

Course Outline

COURSE: LAWS 3401 A – Employment Law

TERM: Fall 2008/09

PREREQUISITES: LAWS 2003, or LAWS 2005, or BUSI 2601

CLASS: Day & Time: Tuesday – 6:05-8:55
Room: A720 LA (Loeb)

INSTRUCTOR: Pinelopi Makrodimitris
(CONTRACT)

CONTACT: Office: C476 LA (Loeb) – Contract Instructors' Office
Office Hrs: Tuesday – 9:00-9:30 pm
Email: pmakrodi@connect.carleton.ca

"Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities for a formal evaluation of disability-related needs. Registered PMC students are required to contact the centre, 613-520-6608, every term to ensure that I receive your letter of accommodation, no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by November 7, 2008, for December examinations, and March 6, 2009, for April examinations." With regard to accommodations for religious obligations and pregnancy, please see http://www.carleton.ca/pmc/students/accom_policy.html

COURSE OBJECTIVES & CONTENT:

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. The statutory component of this course will touch upon employment standards legislation, human rights codes, health and safety and workers compensation acts, and pay and employment equity legislation. Due to time constraints, this course will focus only on individual employment law and not on collective bargaining regimes that are the focus of the Labour Law course. Students will also have an opportunity to consider current issues affecting employers and employees in Canada, and to compare briefly the Canadian employment law model with that of its U.S. counterpart.

RECOMMENDED READING:

Text: Geoffrey England, *Individual Employment Law* (Toronto: Irwin Law, 2000).

SUPPLEMENTARY MATERIAL:

Additional readings and material to be assigned and/or covered in class throughout the semester.

LEGISLATION: This course will focus primarily on applicable Ontario and Federal Statutes. References to these statutes will be given out in class. These statutes are now available on the Internet. Below is a list of websites that provide relevant information free of charge.

<http://www.callacbd.ca/ip0a700e.html> (Canadian Association of Law Libraries)

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 (E-Laws – Ontario)

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

EVALUATION SUMMARY:

Exam One (21 Oct):	40%
Exam Two:	50%
Attendance & Class Participation:	10%

Examinations:

The examinations are CLOSED BOOK. Exam One will be held in-class on the date indicated on the course outline. Exam Two will be held during the scheduled exam period. The examinations will be comprised of multiple choice questions, short answer, hypothetical questions, and/or long answer questions. More details will be provided about the examinations during class.

Attendance & Class Participation:

Students are expected to attend class lectures and to participate when appropriate. The lectures are a critical part of this course, and students are advised to attend class regularly and to take detailed notes.

CLASS SCHEDULE:

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 recommended readings in the *Individual Employment Law* text. Due to time limitations it will not be possible to go over material in the recommended chapters during class time.

The professor will be available to answer questions on the readings. For the exams, students are responsible for all material covered during class lectures, and for all supplementary materials.

1. **Sept 9, 2008** **Introduction and Organization of the Course
At-Will Employment**
2. **Sept 16, 2008** **Who is an Employee? Who is an Employer?
Contracts of Employment**
Text: Chapters 2 and 3
3. **Sept 23, 2008** **Common Law Obligations of Employers and Employees**
Text: Chapters 4 and 5
4. **Sept 30, 2008** **Employers' Obligations Under PIPEDA**
5. **Oct 7, 2008** **Workers' Compensation**
Text: Chapter 6 pp. 141-155
6. **Oct 14, 2008** **Occupational Health and Safety**
Text: Chapter 6 pp. 141-155
7. **Oct 21, 2008** ***Exam One***
8. **Oct 28, 2008** **Employment Standards Legislation**
Text: Chapter 6 pp. 79-122
9. **Nov 4, 2008** **Wage Discrimination / Pay Equity / Equal Pay / Equal Value**
Text: Chapter 6 pp. 122-139
10. **Nov 11, 2008** **Human Rights Legislation**
Text: Chapter 7
11. **Nov 18, 2008** **Termination of Employment**
Text: Chapter 9
12. **Nov 25, 2008** **Termination of Employment and Wrap Up**