University of Texas at Arlington
MANA 4320.001: Employment Law
Fall 2019

Professor: Tom Graca
TomG@uta.edu
617.631.6696
Office Hours: Tuesdays & Thursdays 2:00pm-3:00pm; by appointment; by chance
Office Number: COBA 231
Profile: https://mentis.uta.edu/explore/profile/thomas-graca

Section Information: MANA 4320.001 (registration number: 91018)

Time and Place of Class Meetings: Tuesdays and Thursdays 11:00am-12:15pm
COBA 138

Description of Course Content:
An introduction to employment law and labor relations for managers and human resource professionals. Topics include: the nature of the employment relationship, fair labor standards, workplace health and safety, collective bargaining, equal employment opportunity and unlawful discrimination, sexual harassment, and workplace privacy. Prerequisite: 60 credit hours.

Student Learning Outcomes:
(Detailed learning outcomes accompany each unit.)

Required Course Materials:


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1 Please note that oral argument in Altitude Express, Inc. v. Zarda is scheduled to occur on October 8, 2019. The audio recording of the oral argument is usually available the evening of argument (and the oral argument audio is also generally available live). The (unofficial) transcript of the oral argument is usually available within a few days. It is only necessary to either listen to oral argument or read the transcript (not both). The audio recording will be about one hour in duration.

2 Please note that oral argument in Altitude Express, Inc. v. Zarda is scheduled to occur on October 8, 2019. The audio recording of the oral argument is usually available the evening of argument (and the oral argument audio is also generally available live). The (unofficial) transcript of the oral argument is usually available within a few days. It is only necessary to either listen to oral argument or read the transcript (not both). The audio recording will be about one hour in duration.


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3 Disclosure of potential conflict of interest: Graca’s spouse is a C-suite executive in a firm that has a very close business relationship with the Tarrant County Hospital District and a portion of her compensation is incentive-based.


27) **U.S. Const.**, available at https://uta.instructure.com/courses/18815/files/2709399?module_item_id=1436303. (Please use this file so that the class have can consistent pagination during class meetings.)


Recommended Course Materials:


37) **Tex. Const.** Retrieved from [https://tlc.texas.gov/docs/legref/TxConst.pdf](https://tlc.texas.gov/docs/legref/TxConst.pdf).


39) (There are some additional recommended materials available at [https://uta.instructure.com/courses/18815/modules](https://uta.instructure.com/courses/18815/modules).
Components of Final Grade:

1) **Attendance and Participation (20%).** Unlike some other courses in the business school (including some that I teach), regular attendance and well-informed active participation are essential for success in employment law courses. Attendance will be taken each day using a sign-in sheet. The minimum expectation for attendance is that students miss no more than four of the class’s regular scheduled meetings. The minimum expectation for participation is that students are very well-prepared and actively and thoughtfully engaged for a) the cases that have been particularly assigned to the student, and b) the cases to which “all” students have been assigned.

2) **Mid-Term Examination (40%).** There will be a take-home-style mid-term examination that will be distributed in class on Thursday, October 31, 2019 (and subsequently posted at [https://uta.instructure.com/courses/18815/assignments/455977](https://uta.instructure.com/courses/18815/assignments/455977)). The exam will contain three essay-style questions to which students must respond in no more than 750 words for each question. The exam must be submitted at [https://uta.instructure.com/courses/18815/assignments/455977](https://uta.instructure.com/courses/18815/assignments/455977) no later than 8:00am on Monday, November 11, 2019. The exam may be submitted in .doc, .docx, or .rtf format. Additional information about the exam will be discussed in the coming months. When the exam is distributed on October 31, Graça will be happy to discuss its content and clarify whatever students would like clarified – but only in-class and only publicly to all those present. From the end of class on October 31 until the graded exams are returned to students, Graça will not discuss the exam or its content with anyone. The UTA Canvas “assignment” has been configured for anonymous grading; please do not put your name anywhere in the document or filename.

3) **Employment Law Policy Paper (40%).** Each student will submit an essay of 2,500 words or fewer on an appropriate public policy topic related to a significant employment law topic. The expectations for this assignment will be discussed in class in great detail. Class on Thursday, September 12, 2019, will be dedicated to learning the basics of legal research using the *Nexis Uni* database – which students may access without additional cost through [https://libguides.uta.edu/az.php](https://libguides.uta.edu/az.php). The paper must be submitted at [https://uta.instructure.com/courses/18815/assignments/455978](https://uta.instructure.com/courses/18815/assignments/455978) no later than 8:00am on Monday, December 9, 2019. The exam may be submitted in .doc, .docx, or .rtf format.

**Grading Scale:**

- A = 89.5% or higher
- B = 77.5% or higher
- C = 59.5% or higher
- D = 49.5% or higher
- F = 0% or higher
Drop Policy: Students may drop or swap (adding and dropping a class concurrently) classes through self-service in MyMav from the beginning of the registration period through the late registration period. After the late registration period, students must see their academic advisor to drop a class or withdraw. Undeclared students must see an advisor in the University Advising Center. Drops can continue through a point two-thirds of the way through the term or session. It is the student's responsibility to officially withdraw if they do not plan to attend after registering. **Students will not be automatically dropped for non-attendance.** Repayment of certain types of financial aid administered through the University may be required as the result of dropping classes or withdrawing. For more information, contact the Office of Financial Aid and Scholarships (http://wweb.uta.edu/aoa/fao/).

Disability Accommodations: UT Arlington is on record as being committed to both the spirit and letter of all federal equal opportunity legislation, including The Americans with Disabilities Act (ADA), The Americans with Disabilities Amendments Act (ADAAA), and Section 504 of the Rehabilitation Act. All instructors at UT Arlington are required by law to provide “reasonable accommodations” to students with disabilities, so as not to discriminate on the basis of disability. Students are responsible for providing the instructor with official notification in the form of a letter certified by the Office for Students with Disabilities (OSD). Only those students who have officially documented a need for an accommodation will have their request honored. Students experiencing a range of conditions (Physical, Learning, Chronic Health, Mental Health, and Sensory) that may cause diminished academic performance or other barriers to learning may seek services and/or accommodations by contacting: The Office for Students with Disabilities, (OSD) http://www.uta.edu/disability/ or calling 817-272-3364. Information regarding diagnostic criteria and policies for obtaining disability-based academic accommodations can be found at www.uta.edu/disability.

Counseling and Psychological Services (CAPS) www.uta.edu/caps/ or calling 817-272-3671 is also available to all students to help increase their understanding of personal issues, address mental and behavioral health problems and make positive changes in their lives.

Non-Discrimination Policy: The University of Texas at Arlington does not discriminate on the basis of race, color, national origin, religion, age, gender, sexual orientation, disabilities, genetic information, and/or veteran status in its educational programs or activities it operates. For more information, visit uta.edu/eos.

Title IX Policy: The University of Texas at Arlington (“University”) is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act (SaVE Act). Sexual misconduct is a form of sex discrimination and will not be tolerated. For information regarding Title IX, visit www.uta.edu/titleix or contact Ms. Michelle Willbanks, Title IX Coordinator at (817) 272-4585 or titleix@uta.edu
**Academic Integrity:** Students enrolled all UT Arlington courses are expected to adhere to the UT Arlington Honor Code:

*I pledge, on my honor, to uphold UT Arlington’s tradition of academic integrity, a tradition that values hard work and honest effort in the pursuit of academic excellence.*

*I promise that I will submit only work that I personally create or contribute to group collaborations, and I will appropriately reference any work from other sources. I will follow the highest standards of integrity and uphold the spirit of the Honor Code.*

UT Arlington faculty members may employ the Honor Code in their courses by having students acknowledge the honor code as part of an examination or requiring students to incorporate the honor code into any work submitted. Per UT System Regents’ Rule 50101, §2.2, suspected violations of university’s standards for academic integrity (including the Honor Code) will be referred to the Office of Student Conduct. Violators will be disciplined in accordance with University policy, which may result in the student’s suspension or expulsion from the University. Additional information is available at https://www.uta.edu/conduct/. Faculty are encouraged to discuss plagiarism and share the following library tutorials http://libguides.uta.edu/copyright/plagiarism and http://library.uta.edu/plagiarism/

**Electronic Communication:** UT Arlington has adopted MavMail as its official means to communicate with students about important deadlines and events, as well as to transact university-related business regarding financial aid, tuition, grades, graduation, etc. All students are assigned a MavMail account and are responsible for checking the inbox regularly. There is no additional charge to students for using this account, which remains active even after graduation. Information about activating and using MavMail is available at http://www.uta.edu/oit/cs/email/mavmail.php.

**Campus Carry:** Effective August 1, 2016, the Campus Carry law (Senate Bill 11) allows those licensed individuals to carry a concealed handgun in buildings on public university campuses, except in locations the University establishes as prohibited. Under the new law, openly carrying handguns is not allowed on college campuses. For more information, visit http://www.uta.edu/news/info/campus-carry/

**Student Feedback Survey:** At the end of each term, students enrolled in face-to-face and online classes categorized as “lecture,” “seminar,” or “laboratory” are directed to complete an online Student Feedback Survey (SFS). Instructions on how to access the SFS for this course will be sent directly to each student through MavMail approximately 10 days before the end of the term. Each student’s feedback via the SFS database is aggregated with that of other students enrolled in the course. Students’ anonymity will be protected to the extent that the law allows. UT Arlington’s effort to solicit, gather, tabulate, and publish student feedback is required by state law and aggregate results are posted online. Data from SFS is also used for faculty and program evaluations. For more information, visit http://www.uta.edu/sfs.
Final Review Week: for semester-long courses, a period of five class days prior to the first day of final examinations in the long sessions shall be designated as Final Review Week. The purpose of this week is to allow students sufficient time to prepare for final examinations. During this week, there shall be no scheduled activities such as required field trips or performances; and no instructor shall assign any themes, research problems or exercises of similar scope that have a completion date during or following this week unless specified in the class syllabus. During Final Review Week, an instructor shall not give any examinations constituting 10% or more of the final grade, except makeup tests and laboratory examinations. In addition, no instructor shall give any portion of the final examination during Final Review Week. During this week, classes are held as scheduled. In addition, instructors are not required to limit content to topics that have been previously covered; they may introduce new concepts as appropriate.

Emergency Exit Procedures: Should we experience an emergency event that requires us to vacate the building, students should exit the room and move toward the nearest exit. When exiting the building during an emergency, one should never take an elevator but should use the stairwells. Faculty members and instructional staff will assist students in selecting the safest route for evacuation and will make arrangements to assist individuals with disabilities.

Student Support Services: UT Arlington provides a variety of resources and programs designed to help students develop academic skills, deal with personal situations, and better understand concepts and information related to their courses. Resources include tutoring, major-based learning centers, developmental education, advising and mentoring, personal counseling, and federally funded programs. For individualized referrals, students may visit the reception desk at University College (Ransom Hall), call the Maverick Resource Hotline at 817-272-6107, send a message to resources@uta.edu, or view the information at http://www.uta.edu/studentsuccess/success-programs/programs/resource-hotline.php

The IDEAS Center (2nd Floor of Central Library) offers FREE tutoring to all students with a focus on transfer students, sophomores, veterans and others undergoing a transition to UT Arlington. Students can drop in, or check the schedule of available peer tutors at www.uta.edu/IDEAS, or call (817) 272-6593.
### Tentative Course Schedule:

<table>
<thead>
<tr>
<th>Date</th>
<th>Day</th>
<th>Topic</th>
<th>Reading</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/22/2019</td>
<td>Thursday</td>
<td>Course Introduction &amp; The Nature of Law in the United States</td>
<td>(none)</td>
</tr>
<tr>
<td>08/27/2019</td>
<td>Tuesday</td>
<td>How to Read a Case</td>
<td>#4 (all) #27 (all)</td>
</tr>
<tr>
<td>08/29/2019</td>
<td>Thursday</td>
<td>The Employment Relationship</td>
<td>#25 (NKD/VP/AVB/AN) #16 (SVP/MD/TTP)</td>
</tr>
<tr>
<td>09/03/2019</td>
<td>Tuesday</td>
<td>The Employment Relationship</td>
<td>#20 (CA/GBG/AMC) #6 (JAG/SLJ/ER)</td>
</tr>
<tr>
<td>09/05/2019</td>
<td>Thursday</td>
<td>Equal Employment Opportunity</td>
<td>#9 (GAL/DM/JKS) #29 (EAE/KP/JM)</td>
</tr>
<tr>
<td>09/10/2019</td>
<td>Tuesday</td>
<td>Equal Employment Opportunity</td>
<td>#14 (DNC/JALM/MAC) #11 (PSD/AQA/AXE)</td>
</tr>
<tr>
<td>09/12/2019</td>
<td>Thursday</td>
<td>Legal Research Using Nexis Uni (access for free at <a href="https://libguides.uta.edu/az.php?a=n">https://libguides.uta.edu/az.php?a=n</a>)</td>
<td>(none)</td>
</tr>
<tr>
<td>09/17/2019</td>
<td>Tuesday</td>
<td>Equal Employment Opportunity</td>
<td>#26 (BBT/JLAH/RS) #10 (NMN/GMS/TR)</td>
</tr>
<tr>
<td>09/19/2019</td>
<td>Thursday</td>
<td>Equal Employment Opportunity</td>
<td>#23 (KH/JB/EBG) #17 (GC/JMH/KEJ)</td>
</tr>
<tr>
<td>09/24/2019</td>
<td>Tuesday</td>
<td>Equal Employment Opportunity</td>
<td>#12 ( )</td>
</tr>
<tr>
<td>09/26/2019</td>
<td>Thursday</td>
<td>Wrongful Discharge</td>
<td>#22 ( ) #7 ( )</td>
</tr>
<tr>
<td>10/01/2019</td>
<td>Tuesday</td>
<td>Wrongful Discharge</td>
<td>#24 ( )</td>
</tr>
<tr>
<td>10/03/2019</td>
<td>Thursday</td>
<td>Equal Employment Opportunity: <em>Altitude Express, Inc. v. Zarda</em></td>
<td>#30 (all) #3 (all)</td>
</tr>
<tr>
<td>10/08/2019</td>
<td>Tuesday</td>
<td>Privacy</td>
<td>#13 ( ) #18 ( )</td>
</tr>
<tr>
<td>10/10/2019</td>
<td>Thursday</td>
<td>(no class)</td>
<td>(Catch up on #30, #3, #1, and #2)</td>
</tr>
<tr>
<td>10/15/2019</td>
<td>Tuesday</td>
<td>Equal Employment Opportunity: <em>Altitude Express, Inc. v. Zarda</em></td>
<td>#1 (all) #2 (all)</td>
</tr>
<tr>
<td>10/17/2019</td>
<td>Thursday</td>
<td>Wages</td>
<td>#15 ( ) #28 ( )</td>
</tr>
<tr>
<td>10/22/2019</td>
<td>Tuesday</td>
<td>Wages</td>
<td>#19 ( ) #8 ( )</td>
</tr>
<tr>
<td>10/24/2019</td>
<td>Thursday</td>
<td>Wages</td>
<td>#5 ( ) #21 ( )</td>
</tr>
<tr>
<td>10/29/2019</td>
<td>Tuesday</td>
<td>TBD or Policy Paper Consultations</td>
<td>(TBD)</td>
</tr>
<tr>
<td>10/31/2019</td>
<td>Thursday</td>
<td>Mid-Term Exam</td>
<td>(Take-Home Mid-Term Exam)</td>
</tr>
<tr>
<td>11/05/2019</td>
<td>Tuesday</td>
<td>Mid-Term Exam</td>
<td>(Take-Home Mid-Term Exam)</td>
</tr>
<tr>
<td>11/07/2019</td>
<td>Thursday</td>
<td>Mid-Term Exam</td>
<td>(Take-Home Mid-Term Exam)</td>
</tr>
<tr>
<td>11/11/2019</td>
<td>Monday</td>
<td>Mid-Term Exam is due no later than 8:00am</td>
<td>(Take-Home Mid-Term Exam)</td>
</tr>
<tr>
<td>11/12/2019</td>
<td>Tuesday</td>
<td>De-Brief Mid-Term Exam</td>
<td>(none)</td>
</tr>
<tr>
<td>11/14/2019</td>
<td>Thursday</td>
<td>TBD or Policy Paper Consultations</td>
<td>(TBD)</td>
</tr>
<tr>
<td>11/19/2019</td>
<td>Tuesday</td>
<td>TBD or Policy Paper Consultations</td>
<td>(TBD)</td>
</tr>
<tr>
<td>11/21/2019</td>
<td>Thursday</td>
<td>(no class)</td>
<td>(no class)</td>
</tr>
<tr>
<td>11/26/2019</td>
<td>Tuesday</td>
<td>TBD or Policy Paper Consultations</td>
<td>(TBD)</td>
</tr>
<tr>
<td>11/28/2019</td>
<td>Thursday</td>
<td>(Thanksgiving Holiday)</td>
<td>(Thanksgiving Holiday)</td>
</tr>
<tr>
<td>12/03/2019</td>
<td>Tuesday</td>
<td>TBD or Policy Paper Consultations</td>
<td>(TBD)</td>
</tr>
<tr>
<td>12/09/2019</td>
<td>Monday</td>
<td>Policy Paper is due no later than 8:00am</td>
<td>(TBD)</td>
</tr>
</tbody>
</table>