

LAW 553
LABOR LAW
Course Introduction & Syllabus
Clinical Assistant Professor Mark Brittingham
Fall Semester 2019
Wednesday 4:30-7:00 p.m.
Room 206

Welcome to the Law School's course on Labor Law. I hope you find this class to be interesting and rewarding. In this memorandum, I will try to give you some idea of what this course is about and the nature of the material we will be studying. In addition, this Course Introduction contains most of the rules and procedures that will be in effect during the course. Please read this with care, because I will not repeat most of its contents in class.

This course focuses on the relationship between employers & employees in a unionized environment. Today, the real growth in unionization is among low wage employees and public employees. The American Federation of State, County & Municipal Employees (AFSCME) & the Service Employees International Union (SEIU) are now the largest unions in the United States. This has changed the *practice* of labor law greatly. When I was in law school, few lawyers actually practiced labor law. Today, many states allow public employees to unionize, and in those states (such as Illinois) nearly every lawyer who represents a public school district, a municipality, a public housing authority, a community college, etc., must have a working knowledge of labor law.

I will try to focus attention whenever possible on how you will likely use what we learn after you begin your practice. To help with this, I ask that each of you locate and make yourselves a copy of the Illinois Educational Labor Relations Act (115 ILCS 5/1, *et seq.*) and the Illinois Public Labor Relations Act (5 ILCS 315/1, *et seq.*). We will compare and contrast these Acts with the National Labor Relations Act (as amended) throughout the semester. Of course, I realize that not all of you will live and work in Illinois after graduation; however, every state that allows for public employee unions has as an Act that is similar to the Illinois labor Acts, so understanding the Illinois labor acts will prepare you for most any state in which you choose to work.

While I hope you learn a lot in this class, please remember that this is an introductory course, intended only to introduce you to the major themes and issues in Labor Law. Once you complete the course, there will still be much for you to learn.

Required Text: You must obtain a copy the following:

DAU-SCHMIDT, MALIN, CORRADA, CAMERON & FISK, *Labor Law in the Contemporary Workplace*, (2d edition)(West Publishing 2014). There is a 3d Edition, but it is quite a lot more expensive than the 2d Edition

Assignments: As noted above, this class meets once per week, from 4:30 to 7:00 p.m. on Wednesday. Because this class is comprised of upper class students, I do not intend to conduct it as a first year class is conducted. We will learn the material by reading it and discussing it in class.

NOTE: In addition to the material in the text, I will post additional materials on TWEN for you to read for each class. These materials will be mainly cases.

Please understand that the volume of reading in this class is substantial. Because we meet only once per week, we will regularly cover a lot of material in a single class.

PLEASE NOTE that ABA Standard 310 requires that I assign at least 2 hours of preparation for each 50 minute class. Since our classes meet 150 minutes per class, Standard 310 requires that I assign at least 6 hours of work to prepare for each class. I believe that the assignments in this class will meet the expectations of this ABA Standard.

Attendance: I must take attendance. The rules of the law school require it. I will do so by circulating an attendance sheet during each class. Please be sure that you sign it. Your signature on the attendance sheet establishes your presence during that class period. Correlatively, the lack of such a signature conclusively establishes your absence. Therefore, be certain to sign the attendance sheet each day. You are entitled to THREE (3) absences. **More than three (3) absences will result in withdrawal from the class.** **HOWEVER**, if you are unprepared for class, please advise me of that fact before class commences. I believe that you will learn valuable material even if you are unprepared for the class. Therefore, I prefer that you attend even if you are not prepared. By letting me know in advance that you are not prepared, I can avoid humiliating you by calling on you. However, do not let this happen very often or I will revoke the privilege. If you do not so inform me in advance of class, your genuine signature on the attendance sheet will constitute a representation that you have read the assigned material and are prepared to discuss the material in an intelligent fashion.

Grading: I have not yet decided how to grade this class. We'll discuss this at the first class.

TWEN Access. You are required to have access to The West Educational Network ("TWEN") to enroll and participate in this class.

Electronic devices: I am very frustrated by the lack of attention many students pay in class. As a result, I no longer allow students to use their computers in class. Of course, I also prohibit the use of a cell phone in class for any purpose EXCEPT receipt of messages from the University's emergency notification system.

Office Hours: My office is in Room 0256. I have established formal office hours from 10:00 a.m. to noon on Tuesday & Thursday. However, I am in my office a lot so feel free to stop in anytime.

No whining!

FIRST ASSIGNMENT: Read Chapter 1 of the textbook.

Thank you for enrolling in this class, and I look forward to working with you during the weeks that follow.

OTHER IMPORTANT STUFF:

PLAGIRISM: Plagiarizing another's work, in whole or in part, is a violation of the Honor Code and can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation. The Honor Code defines plagiarism as: *passing off another's ideas, words, or work as one's own, including written, oral, multimedia, or other work, either word for word or in substance, unless the student author credits the original author and identifies the original author's work with quotation marks, footnotes, or other appropriate designation in such a way as to make clear the true author of the work.*

EMERGENCY PROCEDURES: *Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT's website at www.bert.siu.edu, Department of Safety's website www.dps.siu.edu (disaster drop down) and in Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.*

*Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. **It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency.** The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.*

DISABILITY ACCOMMODATION POLICY: *Disability Support Services provides the required academic and programmatic support services to students with permanent and temporary disabilities. DSS provides centralized coordination and referral services. To utilize DSS services, students must come to the DSS to open cases. The process involves interviews, reviews of student-supplied documentation, and completion of Disability Accommodation Agreements. <http://disabilityservices.siu.edu>. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreement to the School of Law Registrar's Office to ensure the School of Law provides the proper classroom and examination accommodations.*

SALUKI CARES: *The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and*

demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-5714, or siucares@siu.edu, <http://salukicare.siu.edu/index.html>. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu, and her phone number is 618-453-3135.