Class Information:

Contact Information:     Class Information:
  jrosenbl@gmu.edu     Mondays
  (703) 597-7026 (c)     8:00 – 9:50 p.m.
  (703) 305-0799 (w)     Room 348

READING:   No text.  See individual classes for reading assignments.

GRADES:    A final paper of no less than 15 pages is due at the end of the semester. This paper will comprise 60% of each student’s grade. Class participation will comprise 20% of each student’s grade, and 20% of each student’s grade will be based on a quiz at the end of the semester.

Class Topics and Reading Assignments (subject to change)

Monday, January 6 (Class 1)
Monday, January 13 (Class 2)

  Introduction/Overview of the Civil Service System
  Employee Rights/Probationary Periods

  5 U.S.C. Chapter 75, Subchapters 1 and 2

  Board of Education v. Loudermill, 470 U.S. 532 (1985)

  Van Wersch v. Department of Health and Human Services, 197 F.3d 1144 (Fed. Cir. 1999)


  Roy v. Merit Systems Protection Board, 672 F.3d 1378 (Fed. Cir. 2012)


  McClintock v. Veterans Administration, 6 M.S.P.R. 471 (1981)

Monday, January 20 – NO CLASS, MLK Day
Monday, January 27 (Class 3)  Employee Misconduct/Discipline

5 U.S.C. Chapter 75; 5 C.F.R. Part 752

Gartner v. Department of the Army, 104 M.S.P.R. 463 (2007)


Ludlum v. Department of Justice, 278 F.3d 1280 (Fed. Cir. 2002)

Metz v. Department of the Treasury, 780 F.2d 1001 (Fed. Cir. 1986)

Miller v Department of the Interior, 19 M.S.P.R. 438 (2012)

Monday, February 3 (Class 4)  Discipline and First Amendment Issues


Kaplan v. Conyers, 733 F.3d 1148 (2013)


Mings v. Department of Justice, 813 F.2d 384 (Fed. Cir. 1987)


Monday, February 10 (Class 5)  Employee Discipline - Process, Nexus and Penalty

Monday, February 17 (Class 6)
Merritt v. Department of Justice, 6 M.S.P.R. 585 (1981)


Monday, February 24 (Class 7) Employee Performance

5 C.F.R. Parts 430 and 432


Gibbs v. Department of Defense, 2008 MSPB LEXIS 1584 (Mar. 21, 2008)

Wiley v. Department of Justice, 2008 MSPB LEXIS 6751 (Jan. 12, 2008)

Chaggaris v. General Services Administration, 49 M.S.P.R. 249 (1991)

Kadlec v. Department of the Army, 49 M.S.P.R. 534 (1991)

Monday, March 3 (Class 8) Whistleblower Protection Act

Whistleblower Protection Enhancement Act

Special Counsel v. Sims, 102 M.S.P.R. 288 (2006)


Whitmore v. Department of Labor, 680 F.3d 1353 (Fed. Cir. 2012)

Cassidy v. Department of Justice, 118 M.S.P.R. 74 (2012)

Cassidy v. Department of Justice, 120 M.S.P.R. 52 (2012)

Marano v. Department of Justice, 2 F.3d 1137 (Fed. Cir. 1993)

Kruger v. Department of Justice, 32 M.S.P.R. 71 (1987)

Monday, March 10 – NO CLASS – Spring Break
Monday, March 17 (Class 9) Federal Sector EEO Process/Discrimination

Monday, March 24 (Class 10)

Ikossi v. Department of Navy, 516 F.3d 1037 (D.C. Cir. 2008)


Ansari v. Department of the Treasury, EEOC Appeal Nos. 0720070054, 0120070238, 2007 EEOPUB LEXIS 2261 (June 15, 2007),


Shelton v. Department of Health and Human Services, 105 M.S.P.R. 450 (2007)


Monday, March 31 (Class 11) Reasonable Accommodation/Disability Discrimination

Requesting Reasonable Accommodations under the Americans with Disabilities Act, United States Attorneys’ Bulletin, May, 2007

Americans with Disabilities Act Amendments Act of 2008

Mesa v. United States Postal Service, EEOC Appeal No. 01A52933, 2006 EEOPUB LEXIS 2103 (May 16, 2006)

Unterburger v. United States Postal Service, EEOC Appeal No. 01974776, 2000 EEOPUB LEXIS 228 (Feb. 1, 2000)

Taylor v. Department. of Commerce, EEOC Appeal No. 01951933, 1997 EEOPUB LEXIS 2184 (June 20, 1997)

Monday, April 7 (Class 12) Union Issues

Department of Labor v. AFGE, 38 F.L.R.A. 899 (1990)

Department of Veterans Affairs v. FLRA, 3 F.3d 1386 (10th Cir. 1993)

ADDITIONAL CASES TBA
Monday, April 14 (Class 13)  Government Ethics
MATERIALS TBA

Monday, April 21 (Class 14)  Wrap-up/Final Quiz