HRM 5305-115 Human Resource Law
Online Summer 2019 – 8 Week Course
Texas A&M University - Central Texas

INSTRUCTOR AND CONTACT INFORMATION
Instructor: Lucas Loafman, J.D., M.B.A.
Office: Founders Hall Rm 318M
Office Phone: 254-519-5724
Email: loafman@tamuct.edu – This is the best method to contact me for a quick response, since I can access this at home and on the road.

Office Hours:
By Appointment – My office hours vary daily due to meetings and other duties as Interim Dean of the College of Business. Though I may be available for drop by's, I am generally in two-three meetings a day on or off campus, so it is best to make an appointment. I will do all I can to ensure that you get into see me as soon as possible if needed.

Mode of instruction and course access:
This course is a 100% online course and uses the TAMUCT Canvas Learning Management System: [https://tamuct.instructure.com]. If you need a refresher on any Canvas tools, the Help link on the global Navigation menu (left side) provides you with a link to the Canvas Guides. You can get to the Canvas Student Video Guides by following the link to the Canvas Guides. Once you get to the Canvas Guides home page, please select Video Guide and then select Students in the table of content to get to the Student Video Guides. Though no specific legal knowledge is required as a prerequisite to this course, it will be essential that you have a familiarity with the general use of Power Point, Microsoft Word, the Internet, copying and pasting information and attaching documents for submission at a minimum.

Student-instructor interaction:
It’s easiest to reach me via email, as I can even access it in some meetings. I will respond to all email within 24 hours if I’m not traveling, usually within a couple of hours. I will try to make an announcement on Canvas if I will be out of contact for an extended period of time.

Warrior Shield:
Emergency Warning System for Texas A&M University-Central Texas
Warrior Shield is an emergency notification service that gives Texas A&M University-Central Texas the ability to communicate health and safety emergency information quickly via email, text message, and social media. All students are automatically enrolled in Warrior Shield through their myCT email account.

Connect to Warrior Shield by 911Cellular [https://portal.publicsafetycloud.net/Account/Login] to change where you receive your alerts or to opt out. By staying enrolled in Warrior Shield, university officials can quickly pass on safety-related information, regardless of your location.
COURSE INFORMATION

1.0 Catalog Course Description

Examines legal issues and regulatory processes related to employment relationships, equal employment opportunity and affirmative action, privacy, employment testing and staffing, compensation and benefits, employee/labor relations, and occupational health and safety.

2.0 Course Level Objectives

1. Students will demonstrate a comprehensive knowledge and understanding of laws and regulations affecting the employer-employee relationship.
2. Students will be able to analyze decided legal cases for their impact upon the practice of HRM.
3. Students will be able to analyze employment scenario hypotheticals and articulate the legal issues involved, as well as providing legally compliant strategies for dealing with the situation in some cases.

2.1 Weekly/Module Learning Outcomes:

At the conclusion of the course the student will be able to:

1. Discuss the importance of a positive culture and employment relationship to prevent/reduce conflict and legal issues, including identifying problems in advance through surveys (participation), review of data such as turnover, good communication, and employee engagement
2. Discuss the issue of workplace conflict and conflict management strategies, including alternative dispute resolution such as negotiation, mediation, and arbitration.
3. Classify a worker an employee and independent contractor and explain why it matters.
4. Recognize when a covenant not to compete is enforceable
5. Identify the difference between an employment-at-will relationship and its major exceptions
6. Differentiate between disparate treatment and disparate impact discrimination and how biases can create problems in the workplace
7. Recognize the basis for a claim of retaliation
8. Identify who is covered by Title VII
9. Explain the EEOC administrative process.
10. Describe how the recruitment environment is regulated by the law.
11. Explain how an employer may be liable for negligent hiring.
12. Identify the circumstances under which an employment test may be legally administered.
13. Discuss what affirmative action is and why it was created.
14. Analyze a situation to determine the legality of an organization’s affirmative action program.
15. Recognize race based discriminatory action in the workplace, including tangible actions and harassment
16. Discuss the legal status of “English-only” policies and when fluent English may be required.
17. Recognize the extent of protection under the Immigration Control and Reform Act
18. Analyze a situation and determine if there are gender based discrimination issues that may result in employer liability, including Sex+ and Equal Pay issues.
19. Explain Quid Pro Quo Sexual Harassment
20. Describe what constitutes a case of Hostile Environment Sexual Harassment
21. State the employers affirmative defense to a Sexual Harassment claim
22. Discuss the legal protections available based on sexual/affinity orientation and the workplace issues that may arise in the broader context of gender identity issues.
23. Define Religion
24. Explain under what circumstances and to what limits an employer must accommodate the religious practices of its employees
25. Differentiate between the ADEA and Title VII
26. State the burden of proof now required in and ADEA claim
27. Identify BFOQ defenses to ADEA claims
28. Define Disability under the ADA
29. Explain the concept of undue hardship in accommodations and the responsibilities of the parties involved
30. Determine the circumstances as to when an employee has a right of privacy in and outside of the workplace and the impact of technology on that privacy
31. Recognize the impacts of Norris LaGuardia and National Labor Relations Acts
32. Differentiate between the various labor shop arrangements
33. Describe the collective bargaining process, including the impact on wage issues.
34. Identify unfair labor practices
35. Recognize when the minimum wage and overtime must be paid and their exceptions under the Fair Labor Standards Act, as well as the ages at which a child can engage in certain types of employment under the FLSA.
36. Determine an employer’s responsibilities under the FMLA
37. Explain the requirements of the Affordable Care Act
38. Describe what OSHA does
39. Identify the key components and requirements of health and retirement programs including COBRA, HIPPA, the HMOA Act of 1973, ERISA, and the Pension Protection Act of 2006.

Textbook and Course Materials:

There is no required text for this course. However, I will likely follow the organizational pattern for material found in Employment Law for Business by Dawn D. Bennett-Alexander and Laura Hartman. It was their 7th edition published by McGraw-Hill. ISBN: 978-0-07-352496-2. You can probably pick up a copy of this edition or the 8th, relatively cheap (probably $20), if you want another good resource and explanation of the material. I chose not to continue with that text due to a lack of updates and the high cost. Each week there will be videos and topical readings on the subject to be covered.

You will also need a properly configured computer that is compatible with the technology requirements statement later, and listed in Canvas, with: speakers or a headset (to listen to audio/video files), reliable internet access, PowerPoint, and MS Word.

COURSE REQUIREMENTS (all assignments must be submitted in a .doc or .docx format):
1. Discussions – 175 Points (1 at 35 points and 5 at 28 Points each) – Since we do not have “class time” to interact in person, it is vital that you and your classmates are able to share your own views and perspectives with regards to many of these issues. Although I do want you to feel free to express yourself, you must be considerate of your classmates’ views and ideologies since opinions will certainly vary. You may not like their views or take on an issue, but be
respectful when you respond if you happen to disagree. Be civil and respectful at all times! You will find the requirements for each discussion assignment in the “Assignments” tab located on the left side of Canvas or in the Weekly Module. A grading rubric is attached to the assignment directions in Canvas. These will be due on Saturdays by 11:59 PM Central (23:59). As always, you may submit your work at any time.

2. Case Briefing Assignments – 210 Points (7 at 30 Points each) – Most weeks you will have a major employment law case to brief from the last few years (two in week 2 and none in 5 or 8). Usually these are U.S. Supreme Courts cases and application questions may be asked as well. There is a rubric available on Canvas to show scoring. These will be submitted on Canvas with Vericite enabled. DO NOT use any source to complete this assignment other than the information found in the case itself I link for you. With two exceptions (Sundays), these will generally be due on Fridays by 11:59 PM Central (23:59). As always, you may submit your work at any time. These assignments align with Course Objective #2.

3. Research Paper on Current Topics in HR Law - 215 Points - More detailed instructions may be found on Canvas. This assignment is due on Tuesday, July 17th.

4. Exams – 400 Points - 2 at 200 points each – You will have two exams to complete on Canvas, a midterm and a final. There will be a multiday window in which to complete each exam. Each exam will be composed of two timed essay sections to apply the material you have learned to a hypothetical situation as stated in Course Objective #3 and also assessing Objective #1. If there is an unavoidable conflict, you must let me know ahead of time, not after. I may allow a make-up, but even then, it may be an entirely differently structured exam or you may have to come to campus or take it in a proctored setting. I am the sole judge on these matters and you should bring exam issues to me when they arise. Examples are posted in the Week 4 Module.

Grading Scale
Note the C, D, and F Ranges Especially
895-1000 = A - Good
795-894 = B - Acceptable
715-794 = C – Needs Improvement – Remember you need a 3.0 to graduate, so a C hurts!
645-714 = D – Unacceptable – Counts as an F in Graduate School for GPA purposes
644 or less = F – Unacceptable

Grades may also be adjusted at the end of the semester based on class results. This means that an average may qualify for a higher letter grade than the scale normally provides for, to facilitate an appropriate grade distribution.

Posting of Grades and Late Work
I will do my best to try to have most work graded within 72 hours of its due date/time, but I may need a bit more time on the Title VII paper and when there are three assignments in a weekend. I will not grade any work until the due date/time for that assignment has arrived.
With my new leadership roles, it is very possible that deviations from these norms may happen. If they do, I will try to provide status updates via Canvas announcements.

**Late work penalties:**

1. Late Discussions submissions will not be accepted, so follow the instructions closely!
2. Briefs submissions will lose 25% of the points available if late. Briefs will not be accepted more than one week late and Policy submissions cannot be more than three days late.
3. The term paper will lose 20 points per day late.

**COURSE OUTLINE AND CALENDAR (All times CST)**

Module 1 – June 3rd
1. Familiarize yourself with Course Layout and requirements. Read and listen to any materials posted for our Introduction to Employment Law
2. Complete and Submit Discussion #1 by 11:59 PM (23:59) on Saturday, June 8th.
3. Submit Case Brief Assignment #1 by 11:59PM (23:59) on Sunday, June 9th.

Module 2 – June 10th
1. Read and listen to any materials for our look at the hiring process and Introduction to Title VII of the Civil Rights Act of 1964.
2. Submit Case Assignment #2 by 11:59PM (23:59) on Friday, June 14th.
3. Complete and Submit Discussion #2 by 11:59PM (23:59) on Saturday, June 15th.
3. Submit Case Assignment #3 by 11:59PM (23:59) on Sunday, June 16th.

Module 3 – June 17th
1. Read and listen to any materials for our look at Race and Color and Affirmative Action
2. Submit Case Assignment #4 by 11:59PM (23:59) on Friday, June 22nd.
3. Complete and Submit Discussion #3 by 11:59PM (23:59) on Saturday, June 23rd.

Module 4 – June 24th
1. Read and listen to any materials as we study National Origin and Religious Discrimination
2. Submit Case Assignment #5 by 11:59PM (23:59) on Friday, June 28th.
3. Midterm available starting on Saturday, June 29th, at 8AM (08:00) – Monday, July 1st at 11:59 PM (23:59).

Module 5 – July 1st
1. Read and listen to any materials as we examine Gender Discrimination and Sexual Harassment.
2. Complete and Submit Discussion #4 by 11:59PM (23:59) on Saturday, July 6th.

Module 6 – July 8th
1. Read and listen to any materials as we study LGBTQ related topics and Age Discrimination.
2. Submit Case Assignment #6 by 11:59PM (23:59) on Friday, July 12th.
3. Complete and Submit Discussion #5 by 11:59PM (23:59) on Saturday, July 13th.

Module 7 – July 15th
1. Read and listen to any materials as we examine Disability Discrimination and Employee Privacy.
2. Submit Case Assignment #7 by 11:59PM (23:59) on Friday, July 19th.
3. Complete and Submit Discussion #6 by 11:59PM (23:59) on Saturday, July 20th.

Module 8 – July 22nd
1. Read and listen to any materials as we explore select Labor Law and other Workplace Benefits and Protections.
2. Submit Current Topics research paper by 11:59 (23:59) on Monday, July 23rd
3. Final available from Thursday, July 26th at 8AM (08:00) – Saturday, July 28th at 11:59 PM (23:59).

Relevant University Academic Calendar Dates

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>June 3, 2019</td>
<td>Add, Drop, and Late Registration Begins for 10-, 8- and First 5-Week Classes. $25 fee assessed for late registrants.</td>
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<tr>
<td>June 3, 2019</td>
<td>Classes Begin for First 5-, 10-, and 8-Week Session</td>
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<tr>
<td>June 10, 2019</td>
<td>Deadline to Drop 8-Week Classes with No Record</td>
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<tr>
<td>July 4, 2019</td>
<td>Independence Day <em>(University Closed)</em></td>
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<tr>
<td>July 5, 2019</td>
<td>Deadline for Graduation Application for Summer Ceremony Participation</td>
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<tr>
<td>July 12, 2019</td>
<td>Deadline to Drop 8-Week Classes with a Quit (Q) or Withdraw (W)</td>
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<tr>
<td>July 12, 2019</td>
<td>Student End of Course Survey Opens (8-Week Classes)</td>
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<tr>
<td>July 26, 2019</td>
<td>Classes End for 8-Week Session</td>
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<tr>
<td>July 26, 2019</td>
<td>Deadline to Withdraw from the University for 8 -Week Classes</td>
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<tr>
<td>July 29, 2019</td>
<td>Student End of Course Survey Closes (8-Week Classes)</td>
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<tr>
<td>July 30, 2019</td>
<td>Deadline for Faculty Submission of 8-Week Final Class Grades (due by 3pm)</td>
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<tr>
<td>August 9, 2019</td>
<td>Deadline for Summer Degree Conferral Applications to the Registrar’s Office. $20 Late Application Fee.</td>
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<tr>
<td>August 10, 2019</td>
<td>Commencement Ceremony Bell County Expo Center (TBD)</td>
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TECHNOLOGY REQUIREMENTS AND SUPPORT

Technology Requirements
This course will use the A&M-Central Texas Instructure Canvas learning management system. Logon to A&M-Central Texas Canvas [https://tamuct.instructure.com/] or access Canvas through the TAMUCT Online link in myCT [https://tamuct.onecampus.com/]. You will log in through our Microsoft portal.

Username: Your MyCT email address. Password: Your MyCT password

Canvas Support
Use the Canvas Help link, located at the bottom of the left-hand menu, for issues with Canvas. You can select “Chat with Canvas Support,” submit a support request through “Report a Problem,” or call the Canvas support line: 1-844-757-0953.
For issues related to course content and requirements, contact your instructor.

Other Technology Support
For log-in problems, students should contact Help Desk Central.
24 hours a day, 7 days a week:
   Email: helpdesk@tamu.edu
   Phone: (254) 519-5466
   Web Chat: [http://hdc.tamu.edu]
*Please let the support technician know you are an A&M-Central Texas student.*

UNIVERSITY RESOURCES, PROCEDURES, AND GUIDELINES

Drop Policy.
If you discover that you need to drop this class, you must complete a Drop Request Form [https://www.tamuct.edu/registrar/docs/Drop_Request_Form.pdf].

Professors cannot drop students; this is always the responsibility of the student. The Registrar’s Office will provide a deadline on the Academic Calendar for which the form must be completed, signed and returned. Once you return the signed form to the Registrar’s Office, you must go into Warrior Web and confirm that you are no longer enrolled. If you still show as enrolled, FOLLOW-UP with the Registrar’s Office immediately. You are to attend class until the procedure is complete to avoid penalty for absence. Should you miss the drop deadline or fail to follow the procedure, you will receive an F in the course, which may affect your financial aid and/or VA educational benefits.

Academic Integrity – This is something I take very seriously!
Texas A&M University -Central Texas values the integrity of the academic enterprise and strives for the highest standards of academic conduct. A&M-Central Texas expects its students, faculty, and staff to support the adherence to high standards of personal and scholarly conduct to preserve the honor and integrity of the creative community. Academic integrity is defined as a commitment to honesty, trust, fairness, respect, and responsibility. Any deviation by students from this expectation may result in a failing grade for the assignment and potentially a failing
grade for the course. Academic misconduct is any act that improperly affects a true and honest evaluation of a student’s academic performance and includes, but is not limited to, cheating on an examination or other academic work, plagiarism and improper citation of sources, using another student’s work, collusion, and the abuse of resource materials. All academic misconduct concerns will be reported to the university’s Office of Student Conduct. Ignorance of the university’s standards and expectations is never an excuse to act with a lack of integrity. When in doubt on collaboration, citation, or any issue, please contact your instructor before taking a course of action.

My Statement: All work in this course is to be done individually. You may get the rare/occasional assistance from other students about where you found certain information/answers (not exams at all though), but I don’t want to see close/identical answers. I have a pretty good eye for this, as my memory is pretty good! If you need help, ask me! Any instance of academic dishonesty likely will result in an F in my course. I have taught this course long enough that I can tell if you are collaborating or not, despite the fact that your answers may differ slightly.

Academic Accommodations.
At Texas A&M University-Central Texas, we value an inclusive learning environment where every student has an equal chance to succeed and has the right to a barrier-free education. The Office of Access and Inclusion is responsible for ensuring that students with a disability receive equal access to the university’s programs, services and activities. If you believe you have a disability requiring reasonable accommodations please contact the Office of Access and Inclusion, WH-212; or call (254) 501-5836. Any information you provide is private and confidential and will be treated as such.

For more information please visit our Access & Inclusion Canvas page (log-in required) [https://tamuct.instructure.com/courses/717]

Important information for Pregnant and/or Parenting Students.
Texas A&M University-Central Texas supports students who are pregnant and/or parenting. In accordance with requirements of Title IX and related guidance from US Department of Education’s Office of Civil Rights, the Dean of Student Affairs’ Office can assist students who are pregnant and/or parenting in seeking accommodations related to pregnancy and/or parenting. Students should seek out assistance as early in the pregnancy as possible. For more information, please visit the Student Affairs web page [https://www.tamuct.edu/student-affairs/index.html]. Students may also contact the institution’s Title IX Coordinator. If you would like to read more about these requirements and guidelines online, please visit the website [http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf].

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex and gender—including pregnancy, parenting, and all related conditions. A&M-Central Texas is
able to provide flexible and individualized reasonable accommodation to pregnant and parenting students. All pregnant and parenting students should contact the Associate Dean in the Division of Student Affairs at (254) 501-5909 to seek out assistance. Students may also contact the University’s Title IX Coordinator.

Tutoring.
Tutoring is available to all A&M-Central Texas students, both on-campus and online. Subjects tutored on campus include Accounting, Advanced Math, Biology, Finance, Statistics, Mathematics, and Study Skills. Tutors are available at the Tutoring Center in Warrior Hall, Suite 111.

If you have a question regarding tutor schedules, need to schedule a tutoring session, are interested in becoming a tutor, or have any other question, contact Academic Support Programs at (254) 519-5796, or by emailing Dr. DeEadra Albert-Green at deeadra.albertgreen@tamuct.edu.

Chat live with a tutor 24/7 for almost any subject from on your computer! Tutor.com is an online tutoring platform that enables A&M-Central Texas students to log in and receive FREE online tutoring support. This tool provides tutoring in over 40 subject areas. Access Tutor.com through Canvas.

University Writing Center:
Located in Warrior Hall 416, the University Writing Center (UWC) at Texas A&M University–Central Texas (TAMUCT) is a free workspace open to all TAMUCT students from 10:00 a.m.-4:00 p.m. Monday thru Thursday with online only hours Monday thru Thursday from 6:00-9:00 p.m.

Tutors are prepared to help writers of all levels and abilities at any stage of the writing process. While tutors will not write, edit, or grade papers, they will assist students in developing more effective composing practices. By providing a practice audience for students’ ideas and writing, our tutors highlight the ways in which they read and interpret students’ texts, offering guidance and support throughout the various stages of the writing process. In addition, students may work independently in the UWC by checking out a laptop that runs the Microsoft Office suite and connects to WIFI, or by consulting our resources on writing, including all of the relevant style guides. Whether you need help brainstorming ideas, organizing an essay, proofreading, understanding proper citation practices, or just want a quiet place to work, the UWC is here to help!

Students may arrange a one-on-one session with a trained and experienced writing tutor by visiting the UWC during normal operating hours (both half-hour and hour sessions are available) or by making an appointment via WCOnline. In addition, you can email Dr. Bruce Bowles Jr. at bruce.bowles@tamuct.edu if you have any questions about the UWC and/or need any assistance with scheduling.

The following video introduces you to the UWC and its services:
University Library.
The University Library provides many services in support of research across campus and at a
distance. We offer over 200 electronic databases containing approximately 250,000 eBooks and
82,000 journals, in addition to the 85,000 items in our print collection, which can be mailed to
students who live more than 50 miles from campus. Research guides for each subject taught at
A&M-Central Texas are available through our website to help students navigate these
resources. On campus, the library offers technology including cameras, laptops, microphones,
webcams, and digital sound recorders.

Research assistance from a librarian is also available 24 hours a day through our online chat
service, and at the reference desk when the library is open. Research sessions can be scheduled
for more comprehensive assistance, and may take place on Skype or in-person at the library.
Assistance may cover many topics, including how to find articles in peer-reviewed journals, how
to cite resources, and how to piece together research for written assignments.

Our 27,000-square-foot facility on the A&M-Central Texas main campus includes student
lounges, private study rooms, group work spaces, computer labs, family areas suitable for all
ages, and many other features. Services such as interlibrary loan, TexShare, binding, and
laminating are available. The library frequently offers workshops, tours, readings, and other
events. For more information, please visit our Library website [http://tamuct.libguides.com/index].

OPTIONAL POLICY STATEMENTS:
A Note about Sexual Violence at A&M-Central Texas
Sexual violence is a serious safety, social justice, and public health issue. The university offers
support for anyone struggling with these issues. University faculty are mandated reporters, so if
someone discloses that they were sexually assaulted (or a victim of Domestic/Dating Violence
or Stalking) while a student at TAMUCT, faculty members are required to inform the Title IX
Office. If you want to discuss any of these issues confidentially, you can do so through Student
Counseling (254-501-5955) located on the second floor of Warrior Hall (207L).

Sexual violence can occur on our campus because predators often feel emboldened, and
victims often feel silenced or shamed. It is incumbent on ALL of us to find ways to actively
create environments that tell predators we don’t agree with their behaviors and tell survivors
we will support them. Your actions matter. Don’t be a bystander; be an agent of change. For
additional information on campus policy and resources visit the Title IX webpage
[https://www.tamuct.edu/departments/compliance/titleix.php].

Behavioral Intervention
Texas A&M University-Central Texas cares about the safety, health, and well-being of its
students, faculty, staff, and community. If you are aware of individuals for whom you have a
concern, who are exhibiting behaviors that pose a threat to safety, or individuals causing a significant disruption to our community, please make a referral to the Behavioral Intervention Team. You can complete the referral online [https://cm.maxient.com/reportingform.php?TAMUCentralTexas&layout_id=2].

Anonymous referrals are accepted. Please see the Behavioral Intervention Team website for more information [https://www.tamuct.edu/student-affairs/bat.html]. If a person’s behavior poses an imminent threat to you or another, contact 911 or A&M-Central Texas University Police at 254-501-5800.

INSTRUCTOR POLICIES.
Copyright Notice.
Students should assume that all course material is copyrighted by the respective author(s). Reproduction, including digitally sharing beyond current HRM 5305 classmates, of course material is prohibited without consent by the author and/or course instructor. Violation of copyright is against the law and Texas A&M University-Central Texas’ Code of Academic Honesty. All alleged violations will be reported to the Office of Student Conduct.

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