

Course Outline

COURSE:	LAWS 3401A Employment Law
PREREQUISITES:	LAWS 2003, 2005 or BUSI 2601
TERM:	Fall 2009
CLASS:	Day & Time: Friday 11:30-2:30pm Room: Please check with Carleton Central for current room location
INSTRUCTOR:	Zeina Bou-Zeid, PhD
CONTACT:	Office: D488 Loeb Office Hrs: Monday 11:30-12:30 and Friday 2:30-3:30 Email: Zeina_Bou-Zeid@carleton.ca

"Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: http://www.carleton.ca/pmc/students/accom_policy.html . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **November 16, 2009 for December examinations** and **March 12, 2010 for April examinations**.

For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

COURSE OBJECTIVE AND CONTENT

The primary purpose of this course is to explore the legal regulation of the employment relationship in Canada at common law and through statutes. Topics will include defining employment; rights and duties of employees and employers; termination of employment; statutory regulation through employment standards legislation, human rights codes, workers compensation acts, occupational health and safety and related statutes. This course does not focus on collective bargaining regimes which is the focus of the Labour Law course.

REQUIRED TEXTS

The required text is available at the University Bookstore.

Geoffrey England, *Individual Employment Law* 2nd ed (Toronto: Irwin Law Inc, 2008).

Note: Other required readings will be placed on RSV in the library and on WebCT.

ADDITIONAL MATERIALS

Students may find it helpful to locate statutes and cases discussed in this course. Some key websites are:

- Department of Justice- Canada (Consolidated Statutes) <http://laws.justice.gc.ca/en/index.html>
- Ontario Laws – E-Laws: <http://www.e-laws.gov.on.ca/index.html>
- Access eCarswell or Quicklaw on the Carleton University Library website.

COURSE EVALUATION - (All components must be completed in order to get a passing grade)

Mid-Term Exam (October 30):	40%
Final Exam (During scheduled exam period):	50%
Attendance and Class Participation:	10%

Examinations:

The examinations are **closed book**. The Mid-Term Exam will be held in class on the date indicated in the course outline. The Final Exam will be held during the scheduled exam period. The examinations will be comprised of multiple choice questions, short answer, long answer and hypothetical questions. The exams will be based on all materials covered during class lectures and the required readings.

Attendance & Participation:

This course is structured as a lecture. Attendance in the course is critical. Students are expected to read the assigned materials prior to class and to participate in class discussions.

The professor will not repeat/review any lectures that students do not attend. Students are strongly encouraged to attend class regularly and to take detailed notes.

CLASS SCHEDULE & READINGS

- Week 1** **Sept 11** **Introduction and Course Overview**
- Week 2** **Sept 18v** **Who is an Employee? Who is an Employer? Formation of the Employment Contract**
- Text: Chapters 2 & 3 (pp. 16 - 48)
 - Judy Fudge, "Beyond Vulnerable Workers: Towards a New Standard Employment Relationship"(2005) 12 C.L.E.L.J. 193.
- Week 3** **Sept 25** **Common Law Obligations of Employers & Employees**
- Text: Chapters 4 & 5 (pp. 49 – 102)
 -
- Week 4** **Oct 2** **Employer's Statutory Obligations to Employees: Workers' Compensation**
- Text: Chapter 6 (pp. 199- 203).
- October 9** **No Class or Office Hours**
- Week 5** **Oct 16** **Employer's Statutory Obligations to Employees: Occupational Health and Safety**
- Text: Chapter 6 (pp. 187- 199).
- Week 6** **Oct 23** **Employer's Statutory Obligations to Employees: Precarious Work & Wage Discrimination**
- Text: Chapter 6 (pp. 159- 185).
- Week 7** **Oct 30** **Mid-Term Exam**
- Week 8** **Nov 6** **Employment Standards Legislation**
- Text: Chapter 6 (pp.104 – 159)
- Week 9** **Nov 13** **Human Rights Legislation**
- Text: Chapter 7 (pp. 213 – 272).
- Week 10** **Nov 20** **Termination of Employment 1: Agreement of the Parties, Due Notice or Wages in Lieu Thereof**
- Text: Chapter 9 (pp. 283 - 323).
- Week 11** **Nov 27** **Termination of Employment 2: Summary Dismissal & Constructive Dismissal**
- Text: Chapter 9 (pp. 324 - 363).
- Week 12** **Dec 4** **Termination of Employment 3: Common Law Remedies for Wrongful Dismissal (Course Review)**
- Text: Chapter 9 (pp. 394 - 417).

FINAL EXAM**(During Scheduled Exam Period)**