

Course Outline

COURSE:	LAWS 3401B - Employment Law
PREREQUISITES:	LAWS 2202, LAWS 2501, LAWS 2502, BUSI 2601
TERM:	Winter 2010-11
CLASS:	Day & Time: Thursday 6:05-8:55pm Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Zeina Bou-Zeid, PhD
CONTACT:	Office: D484 Loeb Office Hrs: Wednesday 5:00-6:00pm and Thursday 5:00-6:00pm 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 15, 2010 for Fall exams and March 12, 2011 for Winter exams**. 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

Mid-Term Exam (February 17):	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. January 6	Introduction and Course Overview
Week 2. January 13	Who is an Employee? Who is an Employer? Formation of the Employment Contract <ul style="list-style-type: none">• <u>Text</u>: 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. January 20	Common Law Obligations of Employers & Employees <ul style="list-style-type: none">• Text: Chapters 4 & 5 (pp. 49 – 102)
Week 4: January 27	Employer's Statutory Obligations to Employees: Workers' Compensation <ul style="list-style-type: none">• Text: Chapter 6 (pp. 199- 203).
Week 5. February 3	Employer's Statutory Obligations to Employees: Occupational Health and Safety <ul style="list-style-type: none">• Text: Chapter 6 (pp. 187- 199).

- Week 6: February 10** **Employer’s Statutory Obligations to Employees:
Precarious Work & Wage Discrimination**
- Text: Chapter 6 (pp. 159- 185).
- Week 7: February 17** **Mid-Term Exam**
- February 24** **Winter Break
No Class or Office Hours**
- Week 8: March 3** **Employment Standards Legislation**
- Text: Chapter 6 (pp.104 – 159)
- Week 9: March 10** Human Rights Legislation
- Text: Chapter 7 (pp. 213 – 272).
- Week 10: March 17** **Termination of Employment 1:
Agreement of the Parties, Due Notice or Wages in Lieu Thereof**
- Text: Chapter 9 (pp. 283 - 323).
- Week 11: March 24** **Termination of Employment 2:
Summary Dismissal & Constructive Dismissal**
- Text: Chapter 9 (pp. 324 - 363).
- Week 12: March 31** **Termination of Employment 3:
Common Law Remedies for Wrongful Dismissal**
- (Course Review)**
- Text: Chapter 9 (pp. 394 - 417).

FINAL EXAM
(During Scheduled Exam Period)