

Syllabus for Employment Discrimination (5297/25996)

Professor Samantha Barlow Martinez

Fall Semester 2026

Mondays, 5:30-7:30 pm, Room **TBD**

Office Hours: Mondays 3:30-5:30 pm or by appointment, Office Location **TBD**

Contact Professor Martinez at [**UH email TBD**] or if urgent, sam@mtzfirm.com or 713-333-3273

****Changes to this syllabus and other important class announcements will be made in class and, time permitting, via email. In particular, I will be changing reading assignments as we go, depending on what we get through. If you are absent, ask your friends what happened!*

1. Required textbook

Experiencing Employment Discrimination Law by Maslanka, Martinez, Woodke, 2nd edition 2026, ISBN 9798317702908

**Note that I have some copies for borrowing if the cost of the textbook is beyond your means.*

2. Course objectives

This course is a practical, tactical class. I love big ideas, but I also graduated law school knowing very little about how to be a day-to-day lawyer. So we will talk *less* about policy, how and why employment law has developed, and the role of the various iterations of SCOTUS in this. We will talk *more* about how to be a civil litigator (of any stripe), how to get the evidence you need to prove or defend your case, and what procedural mechanisms can help these goals. Overall, I want for you to:

- Know the federal statutes and legal principles for cases of employment discrimination
- Learn the prerequisites to filing an employment discrimination lawsuit
- Understand the evidentiary burden in employment discrimination cases
- Develop a working understanding of employment discrimination cases from the plaintiff and defense perspectives
- Understand the actual litigation tactics, procedures, and everyday tasks associated with an employment discrimination case
- Form opinions about policy underlying employment discrimination cases

3. How to prepare for class

- You will present certain key cases (the “highlighted cases”) and I will lecture about the other assigned cases. I also will lecture about the legal principles highlighted in cases I did not assign for reading. (Note: You will be tested on all of the legal principles we discuss in class, whether or not a case is assigned reading.)
- Read and digest thoroughly the highlighted cases (usually three to four cases).
- Skim the other assigned cases (for real! I may ask you questions about them).
- If you are called on to present a highlighted case, please do so as follows:
 - What kind of case is this? (e.g. a decision on summary judgment, a decision on a 12(b)(6) motion, an appeal from a jury verdict, etc.)
 - What did the plaintiff argue and what was their evidence?
 - What did the defense argue and what was their evidence?
 - What did the court hold?
 - Did the court get it right or wrong?
 - What are the answers to the X-Ray Questions preceding the case?
- Look at the “Leaning into Practice” exercises interspersed throughout the readings – we may discuss in class (time permitting); and I may call on you to give your best guess.

4. Attendance

- This course requires attendance at 80% of our scheduled classes. If you fail to attend 80% of the classes, then you will be dropped from the class. Please see the Student Handbook, p. 6.
- This course requires punctuality. Late arrival and early departure for class sessions will be counted against the participation portion of your grade.
- I will take attendance by distributing a roll sheet at the beginning of each class. You should personally initial by your name for that class session. It is your responsibility to ensure that you have initialed the roll sheet before you leave the classroom each day. If you do not sign the roll sheet, you are deemed to have been absent.
- We will comply with any University policy regarding excused absences.

5. Grading and AI

- Your grade will be based on the following:
 - In-class preparation and participation – 25%
 - Take-home mid-term exam – 25% (non-anonymous, open book)
 - Assigned on 10/12/26 and due 10/19/26

- Final exam – 50% (anonymous, one 8 x 11 sheet of paper with your notes allowed in the exam)
- There is no pass/fail for this course.
- AI – I cannot stop you from using AI in your class preparation and in your life, thus I allow the use of AI to prepare for class. AI will NOT be allowed for use in the midterm and final exams. Please consider very carefully your use of AI for this class. I will be testing your ability to critically think and to analyze, not your ability to put the right query into a search engine. Also, use of AI is PROHIBITED during class time.

6. Classroom etiquette

During class discussions, I expect you to respect each other, which means listening without interruption, respecting others' points of view (including their names and gender pronouns), being prepared, and allowing others to talk. It is OK to disagree, but please do so using the sort of language you might use in court and in a way that displays respect for other persons in the class. In essence, act like you would in court or before your clients.

7. Honor code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

8. Mental health and wellness resources

- The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.
- Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

- If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please reach out to me. If you feel more comfortable speaking with someone besides me, the Office of Student Affairs (OSA) is an excellent resource.

9. Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, I am a “responsible employee” for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which I become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

10. Reasonable Academic Adjustments/Auxiliary Aids

- The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.
- The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.
- The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.
- The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don’t know where to start. CSAC is a “home away from home” and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard, all students can get up to 30

lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: @uh_CSAC and @uhcupbrd. YOU belong here.

11. Class recording

You may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent from me. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

12. Women and Gender Resource Center

The mission of the WGRC is to advance the University of Houston and promote the success of all students, faculty, and staff through educating, empowering, and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack, or check out one of the WGRC programs or resources. Stop by Student Center South room B12 (Basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm Monday through Friday.

ASSIGNMENTS

**The reading assignments and subjects to be covered during each week of the term are as follows.
Cases upon which you will present are designated as HL (highlighted):**

Class	Date	Assignment	Page Numbers
1	8/24	Introduction & Anatomy of a federal case Threshold questions 1-3	pp. 1-6; 7-53 HL: Lerohl, Pulsifer thru p. 41, Sidley
2	8/31	Threshold questions 4-6	pp. 55-102 HL: Walters, Scott (be sure to read carefully pp. 67-68 first), Muldrow
3	9/14	The EEOC charge How is unlawful discrimination proven? Race discrimination	pp. 102-08; 109-14 (intro); 124-135; 135-137 (intro); 148-163; 171-181 HL: Etienne, Lee, Jones
4	9/21	Color, national origin, age discrimination	pp. 205-06 (intro); 282-83 (intro); 299-312; 567-570 (intro); 589-91; 599-621 HL: Fragrante, Meacham, EEOC v. Exxon
5	9/28	Sex & sexual orientation, transgender, & intersectionality discrimination	pp. 339-40 (intro); 360-69; 380-89; 395-405; 407-16; 426-27 (intro); 460-475; 524-25 (intro) HL: Lewis, Chadwick, Sarco
6	10/5	Pregnancy discrimination	pp. 633-66 HL: Turic, EEOC v. Catholic Healthcare, PWFA & Keiper
7	10/12	Religious discrimination and abbreviated review and explanation of midterm	pp. 226 (intro); 237-43; 260-282; 475-498 HL: Fallon, Hebrew, Braidwood

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Class	Date	Assignment	Page Numbers
8	10/19	Guest lecture/employment law in practice	Reading TBD
9	10/26	Disability discrimination pt. 1	pp. 667-668 (intro); 669-682, 697-710; 714-741 HL: Meinelt, Hostettler, Strife
10	11/2	Disability discrimination pt. 2	pp. 757-768, 770-803 HL: EEOC v. STME, Darby
11	11/9	Harassment	pp. 805-06 (intro to chapter and X-Ray questions on Meritor); 819-859; 875-878; 904-914 HL: CC&R, Ocheltree, Longhorn
12	11/16	Retaliation	pp. 915-19 (intro); 938-951, 956-962, 974-85 HL: Clark County (both versions of it), Rite Way, Thompson
13	11/23	Remedies	pp. 987-990 (intro); 990-1003; 1017-1020; 1039-1056, 1066-72 HL: West, DeCorte, Corbin
14	11/30	In-class final exam review	N/A