



ONLINE COURSE SYLLABUS

Advanced Employment Law Certification for Massachusetts Public Safety Management (Fall 2022)

INSTRUCTOR INFORMATION

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COURSE INFORMATION

Course Title:	Advanced Employment Law Certification for Massachusetts Public Safety Management
Course Description:	This course is a certification-level course that will explore some of the more advanced and vital areas of employment law that public safety managers should be aware of in order to efficiently, effectively, and lawfully manage public safety employees in Massachusetts.

Course Objectives:

Students will gain a more advanced understanding of labor relations and Chapter 150E; management rights and arbitration considerations; leave under the Family Medical Leave Act; injured on duty leave; wages and overtime; modern public employee freedom of speech issues; “red teaming” discipline cases; modern trends and issues in internal affairs; sex discrimination claims; and disability discrimination claims.

The specific learning objectives for each module are listed under each module in the Course Outline.

Prerequisites:

Current or soon-to-be public safety managers. Students must have successfully completed the **MPI Basic Employment Law Certification Course for Massachusetts Public Safety Management** to enroll in this course.

General Course Structure:

The course will be delivered entirely online through Litmos, MPI’s eLearning platform, and Zoom. Upon registration, you will obtain a username and password (if you do not have one already) to access the Litmos system and all the class content.

The general flow of the course will be as follows:

- On the start date of the course, students will be permitted to attend an **optional** online orientation at 9:00 a.m. EST that morning. The orientation session will be recorded and posted for students to review if they are unable to attend. After the orientation session, students will be given access to Module 1 of the course.
- On Wednesday, students will be required to virtually attend a live Q&A and discussion on Zoom. During this live discussion, students are encouraged to ask questions to the instructor and to one another to further their comprehension of that module’s materials. This live Q&A will begin at 3:00 p.m. EST and will remain open until 4:00 p.m. EST.

- After the live Q&A and discussion, students will have access to that module's forum question. Students are expected to respond to the question on the forum by Thursday at 4:00 p.m. EST.
- Students must also provide original and meaningful feedback to at least one (1) other student's post by 4:00 p.m. EST on Friday.
- Students must also complete that module's assessment by 4:00 p.m. EST on Friday.
- Students will then get access to the next module on Friday at 4:00 p.m. EST on Friday. While students are not expected to work over the weekend, some students have found it helpful for their particular learning style to begin working with the subject over the weekend.
- **This schedule may change depending upon holidays. Be sure to look at the course calendar at the end of this syllabus.**

Course Materials:

The course materials and reading materials for each module will be accessible under the "Additional References" section for each module on the MPI Litmos system. Students are expected to review the course materials for each module at their own pace.

Course Requirements:

A computer and internet capable of utilizing MPI's Litmos system and Zoom.

A webcam and microphone so that students can interact with the instructor and one another during weekly live Q&A and discussion sessions.

COURSE OUTLINE

Orientation: September 26, 2022

Topic: Orientation

Learning Objectives:

- Students will get acquainted with the course and be operationally ready to begin substantive training the following week.
- Students will get all the information, materials, and resources needed to fully participate in and succeed in this course.
- Students will learn how to access the course materials and utilize the LMS.
- Students will be able to understand the course expectations, including learning comprehension assessments.

Module 1: September 26 – September 30

Topic: Advanced Issues in Labor Relations, Management Rights & Arbitration Considerations

Learning Objectives:

- Students will understand the criteria and considerations in establishing bargaining units.
- Students will be able to articulate employer and union prohibited practices under Chapter 150E.
- Students will gain an expansive understanding of bargaining in good faith.
- Students will understand the elements of good faith bargaining.
- Students will be able to explain what actions would constitute bad faith bargaining.
- Students will be able to articulate how an agency may implement changes to policies, procedures, rules, and regulations.
- Students will understand the origin of management rights in Massachusetts.
- Students will understand which labor issues are arbitrable.

- Students will be able to articulate common management rights and their impact on the bargaining obligation.
- Students will become familiar with management rights in relation to arbitration

Module 2: October 3 – October 7

Topic: The Family Medical Leave Act (FMLA)

- Learning Objectives:**
- Students will establish competency in determining employee eligibility for FMLA leave.
 - Students will establish competency in determining whether the leave is FMLA qualifying.
 - Students will understand the notice obligations under the FMLA.
 - Students will understand how FMLA leave is calculated.
 - Students will understand when and how certifications may be requested.
 - Students will understand what compensation and benefits must be maintained by the employer during leave.
 - Students will be able to understand when intermittent leave or reduced leave schedules may be utilized.
 - Students will be able to explain when an employee is entitled to reinstatement after leave.
 - Students will become familiar with the enforcement and record-keeping provisions of the FMLA.

Module 3: October 10 – October 14

Topic: Injured on Duty Leave under Section 111F

- Learning Objectives:**
- Students will understand more fully when employees are eligible for leave under Section 111F.
 - Students will understand the difference between Section 111F and Sections 100A & B.

- Students will understand the municipal liability for part-time officers injured in the line of duty.
- Students will be able to articulate the collective bargaining issues involved in Section 111F.
- Students will be familiar with common scenarios involving Section 111F.
- Students will understand the circumstances under which Section 111F benefits will be terminated.
- Students will understand how claims against third parties may affect Section 111F benefits.

Module 4: October 24 – October 28

Topic: Wages & Overtime under the FLSA

- Learning Objectives:**
- Students will understand the basic concepts of the Fair Labor Standards Act (FLSA).
 - Students will understand the calculation of overtime and the regular rate of pay.
 - Students will understand the various exemptions to the FLSA and be able to articulate the applicable tests.
 - Students will be able to understand what time is generally compensable under the FLSA.

Module 5: October 31 – November 4

Topic: Disability Discrimination Claims

- Learning Objectives:**
- Students will understand the theories of disability discrimination under the Americans with Disabilities Act (ADA) and Chapter 151B.
 - Students will be able to articulate the legal standards for protection under the ADA and Chapter 151B.
 - Students will understand which types of medical exams and inquiries are permitted, and when.
 - Students will become familiar with the reasonable accommodation interactive process.

Module 6: November 14 – November 18

Topic: Sex Discrimination Claims

- Learning Objectives:**
- Students will understand the scope of sex discrimination under Title VII of the Civil Rights Act of 1964 and Chapter 151B.
 - Students will be able to articulate the applicable standards in sexual harassment cases.
 - Students will be able to articulate the appropriate response to reports of sexual harassment in the workplace.
 - Students will understand what must be included in an agency's sexual harassment policy and why.
 - Students will understand what actions violate the Pregnancy Discrimination Act and how to avoid them.

Module 7: November 21 – November 23

Topic: "Red Teaming" Discipline Cases (including a discussion on contemporary issues in internal affairs)

- Learning Objectives:**
- Students will understand the basic concept of "Red Teaming" a discipline case.
 - Students will articulate what issues in discipline cases could prove fatal when challenged.
 - Students will be able to articulate ways in which discipline cases may be strengthened to increase the odds of success.
 - Students will understand some of the contemporary issues and trends in internal affairs.
 - Students will understand common 4th Amendment employee search and seizure issues.

Module 8: December 5 – December 9

Topic: Modern Public Employee Freedom of Speech Issues

Learning Objectives:

- Students will be able to demonstrate competency in articulating the public employee freedom of speech analysis.
- Students will understand how the First Amendment is implicated by public employee activity online with specific emphasis on social media applications.
- Students will understand how to apply the public employee freedom of speech analysis to contemporary scenarios.

Finals Week

During this week, students will receive one final assignment, known as the final exam for this course. The final exam will require students to utilize much of the information that they have learned during the course to answer fully. The final exam will be posted on **Monday, December 12, 2022, at 9:00 a.m. EST** and will be **due by Monday, December 19, 2022, at 4:00 p.m. EST**. Students may refer to course materials. The format of the response for the final exam will be described on the final exam.

EVALUATION AND GRADING

Grade Required for Certification: In order to obtain the **Advanced Employment Law Certification for Massachusetts Public Safety Management**, each student's learning comprehension will be evaluated and assessed. A grade of seventy (70) percent is required to obtain this certification. If a student receives a grade of seventy (70) percent or higher, they will receive a PASS and receive the certification. If a student receives a grade of less than seventy (70) percent, they will receive a FAIL and will not receive the certification.

Evaluation of Student Performance Weighted as Percentages of the Total Grade:	Participation in Weekly Live Q&A / Discussion	25%
	Module Review Assessments	25%
	Module Forum Question & Discussion	25%

Earning Participation Points:

Each module will contain an opportunity for students to engage with the instructor and fellow students in multiple formats. Participation is required and counts as part of the student's final grade.

To receive full participation points during the live Q&A and discussion, students must attend the session, ask at least one substantive question of the instructor before or during the session, and take part in the discussion. Students will have the opportunity to earn up to 5 points for participation in the live Q&A and discussion. At the end of the course, this total will be multiplied by two (2) to determine this portion of the grade. The rubric below demonstrates how these points are distributed:

0 points	Did not log on
1 point	Submitted a question in advance, but did not log on
2 points	Logged in, but did not ask any questions and did not participate in the discussion
3 points	Logged in, asked unoriginal question and did not meaningfully participate in the discussion
4 points	Logged in, asked original question, but did not meaningfully participate in the discussion
5 points	Logged in, asked original question, and meaningfully participated in the discussion

To receive full participation in the forum question and discussion, students are expected to post a substantive response by 4:00 p.m. EST on Thursday of each week and provide critical feedback to at least one (1) peer by 4:00 p.m. EST on Friday of each week. Students will have the opportunity to earn up to 5 points for participation in weekly discussion forums. At the end of the course, this total will be multiplied by two (2) to determine this portion of the

grade. The rubric below demonstrates how these points are distributed:

0 points	No activity; did not respond to the forum and/or did not respond by the listed deadlines
1 point	Provided unoriginal feedback to peer and provided unoriginal response to the forum question
2 points	Provided meaningful feedback to peer, but provided unoriginal response to the forum question
3 points	Crafted an original response to forum question, but provided no feedback to peer
4 points	Crafted an original response to forum question, but provided unoriginal feedback to peer
5 points	Crafted an original response to forum question and provided original feedback to peer

Although I am not looking for you to meet a specific word count, I am looking for well-thought-out and interesting contributions to the conversation. Simply posting a link to a resource or letting your classmate know that he/she did a "Great job!" will not result in full participation points. A substantive post is generally >100 words and introduces a new idea or is a meaningful response to another person's post. When responding to another person's post, please either 1) expand the thought, 2) add additional insights, or 3) respectfully disagree and explain why.

Module Videos

Students must view each module video in its entirety. Failure to do so will result in the student obtaining a 0 for all assignments during that week, regardless of whether they complete those individual assignments.

COURSE POLICIES

Illnesses & Anticipated Absences:

Students who are anticipating absences or who experience sudden illness or injury should speak with the instructor to obtain deadline extensions. Failure to do so, may result in a student receiving 0 points for any assignment missed.

Late Assignments:

Late assignments result in automatically lowered grades; therefore, it is to the students' advantage to turn them in on time. Students who have a situation that prevents on-time work, should turn in work in advance. Only the student is responsible for any failure of on-time submitting or posting of work at the course site.

Academic Honesty

Cheating or plagiarism will result in failure for the assignment and potential failure in the course. All work should be the student's own work, not someone else's.

Honor Code Statement:

The ways in which assessments in an online course are accomplished require that extra steps be taken to ensure that academic misconduct does not occur during them. As part of these extra steps, students are asked to indicate agreement with an honor statement on each major test in the course.

The student who participates in this course is expected to be the one who posts his or her own messages in the discussions, and who takes the quizzes and tests. The student's work should be the result of the student's own efforts, not someone else's work. The student may consult the course reading materials and resources in completing these assignments. Each student also is expected to not reveal the contents of quizzes and tests to anyone outside of this course.

Netiquette Guidelines:

Netiquette is a set of rules for behaving properly online. Your instructor and fellow students wish to foster a safe online learning environment. All opinions and experiences, no matter how different or controversial they may be perceived, must be

respected in the tolerant spirit of academic discourse. You are encouraged to comment, question, or critique an idea but you are not to attack an individual. Working as a community of learners, we can build a polite and respectful course community.

The following netiquette tips will enhance the learning experience for everyone in the course:

- Do not dominate any discussion.
- Give other students the opportunity to join in the discussion.
- Never make fun of someone's ability to read or write.
- Share tips with other students.
- Keep an "open mind" and be willing to express even your minority opinion. Minority opinions must be respected.
- Think and edit before you push the "Send" button.
- Do not hesitate to ask for feedback.
- Using humor is acceptable.

SEPTEMBER 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 28	29	30	31	Sep 1	2	3
4	Labor Day 5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26 Orientation Session at 9:00 a.m. EST on Zoom Module 1 activated after Orientation Session concludes	27	28 Module 1 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 1 forum question posted after live event concludes	29 Module 1 forum post due by 4:00 p.m. EST	30 Module 1 forum responses and assessment due by 4:00 p.m. EST Module 2 activated at 4:00 p.m. EST	Oct 1

OCTOBER 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
2	3	4	5 Module 2 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 2 forum question posted after live event concludes	6 Module 2 forum post due by 4:00 p.m. EST	7 Module 2 forum responses and assessment due by 4:00 p.m. EST Module 3 activated at 4:00 p.m. EST	8
9	10 Columbus Day Holiday	11	12 Module 3 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 3 forum question posted after live event concludes	13 Module 3 forum post due by 4:00 p.m. EST	14 Module 3 forum responses and assessment due by 4:00 p.m. EST	15
16	17 Week off – No classes!	18	19	20	21 Module 4 activated at 4:00 p.m. EST	22
23	24	25	26 Module 4 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 4 forum question posted after live event concludes	27 Module 4 forum post due by 4:00 p.m. EST	28 Module 4 forum responses and assessment due by 4:00 p.m. EST Module 5 activated at 4:00 p.m. EST	29
30	31	Nov 1	2 Module 5 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 5 forum question posted after live event concludes	3 Module 5 forum post due by 4:00 p.m. EST	4 Module 5 forum responses and assessment due by 4:00 p.m. EST	5

NOVEMBER 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Oct 30	31	Nov 1	2 Module 5 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 5 forum question posted after live event concludes	3 Module 5 forum post due by 4:00 p.m. EST	4 Module 5 forum responses and assessment due by 4:00 p.m. EST	5
6	7 Week off – No classes!	8	9	10	11 Veteran's Day Module 6 activated at 4:00 p.m. EST	12
13	14	15	16 Module 6 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 6 forum question posted after live event concludes	17 Module 6 forum post due by 4:00 p.m. EST	18 Module 6 forum responses and assessment due by 4:00 p.m. EST Module 7 activated at 4:00 p.m. EST	19
20	21	22 Module 7 Live Q&A / Discussion at 3:00 p.m. EST on Zoom No forum question for this week	23	24 Thanksgiving Day	25 Day after Thanksgiving Module 7 assessment due by 4:00 p.m. EST	26
27	28 Week off – No classes!	29	30	Dec 1	2 Module 8 activated at 4:00 p.m. EST	3

DECEMBER 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 27	28 Week off – No classes!	29	30	Dec 1	2 Module 8 activated at 4:00 p.m. EST	3
4	5	6	7 Module 8 Live Q&A / Discussion at 3:00 p.m. EST on Zoom Module 8 forum question posted after live event concludes	8	9 Module 8 forum responses and assessment due by 4:00 p.m. EST	10
11	12 Final Exam activated at 9:00 a.m. EST	13	14	15	16	17
18	19 Final Exam due by 4:00 p.m. EST	20	21	22	23	24 Christmas Eve
25 Christmas Day	26	27	28	29	30	31 New Year's Eve