

Course Outline

COURSE: LAWS 3401B – Employment Law

TERM: WINTER 2019

PREREQUISITES: 0.5 credit from LAWS 2201, LAWS 2202, LAWS 2501, LAWS 2502, BUSI 2601 and 0.5 credit in LAWS at the 2000 level

CLASS: **Day & Time:** Mondays 11:35am – 2:25pm
 Room: Please check with Carleton Central for current room location

INSTRUCTOR: **Ruben Benmergui, BA, MIR, LL.M., CHRP, CHRL**
(CONTRACT)

CONTACT: **Office:** B442 Loeb Building (Contract Instructor’s Office)
 Office Hrs: By Appointment ONLY
 Telephone: 613-853-4167
 Email: rubenb@sympatico.ca

CALENDAR COURSE DESCRIPTION

Legal regulation of the employment relationship; its contractual basis; 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.

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 statutes. Topics will include defining employment; who is an employee; rights and duties of employees and employers; statutory regulation through employment standards legislation, human rights codes, workers compensation acts, occupational health and safety and related statutes; termination of employment; recourse and Courts and Tribunals . This course will examine non-union and unionized environments from a comparative perspective, as well as the importance of Employment Standards in International Trade agreements and across Provincial jurisdictions. The Course will also rely on external presenters on Employment issues.

REQUIRED TEXTS

No required text- Course instruction and discussion materials provided by Instructor.

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

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.

<i>Attendance</i>	<i>10%</i>
<i>Participation</i>	<i>10%</i>
<i>Mid-Term</i>	<i>30% (February 13)</i>
<i>Final Exam</i>	<i>50% (Within the scheduled Exam Period)</i>

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, read the text and all materials, and to take detailed notes.

SCHEDULE

January 7 –	EMPLOYMENT RELATIONSHIP – JURISDICTIONS—COMMON LAW OBLIGATIONS - ESA SPECIFICS
January 14 –	OCCUPATIONAL HEALTH & SAFETY
January 21 -	INTRO TO HUMAN RIGHTS LAW
January 28 -	WORKPLACE PRIVACY
February 4 -	EMPLOYMENT LAW & COMPENSATION – EQUAL PAY/PAY EQUITY
February 11 -	MIDTERM EXAM (IN CLASS)
February 13 -	MIDTERM EXAM
February 18 –	WINTER BREAK
February 25 -	NON-UNION & UNION WORKPLACES and STATUTE LAW
March 4 -	END OF EMPLOYMENT – COMMON LAW – ESA – CASES

- March 11 - EMPLOYMENT LAW RECOURSE – ADR – COURTS AND TRIBUNALS
- March 18 – EMPLOYMENT LAW ISSUES AND CASES
- March 25 – DISCIPLINE – DRUG AND ALCOHOL TESTING – UNION V. NON-UNION
- April 1 – FEDERAL JURISDICTION – CANADA LABOUR CODE – PUBLIC SERVICE
- April 8 – REVIEW
- April 15 – FINAL EXAM (DURING SCHEDULED EXAM PERIOD)

NOTE: These dates may change in accordance with class needs and progress, and speaker availability.

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: Please contact 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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

Academic Accommodations for Students with Disabilities: If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (PMC) at 613-520-6608 or 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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) www.carleton.ca/pmc

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://carleton.ca/studentaffairs/academic-integrity/>

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: carleton.ca/sexual-violence-support

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: students.carleton.ca/course-outline

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://carleton.ca/law/current-students/>