

Law 129-001 | Federal Sector Employment Law | Summer 2025 | 2 credits

Professor: Jeff Rosenblum

MON./ WED. 6-7:50 pm | Final Exam: N/A

Contact Information: jrosenbl@gmu.edu

Reading(s) & Supplemental Material: See individual classes below

COURSE DESCRIPTION

An in-depth study of the unique employment laws applicable to the U.S. federal government.

COURSE OBJECTIVES

To gain familiarity with employment and labor laws applicable to the federal government. To prepare students interested in government careers with laws applicable to them as federal employees.

GRADING & PARTICIPATION

Class Structure

Lecture and Discussion

Requirement(s)

See individual classes below

Grading

25% class participation

25% final quiz

50% final paper

Participation

25% of final grade

Exams

Final Quiz during the last day of class - no exam

Written Assignment(s)

Final Paper – 7-10 pages

COURSE SCHEDULE & ASSIGNED READINGS

SESSION No.	DATE	CLASS TOPIC	ASSIGNMENT
1	Monday, May 19	Introduction/Overview of the Civil Service Systems/Forums	5 U.S.C. Chapter 75, Subchapters 1 and 2 29 C.F.R. Part 1614, Subpart C Perry v. MSPB, 582 U.S. 420 (2017) (syllabus only)
2	Wednesday, May 21	Employee Rights/Probationary Periods	Loudermill, 470 US 532 (1985) McCormick, 307 F.3d 1339 (Fed. Cir. 2003) Stewart, 2023 MSPB 18 (May 16, 2023) Kaszowski, 2023 MSPB 15 (Apr. 4, 2023)
3	Wednesday, May 28	Employee Misconduct/Discipline	5 USC Chapter 75; 5 CFR Part 752 McCauley, 116 MSPR 484 (2011) Stribling, 2008 MSPB LEXIS 1384 (2008) Ludlum, 278 F.3d 1230 (Fed. Cir. 2002) Metz, 780 F.2d 1001 (Fed. Cir. 1986) Miller, DC-0752-20-0790-I-1 (May 16, 2023)
4	Monday, June 2	Penalties/Nexus	Douglas, 5 MSPR 280 (1981) LaChance, 178 F.3d 1246 (Fed. Cir. 1999) Thomas, 2022 MSPB 35 (Oct. 20, 2022) Chin, 2022 MSPB 34 (Oct. 7, 2022) Doe, 2012 MSPB LEXIS 7432 (2012) Doe, 565 F.3d 1575 (Fed. Cir. 2009) Major, 413 F. Supp. 66 (ED LA 1976)
5	Wednesday, June 4	Labor Issues	Dep't of Labor, 38 FLRA 899 (1990) Dep't of VA, 3 F.3d 1386 (10 th Cir 1993) SSA, 19 FSIP 019 (2019) NTEU, 2023 FSIP 037 (2023) Executive Orders - TBA
6	Monday, June 9	Discrimination	McDonnell Douglas, 411 US 792 (1973) Gabriele G., EEOC Appeal No. 0720180015 (Nov. 15, 2019) Phyllis F, EEOC Appeal No. 0120150799 (Feb. 16, 2021) Jess P, EEOC Appeal No. 0120132186 (Sept. 17, 2019) Jazmine F, EEOC Appeal No. 012016132 (2018) Annalee, EEOC Appeal No. 0120170991 (Nov. 17, 2019) Regina B. Jackson, Docket No. DC-0752-14-0739-E-1 Article on Role of Agency Counsel – to be provided

7	Wednesday, June 11	Discrimination (continued)	Continue from last class
8	Monday, June 16	Guest Speaker	
9	Wednesday, June 18	TBA	
10	Monday, June 23	Reasonable Accommodations	<p>Article – to be provided</p> <p>29 CFR Part 1630 Thersa E, EEOC Appeal No. 0120182764 (June 23, 2021) Latarsha A, EEOC Appeal Nos. 0120123215 and 012013079 (Mar. 15, 2016) Lamar M, EEOC Appeal No. 2019005929 (June 15, 2021) Frances A, EEOC Appeal No. 2019004187 (Nov. 30, 2020)</p>
11	Wednesday, June 25	Whistleblower Protections/Prohibited Personnel Practices	<p>5 USC Section 2302 Whistleblower Protection Enhancement Act Turner, 2023 MSPB 25 (Aug. 30, 2023) Covington, 2023 MSPB 5 (Jan 13, 2023) Chambers, 116 MSPR 17 (2011) Whitmore, 680 F.3d 1353 (Fed. Cir. 2012)</p>
12	Monday, June 30	Employee Performance/First Amendment Issues	<p>Lee, 2022 MSPB 11 (May 12, 2022) Wiley, 2008 MSPB LEXIS 6751 (Jan. 12, 2008) Kaplan, 733 F.3d 1148 (2013) Pickering, 391 US 563 (1968)</p>
13	Wednesday, July 2	Catch up	
14	Monday, July 7	Wrap-up/Final Quiz	

ACADEMIC STANDARDS & COURSE POLICIES

Academic Integrity:

Each student at Antonin Scalia Law School (“Scalia Law”) is expected to behave honorably and with the highest personal integrity toward other law students, toward the law school and university, and toward other members of the legal profession.” (Preamble to the Honor Code.)

The Honor Code prohibits a student from lying, cheating, or stealing, to include plagiarism and the use of any prohibited resource in an exam, coursework, or course paper. The full Honor Code can be accessed here: https://www.law.gmu.edu/academics/academic_standards

Recording Class Sessions:

Recording of class sessions by any means is prohibited. See AR 4-2.2: “Unless expressly permitted in writing by an instructor, no portion of a class session or an examination may be preserved by means of a recording device (such as an audio recording device or a camera).”

Use of Technology: n/a

University Email:

Students must use their Mason email account to receive university or law school information, including communications related to this class.

Use of Generative Artificial Intelligence (GAI) in Academic Work:

Use of Generative Artificial Intelligence in the drafting or writing of papers or any other course work or assignments in this class is prohibited. According to AR 4-3: “Generative artificial intelligence (GAI) is a type of artificial intelligence that uses algorithms to generate new content, such as text or images, based on the data it has been trained on. For purposes of this regulation, GAI is not intended to encompass legal research databases and word processing applications that, while incorporating AI- based elements or enhancements, do not generate novel text.” Use of GAI in a course that prohibits the use of GAI, constitutes an academic integrity violation.

Use of Electronic Text Books During Exams:

Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's written exam instructions. Electronic text books (e-books) may be used during exams that are designated as open book by the instructor and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E-books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e-book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

Accommodations for Students with Disabilities:

Disability Services at George Mason University is committed to upholding the letter and spirit of the laws that ensure equal treatment of people with disabilities. Disability Services

implements and coordinates reasonable accommodations and disability-related services that afford equal access to university programs and activities. For further information and to register for services, please refer to <https://ds.gmu.edu/law-school/>, or call (703) 993-2474.

Name and Pronoun Use:

Students are encouraged to share their name and gender pronouns with me and indicate how best to address them in class and via email. Further information can be obtained at GMU's Chosen Name and Pronoun Policy, <https://universitypolicy.gmu.edu/policies/chosen-name-pronouns-policy/>

Covid Protocols:

Please refer to GMU's *Safe Return to Campus* web site for information regarding GMU's safety protocols. The site can be accessed at: <https://shs.gmu.edu/services/covidservices/>.

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a "Non-Confidential Employee," and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason's Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason's confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason's Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

University Resources:

Counseling and Psychological Services: <https://caps.gmu.edu/> Student Health Services: <https://shs.gmu.edu/>

Mason Square Campus Clinic: After-Hours Nurse Advice – 703-991-2831 Mason Square Campus Clinic Location: Van Metre Hall, Room B102.

Student Support and Advocacy Center: <https://ssac.gmu.edu/>

Police: Emergency - Dial 911; 703-993-8070, Van Metre Hall, Room 110. Police escort services: 703- 993-8370.

Sexual Assault Services: 703-993-8186, Van Metre Hall, Room 222D. Mason Square information: <https://masonsquare.gmu.edu>