

MANA 7333, FALL 2013
6:00 PM TO 9:00 PM - MONDAY

Instructor: John M. Williams, M.B.A., J.D.
Office Hours: By Appointment or After Class
Phone Number: (713) 877-1077
E-mail: jwilliams26@uh.edu

Required Text

Provided by Instructor

Course Summary and Objectives

The purpose of this course is to inform students of the various rights enjoyed by employees and demonstrate how managers can legally and ethically address and/or avoid employment related legal issues that arise out of employer/employee relationships. In achieving these objectives, this course will examine federal and state legislation, court decisions, interpretations of administrative regulations, and common law doctrines.

Accommodations for Students with Disabilities

The C.T. Bauer College of Business would like to help students who have disabilities achieve their highest potential. To this end, in order to receive academic accommodations, students must register with the Center for Students with Disabilities (CSD) telephone (713-743-5400), and present approved accommodation documentation to their instructors in a timely manner.

Academic Honesty

The University of Houston Honesty Policy is strictly enforced by the C.T. Bauer College of Business. No violations of this policy will be tolerated in this course. A discussion of the policy is included in the University of Houston Student Handbook, <http://www.uh.edu/dos/hdbk/acad/achonpol.html>. Students are expected to be familiar with this policy.

Grading

1. **Exams: 80%**

Two (2) exams will be given in this class. Each exam is closed-book, will be completed in class, and will contain a mixture of short answer and essay questions. The questions will require both knowledge and application of the statutory law, court decisions, and management principles that we cover.

2. **Case Briefs: 20%**

Five cases have been identified for you to read and prepare a written brief on each. Briefs are to be typed and turned in at the beginning of class on the due date. The format of your briefs should comply with the following structure:

1. **Caption and Procedural History**

The case name, court that decided the case, the year of the decision, who wrote the majority opinion and who joined and dissented. The identity of and summary of the lower courts holdings. For an appellate court opinion, describe how the trial court and lower appellate court decided the case.

2. **Facts**

State the facts of the case. This section is necessary because legal principles are defined by the situations in which they arise. Include in your brief only those facts that are legally relevant. A fact is legally relevant if it had an impact on the case's outcome. Because you will not know which facts are legally relevant until you have read and deciphered the entire case, do not try to brief a case while reading it for the first time

3. **Issues**

State the factual and legal questions that the court had to decide.

4. **Holding**

Separately answer each question in the issues section. State the answer in a word or two, such as "yes" or "no." Then in a sentence or two, state the legal principle on which the court relied to reach that answer (the "holding").

5. **Reason/Rationale**

Describe the court's rationale for each holding. This section of the case brief may be the most important, because you must understand the court's reasoning to analyze it and to apply it to other fact situations, such as those on the exam. For each issue, describe each link in the court's chain of reasoning.

Class Rules

1. Turn off all communication devices.
2. No tape recording of class lectures.
3. Come to class prepared and motivated.

| Date | Topic | Reading Assignment |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 8/26 | Course Introduction | |
| 9/2 | Labor Day - No Class | |
| 9/9 | Employer/employee relationship: at-will employment; statutory and public policy exceptions; independent contractors; employment contracts | Folder 1 |
| 9/16 | Employer/employee relationship: at-will employment; statutory and public policy exceptions; independent contractors; employment contracts | Folder 1 |
| 9/23 | Restrictive employment covenants | Folder 2 |
| 9/30 | Anatomy of a disparate treatment employment discrimination case: Title VII and ADEA | Folder 3 |
| 10/7 | Exam I | |
| 10/14 | Briefs Due - Class Discussion | |
| 10/21 | Administrative procedures of EEOC and TWC | Folder 4 |
| 10/28 | Documentation and Investigations | Folder 5 |
| 11/4 | Workplace Harassment | Folder 6 |
| 11/11 | ADA and FMLA | Folders 7 & 8 |
| 11/18 | Retaliation | Folder 9 |
| 11/25 | Thanksgiving Break | |
| 12/2 | Exam II | |