

Course Outline

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<b>COURSE:</b>	<b>LAWS 3401 B – Employment Law</b>
<b>TERM:</b>	<b>Winter 2015</b>
<b>PREREQUISITES:</b>	<b>1.0 credit from LAWS 2201, LAWS 2202, LAWS 2501, LAWS 2502 OR BUSI 2601</b>
<b>CLASS:</b>	<b>Day &amp; Time: Wednesday 6:05pm to 8:55pm</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR (CONTRACT)</b>	<b>Pinelopi Makrodimitris</b>
<b>CONTACT:</b>	<b>Office: B442 Loeb</b> <b>Hours: After Class</b>  <b>Email: Pinelopi.Makrodimitris@carleton.ca</b>

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***Academic Accommodations***

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of**

**Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

### **Plagiarism**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at: <http://www.carleton.ca/studentaffairs/academic-integrity/>

### **Department Policy**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

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## **COURSE DESCRIPTION**

The primary purpose of this course is to explore the legal regulation of the employment relationship in Canada at common law and through various statutes. Topics covered include defining employment; rights and duties of employees and employers; termination of employment; privacy; and statutory regulation through employment standards legislation, human rights codes, health and safety legislation, workers compensation legislation and pay equity legislation. This course does not explore collective bargaining regimes which are the focus of the Labour Law course. Students will also have an opportunity to compare briefly the Canadian employment law model with that of its U.S. counterpart.

**REQUIRED TEXT**

The text can be purchased at the Carleton Bookstore.

Geoffrey England, *Individual Employment Law* Second Edition (Toronto: Irwin Law, 2008).

**SUPPLEMENTARY MATERIALS**

Additional required readings will be announced in class and made available.

**USEFUL WEBSITES**

[http://www.canlii.org/index\\_en.html](http://www.canlii.org/index_en.html) (CanLII – Canadian Legal Information Institute)

<http://laws.justice.gc.ca/en/index.html> (Department of Justice – Canada; Consolidated Statutes)

[http://www.e-laws.gov.on.ca/home\\_E.asp?lang=en](http://www.e-laws.gov.on.ca/home_E.asp?lang=en) (E-Laws – Ontario)

<http://www.labour.gov.on.ca/english/es/index.html> (Employment Standards Information)

Access eCarswell or Quicklaw on the Carleton University Library website

**COURSE EVALUATION**

**(All examinations must be completed in order to get a passing grade)**

<b>MID-TERM (3 hours - February 11):</b>	<b>40%</b>
<b>FINAL EXAM (3 hours - during scheduled exam period April 11- 23, 2015):</b>	<b>50%</b>
<b>ATTENDANCE &amp; CLASS PARTICIPATION:</b>	<b>10%</b>

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

The examinations are **CLOSED BOOK** and will be based on all materials covered during class lectures and the required readings. Examinations will include one or more of the following question formats: multiple choice questions, short answer questions, long answer questions, or hypothetical questions.

This course is structured as a lecture. Attendance is critical. Students are expected to read assigned materials and to participate in class discussions. The professor will not repeat or review any lectures that students do not attend. Students are strongly encouraged to attend class regularly and to take detailed notes. If absent from class, students should make arrangements to obtain the class notes from a fellow student.

### **CLASS SCHEDULE & READINGS**

Any changes to this schedule will be discussed in class. Any additions or changes to the assigned readings, or the addition of a guest speaker will also be announced in class.

References to the chapters below are to the readings in the *Individual Employment Law* text. Due to time limitations it will not be possible to cover all material in the chapters during class time.

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|----|------------------------------------|---|
| 1. | <b>Wednesday January 7, 2015</b>   | <b>Introduction and Organization of the Course<br/>Overview - At-Will Employment (U.S.)</b> |
| 2. | <b>Wednesday January 14, 2015</b>  | <b>Who is an Employee? Who is an Employer?<br/>Contracts of Employment</b>                  |
|    | <b>Text:</b>                       | Chapters 2 and 3  |
| 3. | <b>Wednesday January 21, 2015</b>  | <b>Common Law Obligations of Employers and Employees</b>                                    |
|    | <b>Text:</b>                       | Chapters 4 and 5  |
| 4. | <b>Wednesday January 28, 2015</b>  | <b>Workers' Compensation</b>  |
|    | <b>Text:</b>                       | Chapter 6 (pp. 199-203)   |
| 5. | <b>Wednesday February 4, 2015</b>  | <b>Occupational Health and Safety</b>   |
|    | <b>Text:</b>                       | Chapter 6 (pp 187-199)  |
| 6. | <b>Wednesday February 11, 2015</b> | <b>*Mid-Term Exam*</b>  |
|    | <b>Wednesday February 18, 2015</b> | <b>NO CLASS – Reading Week</b>  |
| 7. | <b>Wednesday February 25, 2015</b> | <b>Employers' Obligations – Privacy and PIPEDA</b>  |

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| <b>8.</b>  | <b>Wednesday March 4, 2015</b>  | <b>Employment Standards Legislation</b>      |
|            | <b>Text:</b>                    | Chapter 6 pp. 104-166                        |
| <b>9.</b>  | <b>Wednesday March 11, 2015</b> | <b>Wage Discrimination / Pay Equity</b>      |
|            | <b>Text:</b>                    | Chapter 6 pp. 166-185                        |
| <b>10.</b> | <b>Wednesday March 18, 2015</b> | <b>Human Rights Legislation</b>              |
|            | <b>Text:</b>                    | Chapter 7                                    |
| <b>11.</b> | <b>Wednesday March 25, 2015</b> | <b>Termination of Employment</b>             |
|            | <b>Text:</b>                    | Chapter 9                                    |
| <b>12.</b> | <b>Wednesday April 1, 2015</b>  | <b>Termination of Employment and Wrap Up</b> |