

**COURSE SYLLABUS  
LABOR AND EMPLOYMENT LAW (BLAW 485)  
Professor Golden  
Fall 2009**

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Office Hours: Monday: 12:15 p.m. – 1:15 p.m.  
Wednesday: 12:15 p.m. – 1:45 p.m.  
3:15 p.m. – 3:45 p.m.  
And by appointment

Prerequisites: BLAW 280 & BLAW 308

### **WebCT**

IT IS YOUR RESPONSIBILITY TO CHECK WEBCT REGULARLY FOR ANNOUNCEMENTS AND OTHER PERTINENT INFORMATION RELATED TO THE COURSE.

### **Method of Instruction**

The class will be taught by a combination of lecture and class discussion methods. Students will be called on to answer questions about the reading, and to read their answers to the homework assignments.

### **Class Preparation**

The labor assignments are included in this syllabus. Be prepared to complete one full assignment each week. Even if we do not complete an assignment, prepare the next full assignment for the next week. Reading will be assigned from the textbook, and may also be assigned from on-line articles. Writing assignments will contain questions on the reading and articles, as well as problems at the end of each chapter. **You are required** to bring your answers to the questions and problems to class on the day for which they are assigned. Homework must be submitted on WebCT **no later than 4:00 p.m.** on the day it is due in order for you to receive homework credit.

### **Classroom Policies**

Pagers and cell phones should be turned off. **DO NOT** text message or use your iPod during lectures. Lectures may not be recorded. Please wait until lecture is over before packing up and leaving. With very few exceptions, no make-up exams will be given. *Anyone who text messages in class will lose a participation point.*

## Course Requirements

1. Two midterms: the first midterm will comprise 25% of the final grade and will be the only labor law exam. The second midterm will comprise 20% of the final grade and will cover the first portion of the employment law material. The midterms will be comprised of objective and essay questions. At least 50% of the exams will be essay. **No make-up exams will be given.**
2. Final exam: 30% of the final grade.  
The final exam will have the same format as the midterms and will be given on the day indicated in the schedule of classes. It will only cover the employment law material. **All exams will be open notes only.**
3. Class attendance and participation: 10% of the final grade.  
Your absence or presence will be noted at the beginning of every class session. There are no excused absences. Arrive to class on time. Two late arrivals will constitute one absence. **If a student is absent more than three class sessions, his or her final grade in the class will be reduced one grade level.** For example, if a student's total points equate to a "C" for the semester, that grade will be reduced to a "C-" if the student is absent more than three times. If a student is absent for more than 50% of the class sessions, that student will receive a grade of "F" in the course.  
  
You will be called on at random throughout the semester to answer questions or read your answer to a homework assignment. You will receive a participation point simply for reading your homework, regardless of whether or not you answered the question correctly. Twice during the semester you may give me a note at the start of class stating that you are unprepared and no negative mark will be made for lack of participation. (Please note: the note does not excuse you from submitting your homework on WebCT.) You must be present in class to give such a note - it is not available as an excuse for an absence. If you are unprepared (and have not submitted a note) or are absent when called upon, you will receive an "unprepared" mark. **Any student who is unprepared will receive a one-point reduction from his or her final grade in the class.**
4. Written assignment(s): 5% of the final grade. Requirements will be distributed separately.
5. Submitted homework assignments: 10% of the final grade.  
Each week you will post the required homework assignments on WebCT. Assignments are due **no later than 4:00 p.m.** on the day they are due in class. **Do not** submit assignments in person or via email, unless requested to do so. You will receive points for completing the homework – the assignments will not be graded. However, in order to receive credit, your answers should be more than a sentence or two long. **Make sure to work off-line and save a copy of your answers.**

## Grading Policies

**Plagiarism and cheating will not be tolerated.** Any student found to have either submitted work that was not his/her own or cheated on an exam will be given an “F” on the assignment, potentially in the class, and may be referred to the office of student affairs for further discipline.

Grades will be given utilizing the grade point scale set forth in the “Regulations” section of the CSUN catalog. Grades are based on a 100 point scale, and plus and minus grading will be used. All cases of cheating result in a grade of “F” for the course and are referred to the Dean’s office for further action.

### Extra Credit

During the semester, there *may* be opportunities for extra credit. However, you should not count on extra credit points as a way of raising your grade.

### Classroom Policies:

Pagers and cell phones should be turned off. **Do not** text message or use your iPod during lectures. Lectures may not be recorded. Please wait until lecture is over before packing up and leaving.

**Please note:** the grade reached after averaging the assignments and exams will be the minimum grade you can receive in the course. At the professor’s sole discretion, your course grade may be raised based on outstanding class participation and improvement.

**Text:** Labor and Employment Law, Text and Cases 14th Edition (Twomey)

Note: Only write answers to the problems and case questions (CQ) listed. For the problems, answer the questions posed in the syllabus. Otherwise, answer the questions posed in the book. When answering case questions, include a brief summary of the case, explaining what was the primary issue.

## LABOR LAW

1. Read: Chapter 4: The National Labor Relations Act  
p. 51 – 54; p. 72 – 78; p. 97 – 102; p. 106 – 114  
CQ: *NLRB v. Gissel* #1, #3 p. 113  
Problem: #9 p. 131  
*Analyze each of the employer's actions and determine if any NLRA violations occurred.*
2. Read: Chapter 5: Employer Unfair Labor Practices  
p. 135 – 144; p. 145 – 151; p. 158 – 160  
CQ: *NLRB v. J. Weingarten, Inc.* #1, #2, #3 p. 144  
Problem: #5 p. 184  
*When analyzing the case step by step, explain which tests the Board should apply at each step, and whether or not there's been Section 8(a)(3) and (1) violations.*  
#11 p. 186  
  1. *When examining each of the employer's actions, discuss whether or not the employer committed an unfair labor practice and if so, which one;*
  2. *What kind of case, using which test, should the General Counsel bring on behalf of Denaple.*
3. Read: Chapter 6: Regulation of Union Activities  
p. 191 – 198; p. 203 – 212  
CQ: *Thornhill v. Alabama* #1, #4 p. 198  
*Lechmere, Inc. v. NLRB* #1, #2, #3, #4 p. 211  
Problem: #12 p. 232  
  1. *What does the Board have to decide in order to conclude whether or not the union's picketing is lawful?*
  2. *Explain the factors the Board would examine in order to do so.*
4. Read: Chapter 7: Legality of Strikes  
p. 235 – 247  
CQ: *Mastro Plastics Corp. v. NLRB* #2, #3 p. 239  
Problems: #4 p. 259  
*Explain whether or not the strikers are entitled to immediate reinstatement.*  
#12 p. 262  
*Analyze each of the hospital's actions and explain, using the relevant tests, who gets which job.*
5. Watch: Norma Rae  
Do: Written assignment – Norma Rae questions

## Labor Law Exam