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 work place, 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 assigned their own readings from a current book which they will also present to the class. The course is designed to be interactive and to provoke discussion and debate over labor issues.

Administrative Information: Class meets every Thursday evening from 8:10 PM to 10:00PM. 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.


Assigned books from which students will choose one include: Thomas Geoghegan, Only One Thing Can Save Us: Why America Needs a New Kind of Labor Movement (2014); Ruth Milkman, New Labor in New York: Precarious Workers and the Future of the Labor Movement (2014); Stephanie Luce, Labor Movements: Global Perspectives (2014) Elizabeth Warren, Fighting Chance (2013); George Packer, The Unwinding (2013); Downey’s The Woman Behind the New Deal (Francis Perkins, FDR’s Secretary of Labor) (2009); Cynthia Estlund, Regoverning the Workplace (2010); Joseph A. McCortin, Collision Course, Ronald Regan, The air traffic
controllers and the strike that changed America (2011); Hedrick Smith, Who Stole the American Dream (2012); Philip Dray, There is Power in a Union, The Epic Story of Labor in America (2010); Bartlett & Steele, The Betrayal of the American Dream (2012); Bill Fletcher, “They’re Bankrupting Us!” and 20 Other Myths about Unions (2012); Joe Burns, Reviving the Strike: How Working People Can Regain Power and Transform America (2011); Greenwald & Katz, Labor Rising: The Past and Future of America, (2012); Jane Mcalevey, Raising Expectations (and Raising Hell): My Decade Fighting for the Labor Movement, (2012). Copies of these books may need to be purchased or be made available by library and/or Professor.

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 those interested in research papers 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, memoranda on assigned book and a research paper.

Class participation is 20% of the final grade

Class presentations are 20% of the final grade.

Memoranda must be timely submitted to pass the course. On or before the date of your first class presentation, each student must individually submit a one to three page word processed memorandum, summarizing the salient points of the assigned book. The memos must be written in complete sentences and not bullet point outlines.

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 23, 2015. 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 and other non-traditional settings; comparative/international labor and/or employment law issues (e.g., assess, study, compare/contrast the laws of another nation or region – e.g. United Kingdom, Germany, France, Spain, Italy, China, Japan, India, Indonesia, EU, NAFTA, CAFTA, WTO) with those of the United States; 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 15) - Introduction to Course and review of NLRA picketing and secondary boycott statutory framework under 8(b)(7), 8(b)(4) and 10(l) of National Labor Relations Act. BRING copy of NLRA statute to class.

Class 2 (Jan 22) - Constitutional Limitations on Government Regulation – Readings from text: pages 548-580.

At the beginning of this class, you must give me your first three preferences for your book presentation from the listed readings set forth above in syllabus. All students will make their oral presentation and submit their written report at the 10th class on March 19. Book assignments will be made at the end of this class. Presentations should be no more than 10-15 minutes so that each student has an opportunity to present.

Class 3 (Jan 29) - Organizational/Recognitional Picketing – Readings from text: pages 580-600.

Class 4 (Feb 5) - Secondary Boycotts – Readings from text: pages 600 -634.

Class 5 (Feb 12) - Jurisdictional Disputes, Hot Cargo Clauses, and Featherbedding – Readings from text: pages 635-669.
Class 6 (Feb 19) - Preemption of State Labor Laws and Specific Applications – Readings from text: pages 873-951.

Class 7 (Feb 26) - Labor and Anti-Trust Laws – Readings from text: pages 835 – 872.

Class 8 (March 5) - Union Security and Encouragement of Union Activity – Readings from text: pages 1000-1052.

Class 9 (March 12) - The Discipline of Union Members under the NLRB – Readings from text: pages 1052-1073.

Class 10 (March 19) - Students’ Book Presentations and Class Discussion. Reports to be handed in at end of class.

Class 11 (March 26) - 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 12 (April 2) - Research Paper Presentations by Students

Class 13 (April 16) - Research Paper Presentations by Students

Class 14 (April 23) - RESEARCH PAPERS to be handed in by all students followed by a Lesson on Practice and Procedure Before the NLRB with Practical Tips.

*Any changes in the syllabus will be announced during class or posted in advance of class.