



SYLLABUS: Gender and Work

PROFESSOR DONNA YOUNG

E-Mail: dyoung@albanylaw.edu

Phone: 518-445-2354

Office: 1928 Building, Room 420

Legal Assistant: Sherri Meyer, Room 301, 445-3335

Office Visits: I encourage students to meet with me outside class hours to discuss relevant issues raised in and outside the classroom. I welcome drop-in visits and I am happy to schedule appointments - see me before or after class, or e-mail me.

COURSE OVERVIEW

The seminar will examine the theoretical and legal treatment of men's and women's labor in the public and private spheres, informal and formal sectors, unionized and non-unionized sectors and the international arena. The seminar is designed for students who are interested in examining the law's impact on the work that women and men do. It will draw on materials from labor history and theory, feminist legal theory, critical race theory, and domestic and international labor and human rights law.

The seminar will provide the legal and theoretical framework within which students can evaluate gender roles in the paid workforce. The seminar will explore the following questions: Why do women and men do the work they do? What is the law's role in determining men's and women's work? Do women's "differences" from men account for women's place in the work force? In what way and to what extent are women discriminated against in employment? How are differences of race, ethnicity, age, sexual orientation, etc. accommodated in the workforce? Do "comparable worth" or "pay equity" schemes and "wages for housework" proposals undermine or reinforce occupational segregation by sex? What accounts for women's work in prostitution, the pornography industry, the drug trade? Should these "industries" be criminalized or should they be regulated by labor and employment laws? How is economic globalization effecting men's and women's workforce participation in North America and in developing countries? And what are the domestic and international legal responses to an increases and decreases in men's and women's labor force participation?



COURSE GOALS/OBJECTIVES

This seminar will contribute to the acquisition of essential legal skills (legal synthesis, analysis, strategies and reasoning, statutory interpretation, advocacy, communication, professionalism, and critical thinking), and values (professional responsibility) inherent in the study and practice of law.

Each student will be given the opportunity to lead classroom discussions in order to become familiar with organizing material, facilitating discussion, and communicating ideas. The weekly CANVAS assignments require researching a topic and formulating written questions and responses. The final presentation and paper require students to choose a topic, formulate a thesis, research primary and secondary sources, advocate a position, communicate orally and in writing, and organize a scholarly research paper using proper format and citation.

REQUIRED TEXT(S)

All readings will be posted on CANVAS and distributed in advance.

PARTICIPATION

You are expected to read the assignments prior to each class and be prepared to provide full, insightful answers to questions that you may be asked. Each student will be called on to lead discussion of assigned materials. Class discussions are important. If you are unable to attend a class please try to notify me in advance. **Please see “Class Discussion – Participation Rubric” posted on the class CANVAS page.**

USE OF ELECTRONICS

I welcome the use of laptops in class. However, students must turn off access to social media and instant messaging on ALL devices. Please refrain from instant messaging, e-mailing, surfing the Internet, playing games, writing papers, doing homework, etc. during class time. Do not display material on screen that may be distracting to me or your classmates. Please silence cell phones when you are in the classroom. **Audio or video recording of the class is prohibited without my prior permission. This is law school policy and violation of that policy can subject students to disciplinary action.**

E-MAIL POLICY

I encourage students to E-mail me outside class hours with questions or comments. Though E-mail correspondence is generally considered informal, please keep in mind that E-mail communication within the law school should conform to the standards of professional communication expected in legal practice - e.g. write in complete sentences, address the recipient by name and title (if necessary), sign your name at the end of the message, acknowledge receipt of E-mail messages addressed personally to you. I will answer each E-mail promptly. E-mails sent by me to the class should be opened and read as promptly as possible.



EVALUATION

Research Paper

60 %

The topic of the paper may relate to any aspect of law, gender, and work. You are not limited in your topic by what we cover in class, but the paper must center on a topic dealing with gender and employment. The length of each paper will be roughly 18-20 pages including footnotes. By arrangement with me, the paper may fulfill the upper year writing requirement (approx. 25 pages in length).

A one page paper proposal is due Thursday, September 7th. This proposal will outline what you wish to address in your paper. The proposal will not be formally graded. However, I will schedule meetings with students to discuss each proposal.

Leading In-Class and CANVAS Discussion/Participation:

20%

Twenty percent of the final grade will be based on leading classroom discussion of assigned materials, facilitating a weekly discussion through a CANVAS discussion group, and regularly attending and participating in classroom discussions. A schedule for the class discussions and CANVAS posts will be distributed at the beginning of the semester.

Classroom Discussions: This is an active learning class (I will not lecture) structured to use in-class discussions as a vehicle for examining contemporary issues and controversies relating to gender and employment relations. Each student will have the opportunity to lead classroom discussion. When the student is scheduled to be “on call” for class, she/he will be expected to prepare at least two discussion questions, comments, or reactions to the readings. Each student who is not on call is expected to contribute to these discussions. **Please see “Class Discussion – Participation Rubric” posted on the class CANVAS page.**

Weekly CANVAS Discussion: Each student will be responsible for posting a topic on the class CANVAS page in order to facilitate discussion. The topic may or may not be covered in the course materials, but it should involve a matter relating to gender and work. There is flexibility in the format of the discussion (it could be somewhat like a blog posting), though the student responsible for initiating the discussion will also be responsible for acting as a facilitator for comments and questions. Every **Monday**, a different student will be responsible for posting a topic to be addressed throughout the week. **Please note: participation in the CANVAS discussion will be kept track of electronically and will count towards your participation grade.**

Presentation:

20%

At the end of the semester, each student will present their research paper to the rest of the class. The presentations will be in the form of an academic panel addressing the issues raised in



the final research paper. Students will respond to any questions addressed to them. Twenty percent of the final grade will be based on a student's presentation. The schedule for the presentations will be announced.

DISCUSSION TOPICS

Topics that may be discussed this semester include the following (This is a non-exhaustive list and is subject to change):

Introduction and Historical Background

How is Housework/Market Work gendered?

Sexual Discrimination (Title VII and 14th A Equal Protection Clause) including sexual orientation discrimination and issues specifically related to LGBTQ employment.

Regulation of issues related to pregnancy, contraception

Family and Medical Leave

Equal Pay under the Fair Labor Standards Act

Sexual Stereotypes and Dress Codes

Sexual Harassment under Title VII (employment) and Title IX (discrimination/harassment/sexual violence in colleges and universities)

Regulation of Informal Labor