**Syllabus**
**Employment Law**
**Professor Modesitt**

**Course information:**

       **Text –** *Employment Law:  Private Ordering and its Limitations*, Glynn, Arnow-Richman & Sullivan (2d Ed. 2011).

       **Office -** *Room 507*

       **Email –** *nmodesitt@ubalt.edu*

       **Phone –** *410-837-1902*

       **Office hours –** *Mondays & Wednesdays, 6:30-7:30, or by appointment*

**Grading:**

       **40% - Problems**
       **60% - Final Exam**

Class participation may result in a 1/3 grade increase or decrease to be determined in my discretion (i.e. excellent class participation can raise your grade from a B+ to an A- while poor class participation can lower your grade from a B+ to a B).

Problems will be graded as follows.  For each class where an assignment is a problem, each student will turn in an annotated outline of his/her response to the question(s) posed by the problem.  For the research assignment, each student will turn in a list of sources that he/she found in Maryland that are relevant to the topic. The grades for the outlines/source list will account for 90% of the student's total grade for the problems. The remaining 10% of the student's grade will be determined by presentations in class on the problems.  Each student will be assigned to present on one component of a problem at some point during the semester.  The schedule of presentations will be posted on TWEN during the first week of class.

**The final exam is open book/open note.**

**Topics and Readings:**

**Week 1: The Benefits and Burdens of Employment**
**Topics:**      **Who is an employee?**
                    **Who is an employer?**

**Readings:**

**Monday (Jan. 12):**
       Text, pp. 1-28

**Wednesday:**
       Text, pp. 29-58.


**Weeks 2 - 5: Private Ordering and Default Terms**
**Topics:**       **At-Will Default Rule**
             **Contract Exceptions**


**Readings:**

**Monday:** No class, Martin Luther King Day

**Wednesday (Jan. 21):**
       Text, pp. 59-85

**Monday:**
       Text, pp. 86-106

**Wednesday:**
       Problem in lieu of reading.

**Monday:**
       Text, pp. 125-142

**Wednesday:**
       Text, pp. 142-164

**Monday:**
       Problem in lieu of reading.

**Weeks 5 -6: Tort-Based Protections for Workers**
**Topics:**       **Public Policy Exception**
             **Traditional Torts in the Employment Relationship**

**Readings:**

**Wednesday (Feb. 11):**
       Text, pp. 181-210

**Monday:**
       Text, pp. 211-239

**Wednesday:**
Problem in lieu of reading.


**Week 7-8:  Protecting Worker Autonomy**
**Topics:**        **Privacy**
                **Speech and Association**

**Readings:**

**Monday (Feb. 23):**
Text, pp. 287-329

**Wednesday:**
Text, pp. 330-367

**Monday:**
Text, pp. 367-411

**Wednesday:**
Text, pp. 411-426.


**Weeks 9-10:  Workplace Property Rights and Related Interests**
**Topics:**        **Competition**
                **Employee Loyalty**
                **Intellectual Property Rights**

**Readings:**

**Monday (March 9):**
Text, pp. 427-430; Research Assignment in preparation for class.

**Wednesday:**
Problem due in lieu of reading.

**SPRING BREAK MARCH 15 WEEK**

**Monday (March 22):**
Text, pp. 485-503

**Weeks 10-13:  Statutory Protections for employees**
**Topics:**        **FMLA**
                **FLSA**
                **Workers' Compensation**

**OSHA**

**Wednesday (March 25):**
    Text, pp. 734-758

**Monday:**
    Text, pp. 759-786

**Wednesday:**
    No class.  In lieu of class today, you are required to attend one event over the course of the semester that relates to employment law.  It can be an oral argument of a case involving employment law, a law school event, a Maryland Bar event, or any other event sponsored by an educational institution or bar association.  You may also attend an online event or watch the recording of an oral argument on a recent employment law case.  After attending the event, you must send me an email describing what you learned at the event that relates to employment law.

**Monday:**
    Text, pp. 787-804

**Wednesday:**
    Problem in lieu of reading.

**Monday:**
    Text, pp. 846-882.

**Wednesday:**
    Problem in lieu of reading.

**Weeks 14-15:  TBD.**  In the first few weeks of class you will have a chance to nominate topics to be covered.  The class will vote on topics and I will assign readings after that time.

**Monday (April 20):**
    TBD

**Wednesday:**
    TBD

**Make up day for Martin Luther King Holiday (April 27):**
    No new reading.