

Law 129-R01 | 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 |

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| 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 | |