complicity or plagiarism. (Plagiarism is the presentation of the work of another as one’s own work.) In this class, academic misconduct or complicity in an act of academic misconduct on an assignment or test will result in an automatic zero for that assignment or test that will be averaged as if the assignment or test was completed.

All assignments and exams are expected to be done independently unless otherwise specifically noted in the instructions. Random Google searches will be conducted to validate coursework submitted.

**Dropping a Class:** I hope that you never find it necessary to drop this or any other class. However, events can sometimes occur that make dropping a course necessary or wise. Please consult with me before you decide to drop to be sure it is the best thing to do. Should dropping the course be the best course of action, you must initiate the process to drop the course by going to the Student Services Center and filling out a course drop form. Just stopping attendance and participation WILL NOT automatically result in your being dropped from the class. November 6, 2015 is the last day to drop a class with an automatic grade of “W” this term.

**Grade Appeals:** As stated in University Rule 13.02.99.C2.01, Student Grade Appeals Procedures, a student who believes that he or she has not been held to appropriate academic standards as outlined in the class syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. The burden of proof is upon the student to demonstrate the appropriateness of the appeal. A student with a complaint about a grade is encouraged to first discuss the matter with the instructor. For complete details, including the responsibilities of the parties involved in the process and the number of days allowed for completing the steps in the process, see University Procedure 13.02.99.C2.01, Student Grade Appeal Procedures. These documents are accessible through the University Rules Web site at [http://www.tamucc.edu/provost/university_rules/index.html](http://www.tamucc.edu/provost/university_rules/index.html). For assistance and/or
guidance in the grade appeal process, students may contact the Dean’s office in the college in which the course is taught or the Office of the Provost.

**Disabilities Accommodations:** The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you believe you have a disability requiring an accommodation, please call or visit Disability Services at (361) 825-5816 in Corpus Christi Hall 116.

If you are a returning veteran and are experiencing cognitive and/or physical access issues in the classroom or on campus, please contact the Disability Services office for assistance at (361) 825-5816.

**Cell Phone/Electronic Device Usage:** Cells phones may not be used during class. All phones should be turned to silent. Students checking email, texting one another, or otherwise communicating with persons in or outside class will be asked to leave and/or will be given negative points for class attendance. If you bring a laptop, it should be used for note-taking or other worthwhile means.

**Classroom/Professional Behavior:** Texas A&M University-Corpus Christi, as an academic community, requires that each individual respect the needs of others to study and learn in a peaceful atmosphere. Under Article III of the Student Code of conduct, classroom behavior that interferes with either (a) the instructor’s ability to conduct the class or (b) the ability of other students to profit from the instructional program may be considered a breach of the peace and is subject to disciplinary sanction outlined in Article VII of the Student Code of Conduct. Students engaging in unacceptable behavior may be instructed to leave the classroom. This applies to all instructional forums, including classrooms, electronic classrooms, labs, discussion groups, field trips, etc.

In this class, students are being trained to think like professional business managers in the area of human resources and should in all respects conduct themselves accordingly. Foul or vulgar language when not used in association with the recitation of case facts or legitimate inquiries will not be tolerated. Derogatory comments regarding another student will be cause for dismissal from the class with a grade of zero for attendance.

**Statement of Civility:** Texas A&M University-Corpus Christi has a diverse student population that represents the population of the state. Our goal is to provide you with a high quality educational experience that is free from repression. You are responsible for following the rules of the University, city, state and federal government. We expect that you will behave in a manner that is dignified, respectful and courteous to all people, regardless of sex, ethnic/racial origin, religious background, sexual orientation or disability. Behaviors that infringe on the rights of another individual will not be tolerated.

**Statement of Academic Continuity:** In the event of an unforeseen adverse event, such as a major hurricane and classes could not be held on the campus of Texas A&M University-Corpus Christi; this course would continue through the use of Blackboard and/or email. In
addition, the syllabus and class activities may be modified to allow continuation of the course. Ideally, University facilities (i.e., emails, web sites, and Blackboard) will be operational within two days of the closing of the physical campus. However, students need to make certain that the course instructor has a primary and a secondary means of contacting each student.

**Due Dates:** Written assignments are to be emailed on or before the due date by midnight. You are expected to use the correct email address, as follows:

Call or email regarding questions or excuses for class: twebber@prdg.com; text message to 361-765-1861 or call 361-880-5824 (business office).

**Late Work:** Absolutely no late work will be accepted in this course unless you can provide documentation of your serious injury, illness or other uncontrollable event or circumstance preventing timely submittal. Assignments turned in after the due date will not receive credit.
COURSE SCHEDULE - FALL 2015  HR LAW - BL 4350

Sept 1 - Lecture: Discussion of class expectations/presentations; review processing and hierarchy of the investigative agencies and court system; Chapter 1 - The Regulation of Employment Relationship; Chapter 2 - The Employment Law Toolkit; Assignment: Case Presentations and EXTRA POINTS #1 (1 point on your final grade).

Sept 8 - Due: EXTRA POINTS #1; Lecture: Chapter 3 - Title VII of the Civil Rights Act of 1964; Chapter 4 - Legal Construction of the Employment Environment; review for EXAMINATION NO. 1 over Chapters 1 - 4.

Sept 15 - EXAMINATION NO. 1 (100 points) over Chapters 1 - 4 (first hour); Lecture: Chapter 6 - Race & Color Discrimination; Chapter 7 - National Origin Discrimination; Assignment: EXTRA POINTS #2.

Sept 22 - Due: EXTRA POINTS #2; Exam 1 Review; Lecture: Chapter 11 - Religious Discrimination; Chapter 5 - Affirmative Action; Assignment/Discussion: TOPICS and criteria for GROUP PRESENTATIONS (100 points).

Sept 29 - Review for EXAMINATION NO. 2 over Chapters 5 - 7, 11; Lecture: Chapter 8 - Gender Discrimination; Chapter 9 - Sexual Harassment; Work on GROUP PRESENTATIONS.

Oct 6 - EXAMINATION NO. 2 (100 points) over Chapters 5 - 7, 11 (first hour); Assignment: EXTRA POINTS #3; Lecture: Chapter 10 - Affinity Orientation Discrimination; Chapter 12 - Age Discrimination; work on GROUP PRESENTATIONS.

Oct 13 - Due: EXTRA POINTS #3; Exam 2 Review; Assignment/Discussion: Professional Memo assignment (100 points); Lecture: Chapter 14 - Employee’s Right to Privacy and Management of Personal Information; work on GROUP PRESENTATIONS.

Oct 20 - Review for EXAMINATION NO. 3 over Chapters 8 - 10, 12; Lecture: Chapter 13 - Disability Discrimination; Chapter 16 - Employment Benefits and Protections (FLSA, FMLA and OSHA); work on GROUP PRESENTATIONS.

Oct 27 - EXAMINATION NO. 3 (100 points) over Chapters 8 - 10, 12 (first hour); Lecture: Chapter 15 - Labor Law; Chapter 14 - Employee’s Right to Privacy and Management of Personal Information; work on GROUP PRESENTATIONS.

Nov 3 - Exam 3 Review; Group I - GROUP PRESENTATIONS; Assignment/Discussion: Assign cases for FINAL PRESENTATIONS (150 points).

Nov 10 - Group II - GROUP PRESENTATIONS; review for EXAMINATION NO. 4 over Chapters 13 - 16.
Nov 17 - **EXAMINATION NO. 4** (100 points) over Chapters 13 - 16 (first hour); work on FINAL PRESENTATIONS.

Nov 24 - **Due date Professional Memo assignment by midnight - email to twebber@prdg.com**; review Exam 4; work on FINAL PRESENTATIONS.

Dec 1 - **Group II – FINAL PRESENTATIONS (MANDATORY ATTENDANCE FOR ALL)**

Dec 8 - **Group I – FINAL PRESENTATIONS (MANDATORY ATTENDANCE FOR ALL)**