SYLLABUS & GRADING POLICY (draft) (92)

Introduction; the Labor Problem; overview of course; grading system; contact procedures, background material pp. 5-47, Vegelahn v. Guntner, p. 7-13, handouts on statute, NLRB procedure.


Unfair Labor Practices, pp. 66-73; Representation Cases, pp. 73-76; Reflection, pp. 76-77.

Protection of the Right to Organize: Section 8(a)(1): (Basic Guide, pp. 17-18, TIPS), Text 79-80. Republic Aviation pp. 80-84; Beth Israel Hospital pp. 85-86 (Probs 1 & 2); Cintas Corp., pp. 87-92

Union’s Quest for Equal Access: pp. 105-106; Register Guard, 351 NLRB 1110 (2007), enf dnd in part 571 F.3d 53 (DC Cir 2009) pp. 106-120 (two person assignment-(1) is the CSP overly broad? pp. 108-117; (2) was the policy discriminatorily applied? pp. 117-119, and Ct.App. decision on this issue @ 571 F.3d 53.).


Note on Supervisors: pp. 212-214


Securing Bargaining Rights by unfair labor practice proceedings, p. 273-274; Gissel Packing pp. 274-286, post Gissel bargaining orders pp. 287-291 (Prob 12, also p. 287, 1);

The certification year: Brooks pp. 295-297 (Prob 13); Curtin Matheson pp. 302-303; Allentown Mack, pp. 303-310; Levitz Furniture, pp. 310-312, Dana Corp. 351 NLRB 424 (2007) also p. 300, Lamons Gasket, 357 NLRB #72; UGL-Unicco 357 NLRB #76; Bryan Manufacturing 362 US 411 (1960).


LABOR HISTORY REPORT TOPICS:

Grading Structure:
Participation: 10% (All begin with a B. Excellent participation earns an A; poor participation earns a C; substantial lack of participation earns a D.)
Case reports given in class: 15%
TWEN mini quizzes (max of 5) 15%
Labor history mini exam: 10%
Final written exam (3 hours) 50%

SEE PROBLEM LIST ON TWEN SITE. AT LEAST 50% OF FINAL EXAM WILL BE FROM THESE PROBLEMS. EXPLANATION TO BE GIVEN IN FIRST CLASS. The grades given for the course will be on the system the University uses for class grades. Anyone with questions about the course or any of the material can reach me at 410-426-0339 (or by email at alpalewicz@verizon.net). To discuss anything connected with the class, a student may reach me as described above to schedule a mutually convenient time and place to meet. I will also be available after each class session.
Case reports in class will be graded on the presentation of the facts and law in the case, the validity of the student’s analysis of the holding(s) in the case, the clarity of the overall presentation, and the student’s ability to deal with questions raised about the case by either the professor or other students. Students who are unprepared for any presentation, or who fail to notify me of absences that will interfere with any presentation will have the grade for that presentation lowered by a full letter grade, if the report is done later by the assigned student. If the case has to be done by someone else (including the Professor), the assigned grade for the case will be “F.”

From time to time I will point out material that is important for the exam. Make a note of it. All the assigned text material is material for the exam. All TWEN material is material for the exam. You should be aware of and familiar with all the material posted under Course Materials on the TWEN site. For all class assignments you will be graded on your ability to present the procedural history and the facts of the material/case coherently, to identify clearly the issues involved, to present succinctly the associated, relevant legal principles and their sources, to describe and analyze effectively the holding(s)/conclusion(s) in the material/case, and to deal with questions and discussion points raised by the class or by the Professor during your presentation.

Attendance Policy
Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student whose unexcused absences exceed three class periods (of 75 minutes each in a three credit-hour course) or whose total absences, excused and unexcused, exceed five class periods, may be compelled to withdraw from the course, or may be barred from sitting for the final examination. A student who is compelled to withdraw or is barred from sitting for the final exam shall receive an "F" in the course.

If you anticipate an attendance problem, discuss it with me as soon as possible. Most situations can be worked out to everyone’s satisfaction; but only if we discuss the matter before it becomes a problem.

Policy on Religious Holidays:
It is the policy of the University of Baltimore School of Law to respect students' observance of their major religious holidays. Students not attending class because they are observing religious holidays are to be given excused absences if they notify the professor in advance, and those excused absences shall not be counted toward the maximum number of excused absences permitted by faculty policy.

Students will be given an opportunity, whenever possible, to make up within a reasonable time any academic assignments or tests that are missed due to individual participation in religious observance. Arrangements should be made to make up missed assignments or tests with the faculty member(s) in advance of the holiday.

Quiz Policy: Quizzes will cover material from the textbook only, from the first six cases scheduled for the day of the quiz. Quizzes are open book exams. Quizzes will be open on TWEN from 7:30 PM to 7:55 PM on the day they are given. They will be open again from 6:00 PM to 9:00 PM.
the following evening. Anyone who was absent from the class in which the quiz was given is to take it during the open period the following evening. ANYONE WHO CANNOT DO THIS MUST EMAIL ME WITHIN 48 HOURS OF THE ORIGINAL QUIZ TIME TO LET ME KNOW A ONE HOUR TIME WINDOW WITHIN FOUR DAYS OF THE ORIGINAL QUIZ WHEN THAT PERSON CAN TAKE THE QUIZ ON TWEN. I will open the quiz for them at that time. ANYONE WHO DOES NOT TAKE THE QUIZ THE EVENING AFTER IT IS GIVEN IN CLASS, OR MAKE ARRANGEMENTS WITH ME WITHIN 48 HOURS OF THE ORIGINAL QUIZ TIME FOR AN ALTERNATE QUIZ TIME WILL RECEIVE A GRADE OF ZERO FOR THAT QUIZ.

Labor Law (LAW 731, 3 credits)

Legal rules governing labor-management relations embodied in the National Labor Relations Act, including the principle of exclusivity, protection for the right to organize, limitations on the substance of union demands and on the use of strikes and picketing, rules governing the use of economic pressures during bargaining, the scope and meaning of the duty to bargain, and remedies for failure to bargain, and for violation of other sections of NLRA Section 8.

The goals of this course include introducing students to the origins and procedures of the practice of Labor Law at the federal level, especially before the National Labor Relations Board. Students will also deal with the substantive law of labor practice, to the extent it has been developed both under the National Labor Relations Act and in court cases interpreting the NLRA since its passage.

All students are subject to the Academic Integrity Policy of the University of Baltimore School of Law at all times during this course.

Notice of class cancellation will be sent to students by the TWEN email system, and will be posted on the classroom door.

Students should bring laptop computers to class. Laptop use for exams will be limited to typing the examination by means of the University’s installed software for this purpose.

THIS IS A WESTLAW TWEN COURSE. PLEASE SIGN ONTO THE COURSE AT ONCE.