**HRIR 5252**  Employment and Labor Law for the HRIR Professional

Sec 060, Fall 2020, 2 credits

**Course Instructor**

**Carol O’Toole**

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**Teaching Assistant**

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**Course Description, Goals, & Objectives**

**Student Objectives**

1. Identify basic employment and labor law issues in business and industry.
2. Describe legal definitions of and distinctions in the employer-employee relationship.
3. Analyze major discrimination issues likely to be faced by human resource managers, including age, sex, religion, affinity orientation, disability and national origin.
4. Understand state and federal issues addressed by business and industry, including fair labor standards, occupational safety and health, retirement income security and employee right to privacy.
5. Spot issues and argue legal positions on human resources, labor and employment law subjects as well as identify the basic labor and employment law concepts and apply those concepts to actual and theoretical cases

**Course Prerequisites**

prereq: HRIR MA student must register A-F, 3021, [CSOM or HRD junior or senior or dept consent]
Course Delivery Methodology
In person and remote.

COVID 19 Accommodation:
Class Sessions before Thanksgiving will be held live with social distancing and masks, as well as other precautions. We are in a very large room that accommodates the size of our class allowing you to be safely separated. The room is equipped with cameras that will accommodate students would are participating in the class remotely.

Two classes after Thanksgiving, the 5th Session on November 30, 2020 and the 6th Session on December 7, 2020 will be held via zoom at the regular class time. The 7th session on December 14, 2020, will be held at the regular time with the final exam administered via Proctorio. We will discuss these last three sessions in the live classes before Thanksgiving.

Tennessen Warning Notice Pursuant to MN Department of Administration’s Data Practices
To make this class more accessible to all enrolled students, we intend to record all class lectures and discussions. Since your audio/video may be part of those recordings we are informing you. Along with the instructor and teaching assistants, these recordings will be shared with only the students enrolled in the class during this semester, in accordance with FERPA regulations.

Course Meeting Information
Time: October 27th - December 16th, 2020, PARTIALLY ONLINE, Mondays, 5:45-9:05pm
Place: CSOM L-110
Additional Meetings:
- There are no additional meetings scheduled.

Final Exam
The final exam will be administered via Proctorio on December 14th, 2020.

Textbook & Reading Materials

Required Course Materials
Employment Law for Business by Dawn D. Bennett-Alexander and Laura P. Hartman (9th Edition)
Assignments & Grading

Grading Criteria

Your grade in the course will be calculated in the following way: 1) Your weekly written assignments of the cases and questions and posts in the discussion area will count approximately 50% of the course grade. 2) Your score on the exam on the last day of the session will count approximately 50%. In addition, after a grade has been calculated, I will evaluate class participation (presenting a case or chapter end question to the class or taking a role in the Supreme Court argument). For extraordinary participation (usually four to five students participate enough to earn this distinction) I will raise the grade from, for example, B+ to A-.

Grades on written assignments are worth a total of nine points per assignment. An assignment that is done well, includes all questions (chapter end and case questions) and answers and cites one (or more, but at least one) seminal case from the text with a short explanation as to how it pertains. See the example of a model paper, but note that the writer was using a different edition of the text than you are using. There are no revisions for weekly assignments.

The breakdown of points is:

- A seminal case (one for the whole assignment) from the text is worth three points;
- An acceptable answer to the case question (or questions) is worth one point;
- A proper reference list (APA 7th) is worth one point;
- Proper citing overall is worth one point;
- An acceptable answer to the end-of-chapter questions is worth three points; and,
- An assignment submitted late will be penalized three points.

Class assignments are due to me electronically at or before 5:45 PM on the day of each class. The written assignments should be typed, proofed (for grammar, usage, spelling and APA compliance) and in final form when submitted. Please use Word. The question (or a summary of the question) should be typed before the answer. Students are asked to keep a record on each case or chapter-end question or Supreme Court argument reported on in class and include it on the last written assignment. Include the date and case or end of chapter question you reported on. For extraordinary performance in reporting when called on and for extraordinary volunteering to report in class, a grade may be moved up one-half a letter grade, e.g., B- to a B.

The best answer for weekly assignments will contain a position (e.g., "The employee wins...") with stated support of a seminal case from the text and a short explanation of how the case applies. Your opinion is important, but it must be supported by a case from the text that shows me you know how to cite and reason. The case cited has to be a seminal case from the chapter (or in a prior chapter), not a case cited by the authors in the question you are answering or cited by the court in the case to which the questions pertain. You only need to cite a seminal case
once per written assignment. And, only do your number for the end-of-chapter questions. Use the cases in the text, not ones you find with your own research.

If there is no question but just a narrative in the chapter-end question, assume the question is, "What result and why?" Citing a case to support your position will demonstrate to me that you know the meaning of legal precedent. If there is no question or narrative for your number, select for this time only, another number and answer that question. It is very important that you use only primary sources, that is cases, with the exception of the text. And, those cases should be from the text. (If you don't understand a case cited in the text, look it up on line and read the whole case.) I want you to be able to read an actual case (or an excerpt of it) and analyze it.

The discussion question is posted for the third class session. Post an initial response to the questions of no more than one paragraph. Respond to at least one other student with no more than one paragraph. Do these posts so that you are finished by the beginning of the fourth class session. The discussion is worth five points.

Assignments and Exams

There is an assignment due the first week of class and every class meeting up to the seventh session when the final exam will be given.

Practice Tests and Civil Behavior

There are several practice tests provided for you. We will go over these in class.

You may eat during class. You should not talk to your classmates while someone (someone is student or instructor) is talking. Write a note. Be polite. You will appreciate it when you present.

Individual Assignments

You are each assigned a number. Your number determines what cases and what end-of-chapter question you do. Don't do all of them, just your number and your named case. This is not group work except you will all present together in class. If you don't see your name, e-mail me at carol@carolbergo.toole.com with the number you would like.

For example, for the first class session, Student #1 is responsible for answers for the questions after the case, Marie on page 37, and an answer to chapter-end question number 1 in Chapters 1, 2 and 3. Student #1 should be prepared to present in class the case(s) and case questions and chapter end questions for the designated number. Finally, Student #1 should have read Chapters 1, 2, and 3.

If there are no questions after the case, simply brief the case. That is: in one sentence state the facts; in another sentence, state the issue or question the court is asked to decide; and, in a third sentence, state the decision. Use plain language, not legalese. (We will discuss how to brief a case in the first session. In addition, I have posted a sample brief.) If there is no end-of-chapter number that matches yours, just pick a number with a question and answer it.
**Student Numbers:**

#1 Siraj Acharya, Jade Hanyuan Zhang, Abby Aanonsen, Sara Al Shomaly

#2 Laura Christenson, Jenna Conzemius

#3 Kelsey Cook, Clair Guderjahn

#4 Austin Hass, Sam Hagewood, Hannah Ness

#5 Kendra Johnson, Brandon Knochel

#6 Andrew Kurkowski, Jackson Montgomery, Michaela Morgan

#7 Rachel Pakela, Aiden Rao

#8 Paige Richardson, Elizabeth Renz, Ashani Price

#9 Joshua Rutledge, Kiah Selmer, Yijun Wang

#10 Abby Wunderlich, Naomi Wolf, Nina Vrtjak, Avery Bolander

**Make-up for Missed Attendance, Assignments, & Exams**

Please review the [university policy on make-up work](https://policy.umn.edu/education/makeupwork).

**Course Schedule**

**Carlson Grading Guidelines**

In Spring 2019 the faculty of the Carlson School approved grading guidelines for UG courses that strongly encourage instructors to use criterion-based grading. Criterion-based grading changes the message from students competing with each other to students working to meet instructor expectations. It is the responsibility of the instructor to set the rigor of the course and design appropriate assessments so that differences in course achievement are reflected in differences in grades. Faculty hope this would encourage a collaborative learning environment that reduces incentives for hypercompetitive behavior.

**Carlson Course Grading Policy**

Carlson School uses a grading policy based upon a class median aggregate GPA. Learn more about the [Carlson Course Grading Policy](https://intranet.csom.umn.edu/facultyandresearch/facultyresources/Documents/GradingPolicy.pdf).
Carlson & University Policies

**Student Academic Misconduct and Scholastic Dishonesty**

The Carlson School defines academic misconduct as any act by a student that misrepresents the student's own academic work or that compromises the academic work of another. Scholastic misconduct includes (but is not limited to) cheating on assignments or examinations, plagiarizing, i.e., misrepresenting as one's own work any work done by another, submitting the same paper, or substantially similar papers, to meet the requirement of more than one course without the approval and consent of the instructors concerned, or sabotaging another's work. Within this general definition, however, instructors determine what constitutes academic misconduct in the courses they teach.

Students found guilty of academic misconduct face penalties ranging from lowering of the course grade or awarding a grade of F or N for the entire course, to suspension from the University.

Review the [Student Conduct Code](https://z.umn.edu/policy-carlson_student_conduct_code) and [Student Conduct and Academic Integrity website](https://z.umn.edu/student_conduct_academic_integrity).

If you are interested in learning more about how to cite sources and avoid plagiarism, U of M libraries offers online [tutorials and tools related to citations](https://z.umn.edu/research_citation_tools). You can also visit the [Center for Writing](https://z.umn.edu/center_for_writing) for additional assistance.

**Accommodations for Students with Disabilities**

The University of Minnesota is committed to providing all students equal access to learning opportunities.

The Disability Resource Center (DRC) is the campus office that works with students who have disabilities to provide and/or arrange reasonable accommodations. Students registered with the DRC, who have a letter requesting accommodations, are encouraged to contact the instructor early in the semester. Students who have, or think they may have, a disability (e.g. psychiatric, attention, learning, vision, hearing, physical, or systemic), are invited to contact the DRC for a confidential discussion at 612-626-1333 (V/TTY) or at [drc@umn.edu](mailto:drc@umn.edu). Additional information is available on the [Disability Resource Center website](https://z.umn.edu/disability_resource_center).

**Title IX**

[Title IX](https://z.umn.edu/title_ix_process) prohibits sex discrimination, including sexual harassment, sexual assault, stalking, and relationship violence, in education.

**Students with Mental Health and Stress Management**

As a student you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic
performance or reduce a student's ability to participate in daily activities. University of Minnesota services are available to assist you with addressing these and other concerns you may be experiencing. Learn more about the broad range of confidential mental health services (https://z.umn.edu/mental_health_services) available on campus.

Student Writing Support

As a student, you may experience challenges in your writing. The University of Minnesota has a student writing support resource (https://z.umn.edu/student_writing_support) to help with your writing.

Additional University Policies

2. Scholastic Dishonesty (see Board of Regents Policy: Student Conduct Code (https://z.umn.edu/policy-student_conduct_code) and the Administrative Policy: Teaching and Learning: Instructor and Unit Responsibilities: Twin Cities, Morris, Rochester (https://z.umn.edu/policy-instructor_unit_responsibilities)).
7. Board of Regents Policy: Disability Services (https://z.umn.edu/policy-disability_services)
8. Statement about the availability of mental health and stress management services.

Course Summary:

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<thead>
<tr>
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<tr>
<td>Mon Nov 2, 2020</td>
<td>HRIR 5252 (060) Employment and Labor Law for the HRIR Professional (Fall 2020) (<a href="https://canvas.umn.edu/calendar?event_id=439779&amp;include_contexts=course_198297">https://canvas.umn.edu/calendar?event_id=439779&amp;include_contexts=course_198297</a>)</td>
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