

Course Outline

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<b>COURSE:</b>	<b>LAWS 3405-A</b>
<b>TERM:</b>	<b>Winter 2016</b>
<b>PREREQUISITES:</b>	<b>1.0 credit from LAWS 2003 [1.0] (no longer offered), LAWS 2005 [1.0] (no longer offered), LAWS 2201, LAWS 2202, LAWS 2501, LAWS 2502.</b>
<b>CLASS:</b>	<b>Day &amp; Time: Wednesday: 2:35-5:25pm</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR:</b>	<b>Dr Adrian A Smith</b>
<b>CONTACT:</b>	<b>Office: Loeb C473</b> <b>Office Hrs: Thursday 12-1pm, typically by appointment</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 study of 'labour law' is conventionally understood as an exploration of the legal regimes governing the employment relationship, with particular focus put on collective bargaining as set out (in the case of Ontario) in the Ontario Labour Relations Act (i.e. Labour Law). This course attempts to carve out a distinct approach. Rather than limiting exploration to the 'core' legal regimes of employment, we will extend it to pursue questions about how other areas of law, not conventionally taken as Labour Law, impact or regulate work, workplace relations and labouring bodies. In other words, we will undertake a social science experiment of sorts designed to test the integrity of the prevailing scope and parameters of Labour Law, as field of study and sets of practices, ideas, commitments and assumptions. The aim will be to evaluate whether it is possible to re-conceptualize Labour Law to encompass wider and deeper consideration of the legal regulation of labour -- or what we might term a 'Labour and Law' approach. In order to undertake this task, we must arrive at if not settle upon a 'model of science', including a way of constructing and conducting our experiment. We will use sociologist Michael Burawoy's 'extended case method' as a point of departure for arriving at an experimental approach, design and method. From there, we will interrogate the model(s) of science and method(s) of orthodox approaches to Labour Law. We will then move on to explore topics and themes perceived as exogenous to this orthodoxy. These include temporary labour migration, the provision of services in 'collaborative consumption' (otherwise known as the 'sharing economy'), supply chain management or global logistics, the production and sale of human eggs (and other so-called 'taboo' trades), corporate crime, street food vending, 'geographical indications' in intellectual property law, housework and so on. Against the aim of reproducing Labour Law orthodoxy, the core task of the course will be to reinvent the study of the regulation of labour in form, image, sets of practices and commitments in ways that confront the most pressing social challenges of the contemporary moment.

### **Office Hours & Email Policy**

I encourage students to discuss questions and issues related to the course during our weekly in-class sessions, or in my office during my regular office hour (typically by appointment). If you cannot make the office hour, please contact me to schedule an appointment which likely will be held Wednesday or Thursday. Unless a question can be answered as a 'yes' or 'no', I do not respond to email questions from students related to the content of the course.

**Attendance & Participation**

Weekly attendance is expected. Students will read assigned material before coming to class. Although this is a relatively large enrolment course, students are encouraged to participate. To facilitate “meaningful engagement”, I will adopt an interactive approach to our weekly meetings. This is not an invitation for you to just talk aimlessly or for the sake of it. Strive for thoughtful and respectful interventions. Those students who do the readings and class preparation ought not to have any difficulty. Shyness is not an acceptable excuse for lack of participation. Effective oral communication is a skill of high importance in university and in future endeavours. I encourage shy students to speak to me immediately about devising strategies for improving the quality of their participation.

I take seriously my responsibility to provide a supportive and equitable learning environment free from unhelpful distractions. As such, students are not permitted to use cell phones or similar devices in the classroom. The use of these devices will not be tolerated. They serve as a distraction to both the user and those in the surrounding vicinity. Anyone found texting, using laptops and the internet inappropriately or otherwise engaging in problematic behaviour, will be required to remove themselves from an in-class meeting. Repeat offenders will not be permitted to remain in the course.

**REQUIRED TEXTS**

There is no required text for this course. Students will be provided with electronic links to readings and will be expected to undertake independent research into topics in preparation for in-class sessions. (If a link is for some reason not working, please take the initiative to track down the source on your own.)

**SUPPLEMENTARY TEXTS**

**None.**

**EVALUATION**

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.

(All components must be completed in order to receive a passing grade)

Advocacy Submission 40% (Due: March 2nd at 11:59pm)

Students will write a 12 to 15-page advocacy submission addressing the need for policy or law reform on an issue identified by the course instructor (details to follow). Students are required to conduct reviews of secondary and news media sources using Carleton library resources. The review will be a maximum of 15 pages (double-spaced), 12-point font with proper margins. Please use proper endnotes or in-text citations (not footnotes) and include a title page (with your full name, student number, course code and date) and bibliography (note: the title page and bibliography are not included in the page count).

**Major Paper 50% (Due: April 6th at 11:59pm)**

Students will complete a major research paper on a topic of their choosing related to the course's theme. The paper must be 18 to 20 pages (double-spaced), 12-point font with proper margins and sourcing. In addition, you must include a title page (with your full name, student number, course code and date) and bibliography. To ensure success, start your research paper early in the term.

**Participation 10%**

Students are expected to attend in-class sessions each week and strive for meaningful participation.

**Grading Policy**

Assignments will be submitted electronically using the format discussed in class.

**Assignments submitted to the Law Department 'drop box' will not be graded.** Late assignments will be penalized at the rate of 10% per day. After the fifth day late assignments will not be read.

Note: I will not read drafts of your assignments and comment on them. Carleton University provides a Writing Tutorial Service (within the Student Academic Success Centre). I strongly encourage students to familiarize themselves with the writing and other services as soon as possible. In addition to excellent online resources, the Centre offers opportunities for students to develop effective writing skills and time management skills – both of which are crucial to success in university. This is an invaluable resource. Please use it!

**SCHEDULE**

**See Reading List.**