Syllabus: This course is a seminar for students interested in acquiring a more in depth understanding of labor law in the United States. We will address advanced labor issues including current hot topics such as the use of social media in the workplace, non-traditional organizing methods; legality of employer works councils in United States, and other labor topics that arise in the context of a global economy and the current political climate in our country. Students will prepare a research paper on a topic they are most interested in which they will have the opportunity to present to the class for discussion. They will also be divided up in groups to orally present the labor/employment laws of another industrialized country and a comparison of those laws to the labor/employment laws of the United States. The course is designed to be interactive and to provoke discussion and debate over labor and employment issues.

Administrative Information: Class meets every Tues evening from 6:10 to 8:00 PM in Room 227. Attendance will be taken but if you are unable to attend a class, you must notify me by e-mail prior to the class with the reasons for your absence. If there is a change in schedule, I will notify the class through Hofstra e-mail.

Materials: The primary text is Cox, Bok, Gorman, and Finkin, Labor Law Cases and Materials, (16th Edition, 2016 (Foundation Press), with 2016 statutory appendix and case supplement. Bring 2016 Statutory Appendix to each class as we will be reviewing NLRA Statute.

Also the omnibus resource, the multi-volume International Labor and Employment Laws (Editor in Chief William L Keller) (ABA Section of Labor and Employment Law, BNA) will be available in library for group project relating to a comparison of our labor laws to those of other nations. http://libweb.hofstra.edu/record=b1966721~S1
Grading: The final grade will be determined by class participation, class presentations, and a research paper.

Class participation is 15% of the final grade

Class presentations are 25% of the final grade.

The research paper is 60% of the final grade. It should be 20 typed pages, double spaced at 12 point Times New Roman and must be supported with legal research and appropriate citations. The research paper is due at the beginning of the final class on April 25, 2017. Late papers generally receive grades no higher than the lowest grade of the papers submitted on time.

The research paper must address one of the following: the labor and employment ramifications of globalization; secondary boycotts; internal union governance; social justice aspects of labor and employment law policy; effective use of social media in labor/employment context, worker centers or other non-traditional methods in union organizing; effectiveness of social advocacy groups in labor context; current labor pre-emption issues; anti-trust laws in labor context; employee versus student or independent contractor status in sports, medicine, university, taxi drivers (Uber or Lyft for example) and other non-traditional settings; or any other topics discussed in class and approved by Professor.

You need to obtain prior approval of your topic. You can discuss your topic with me before or after class or contact me during regular office hours by phone or e-mail at my contact information listed above.

Class 1 (Jan 17) - Introduction to Course
Movie Presentation of documentary “The Hands that Feeds”

Review of NLRA picketing and secondary boycott statutory framework under 8(b)(7), 8(b)(4) and 10(l) of National Labor Relations Act.

Class 2 (Jan 24) - Constitutional Limitations on Government Regulation – Readings from text: pages 628-661.
Class 3 (Jan 31) - Organizational/Recognitional Picketing – Readings from text: pages 662-682

Class 4 (Feb 7) - Secondary Pressure – Readings from text: pages 682-719.


Class 6 (Feb 21) - Preemption of State Labor Laws and Specific Applications – Readings from text: pages 977-1062.

Class 7 (Feb 28) - Labor and Anti-Trust Laws – Readings from text: pages 937-976.

Class 8 (March 7) Students Group Presentations and Class Discussion

Class 9 (March 14) Discussion on hot topics in labor law including but not limited to Social Media Restrictions in Employment Context; NLRB Regulation of Employer Handbook Rules; Restrictions on Class Action Law Suits, Rule Making on Representation Election Rules, Employee use of Employer E-mail for non-work related purposes for union organizing or other protected concerted activities;

Class 10 (March 21) Union Security and Encouragement of Union Activity – Readings from text: pages 1113-1154; Discipline of Union Members under the NLRB – Readings from text: pages 1169-1192.

Class 11 (March 28) – Research Paper Presentations by Students

Class 12 (April 4) – Research Paper Presentations by Students

Class 13 (April 18) - Research Paper Presentations by Students

Class 14 (April 25) – Research Presentations by Students

RESEARCH PAPERS to be handed in by all students at last class
*Any changes in the syllabus will be announced during class or posted in advance of class.