

Course Outline

COURSE:	LAWS 3405 A – Labour Law
TERM:	Winter 2026
PREREQUISITES:	LAWS 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: Thursdays 6:05 pm - 8:55 pm Room: Please check Carleton Central for current Class Schedule Please note this course is delivered synchronously ONLINE , once a week, and is supported by Brightspace and Zoom.
INSTRUCTOR:	Nick E. Milanovic
CONTACT:	Office Hrs: Office meeting hours by appointment via Zoom only. Please see Brightspace page for TA contact information. Telephone: Email: nikolamilanovic@cunet.carleton.ca
BRIGHTSPACE:	https://brightspace.carleton.ca/d2l/home/366347

CALENDAR COURSE DESCRIPTION

Role of law in industrial relations; effect of law on collective bargaining relationships; recognition of bargaining agent; regulation of bargaining; administration of the collective agreement; methods of conflict resolution.

COURSE DESCRIPTION

The law plays a major role in shaping almost every aspect of work, from what counts as employment to establishing workers' basic duties on the job and their rights at work, through their right to organize, to how and when unions are allowed to bargain and go on strike. Moreover, the law regulating employment takes three forms – the common law, direct statutory intervention and legislation designed to promote self-regulation - and each form has a

different justification. This course focuses on the law regulating unionized employees and how these different legal regimes frame workplace issues for organized workers. What interests - the workers, the employers, and the public - does the law try to balance, and which side does it favour?

This course is delivered as an **online course, delivered synchronously** in a lecture format with lecture slides and we will be engaging in discussions and working on group assignments and exercises in class. There will be regular reading quizzes, an individual assignment, a group assignment, and an exercise that will assist you in understanding the key concepts of labour law. You should do your readings before the class so that you can better participate in the lectures, assignments, and group exercises.

LEARNING OUTCOMES

- This course aims to develop your knowledge of key concepts and regulatory mechanisms related to labour law.
- Students will develop a holistic understanding of the distinctive methodology of labour law and how the common law interacts with direct statutory enactments and the collective bargaining regime.
- The course will assist students in comparing these different regulatory regimes – common law, direct statutory regulation, and collective bargaining legislation.
- Students will develop critical thinking and effective communication skills by facilitating discussions of the central claims raised in the readings and the lectures.
- Students will learn collaborative work skills that will be cultivated through a group assignment and group exercise. Additionally, students will learn skills that help labour law practitioners identify legal issues and develop strategies and tactics for resolving workplace legal disputes.

REQUIRED TEXTS

Required text: **David J. Doorey, THE LAW OF WORK: THIRD EDITION (Toronto; Emond 2024)**. You should purchase this text, the softcover retails for \$118 and the e-text is \$80. It is available from the Carleton bookstore in softcover or as an e-text on-line. For most classes you will be responsible for reading about 75 pages of the textbook and hard copy is easier to work with. It is expected that you will have read the materials so that you will be prepared to discuss, engage with them, and you will be assessed on them as the class progresses.

Students are also expected to consult the course's Brightspace page several times a week. PowerPoint lecture slides and other materials and information will be available there for your review.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval 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 Dean.

- There are **five reading quizzes** in this course that are set on **Jan. 29, Feb. 12, March 5, March 19 and on April 2**. **Each reading quiz is worth 10 % for a total of 50% of your mark**. Each quiz will be provided electronically on Brightspace and are open book tests to be completed during the 24-hour period that they are posted. Each quiz should take no longer than 10 minutes to complete on the day they are written, and you will be provided with one attempt for each quiz. ***You MUST NOT discuss your quiz answers with ANYONE during the 24-hour period the exam is posted.***
- There will be a **case brief assignment** of a labour law case due on **Feb. 26th worth 10 % of your mark** to be submitted to Brightspace. This assignment will require you to read and concisely analyze and critique a legal decision. There will be a Word limit stipulated on this assignment, and it will be released 24 hours before it is due. *This assignment should take no more than 4 hours to write. However, you can spend as much time within the 24 hours as you want.* ***You MUST NOT discuss your answer with ANYONE until after your answer is submitted.***
- Establish 6-person groups for the group assignment and exercise by **March 5** and submit members' names to instructor. **Your group may indicate a preference to be a management or a union team, but the instructor reserves the right to assign all individuals to groups and to designate them to either union or an employer team.**
- **On March 26 or April 2**, the assigned groups, which will be divided into union or management teams, will hand in their group assignments (on Brightspace before class begins). The group assignment will require **a mediation brief assignment** to be completed and handed in based on a detailed fact scenario, grievance form and collective agreement language governing a fictitious workplace dispute. **The group assignment is worth 15 % of the final grade and it will be released at least 14 days before the mediation brief is due**, so planning to meet and work on the assignment prior to the due date will be crucial to each group's success in this matter. See the mediation brief assignment and mediation presentation instructions in Assignment Folder on Brightspace for details of the assignment and instructions on how to complete the assignment when it is released. One member of the group should submit the presentations on Brightspace in the group's folder. The group assignment will relate to the materials covered on mediating labour law disputes covered in class and you will need to work diligently on the assignment with other group members in the time allotted as the assignment forms the basis of the group exercises that same day.

- **On March 26 or April 2**, the assigned groups, which will have been divided into union or management teams, will engage in **a group exercise to mediate a grievance arbitration based upon the group assignments noted above**. The group exercise will attempt to negotiate a resolution of the grievance arbitration with the assistance of **an actual grievance mediator**. One member of the group should be assigned as the group's spokesperson for the **grievance mediation simulation**, but all members will be expected to participate actively to settle the grievance. **The group exercise is worth 15 % of the final grade**. See the mediation brief assignment and mediation presentation instructions in Assignment Folder for details of the assignment and instructions on how to complete the group assignment.
- **From January 5 to April 8**, you will be **evaluated on your participation** in class which is worth **10% of your final mark**. **Up to half of this mark may be determined by peer evaluations done by students assessing their team members participation in the group assignment and group exercise. Peer evaluations will be available on Brightspace and are due April 8.**

All components must be successfully completed in order to get a passing grade.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late penalties are 4% per day up to a maximum of 7 days without extension. Beyond that period the student will receive zero on the assignment.

The granting of extensions is at the discretion of the instructor, who will confirm whether an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page. All requests must be submitted to the instructor before the assignment due date or, in the case of exam deferrals, directly to the Registrar's Office. Full details and instructions can be found here: <https://carleton.ca/registrar/academic-consideration-policy/>.

SCHEDULE

Week 1 (January 8, 2026)

Introduction to the course. Themes, operation, assessment

Reading: None

Week 2 (January 15, 2026)

Part I: The Law of Work: Themes, Frameworks and Perspective

Reading: Doorey, The Law of Work pp. 3-65

1: Canadian Work Law in a Nutshell

2: A Framework for Analyzing the Law of Work

3: Key Perspectives That Shape the Law of Work

4: What is Employment (And Why it Matters)?

Week 3 (January 22, 2026)

Part II: The Common Law Regime (et al).

Readings: Doorey, The Law of Work pp. 69-89; 277-289; 473-518; 697-720

Part II: The Common Law Regime 69-89

Formation and Requirements of an Employment Contract

5: A Brief History of the Common Law Model of Employment

6: The Job Recruitment and Hiring Process

Part III: The Regulatory Regime 277-289

17: Introduction to the Regulatory Regime

Part IV: Industrial Relations and the Collective Bargaining Regime 473-518

28. Introduction to the Collective Bargaining Regime and the Canadian Labour Movement

29 A Brief History of Labour and the Law

30: Why do Workers Join Union, and What Effects Do Unions Have on Business?

Part V. The Charter of Rights and Freedoms and Work 697-720

39: The Charter of Rights and Freedoms and Work

Week 4 (January 29, 2026)

Part III: The Regulatory Regime

Reading: Doorey, The Law of Work, pp. 343-400

21: Introduction to Human Rights at Work

22: The Two-Step Human Rights Model and the Prohibited Grounds of Discrimination

23. The Bona Fide Occupational Requirements, The Duty to Accommodate and Other Discrimination Defences

Note: Reading Quiz 1 – 10 %, due January 29, Quiz on Brightspace.

Week 5 (February 5, 2026)

Parts III: Regulatory Regime

Reading: Doorey, The Law of Work, pp. 291-325

Part III: The Regulatory Regime pp. 291-325

18: Wage Regulation and Pay Equity

19: Regulating Hours of Work, Time Off, and Overtime

Week 6 (February 12, 2026)**Part III: The Regulatory Regime**

Reading: Doorey, The Law of Work, pp. 401-449

Part III: The Regulatory Regime pp. 401-449

24.: Occupational Health & Workers' Compensation

25.: The Right to Work: Immigration and Mobility

26.: Privacy Law at Work

Note: Reading Quiz 2 – 10 %, due February 12, Quiz on Brightspace.

Week 7 (February 16-20, 2026)

Winter break: No Classes

Week 8 (February 26, 2026)**Part III: The Regulatory Regime**

Reading: Doorey, The Law of Work, pp. 451-467

27. Globalization and the Law of Work: International Labour Law and Trade Law

Note: Case Brief Assignment – 10 %, due February 26, submit on Brightspace.

Week 9 (March 5, 2026)**Part IV: The Collective Bargaining Regime**

Readings: Doorey, The Law of Work, pp. 519-573

Canadian collective bargaining in context

31: The Unionization Process

32: Unfair Labour Practices and the Right to Organize

33: Collective Bargaining and the Making of a Collective Agreement

Note: Establish groups by March 5th for Mediation Brief assignments and Grievance Mediation Simulation exercise and submit group members' names to instructor on Brightspace. If your team has a preference, please indicate if the group would like to be designated union or management.

Also Note: Reading Quiz 3 – 10 %, due March 5, Quiz on Brightspace.

Week 10 (March 12, 2026)**Part IV: The Collective Bargaining Regime**

Readings: Doorey, The Law of Work, pp.575-599; 675-691

34: Strikes, Lockouts, and the Law of Collective Bargaining Conflict

38. Public Sector Labour Relations

Note: We will be discussing grievance mediation, which is relevant to the group assignment and exercise, so your attendance is imperative to understanding the assignment and exercise.

Week 11 (March 19, 2026)**Part IV: The Collective Bargaining Regime**

Readings: Doorey, The Law of Work pp. 601-673

35: The Collective Agreement

36: Grievances and Labour Arbitration and “Just Cause” for Discipline in the Unionized Workplace

37: The Regulation of Unions: Legal Status, the Duty of Fair Representation, and Decertification

Note: Reading Quiz 4 – 10 %, due March 19, Quiz on Brightspace.

Also Note: We will be discussing grievance mediation, which is relevant to the group assignment and exercise, so your attendance is imperative to understanding the assignment and exercise.

Week 12 (March 26, 2026)**Group Exercise - grievance mediation simulation.**

Reading: None

Note: The first assigned Management and Union teams will hand in their group assignments (on Brightspace before class begins) it is worth 15 % and then use them in a simulated grievance mediation with their counterpart groups to try and resolve the grievance that is based upon the scenario laid out in the group assignment. Attendance and participation are imperative for the exercise as you will not be assigned your group’s mark if you are not present and participating. The group exercise is worth 15 % of your final grade.

Week 13 (April 2, 2026)**Group Exercise - grievance mediation simulation.**

Readings: None

Note: The second assigned Management and Union teams will hand in their group assignments (on Brightspace before class begins) it is worth 15 % and then use them in a simulated grievance mediation with their counterpart groups to try and resolve the grievance that is based upon the scenario laid out in the group assignment. Attendance and participation are imperative for the exercise as you will not be assigned your group's mark if you are not present and participating. The group exercise is worth 15 % of your final grade.

Also Note: Reading Quiz 5 – 10 %, due April 2, Quiz on Brightspace.

POLICY ON PERMISSIBILITY OF SUBMITTING SAME WORK MORE THAN ONCE, PERMISSIBILITY OF GROUP OR COLLABORATIVE WORK, AND PERMISSIBILITY OF USING GENERATIVE AI

Students are strictly prohibited from submitting any work that has been previously submitted for academic credit in another course. Any such submission will result in an academic integrity violation, and the student will be referred to the university's academic integrity office for review. Re-using any portion of previous work, regardless of its extent, will be treated as a violation of academic integrity.

Students are not permitted to cooperate or collaborate on any academic assignments unless explicitly stated by the instructor. Any unauthorized collaboration will result in a violation of academic integrity and the student being referred to the academic integrity office. This policy applies to all tests, exams, and individual assignments. Proofreading by others is not allowed.

The use of AI tools (e.g., ChatGPT) to generate any part of an assignment or test is strictly prohibited. Unauthorized use of AI in this course will be treated as a violation of academic integrity.

Winter 2026 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website:</i> https://calendar.carleton.ca/academicyear/	
January 5, 2026	Winter term begins.
January 16, 2026	Last day for registration and course changes (including auditing) for Winter courses.
January 31, 2026	Last day to withdraw from full winter courses and the winter portion of fall/winter courses with a full fee adjustment.
February 16, 2026	Statutory holiday. University closed.
February 16-20, 2026	Winter break. No classes.
March 15, 2026	Last day for academic withdrawal from Winter courses.

	Last day to request Formal Examination Accommodations for April full winter, late winter, and fall/winter final examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
March 25, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full winter term or fall/winter undergraduate courses, before the official April final examination period.
April 3, 2026	Statutory holiday. University closed.
April 8, 2026	Winter term ends.
	Last day of winter and fall/winter classes.
	Classes follow a Friday schedule.
	Last day for take home examinations to be assigned.
April 9-10, 2026	No classes or examinations take place.
April 11-23, 2026	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
April 23, 2026	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

UNIVERSITY AND DEPARTMENTAL POLICIES

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another's data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own; and
- failing to acknowledge sources through the use of proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a University student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. For more information, please consult <https://wellness.carleton.ca/>

Emergency Resources (on and off campus):

- <https://wellness.carleton.ca/get-help-now/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

ACADEMIC ACCOMMODATIONS

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances, are outlined on the Academic Accommodations website (students.carleton.ca/course-outline).

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows.

Pregnancy and Family-Status Related Accommodations

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 about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>.

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 for a formal evaluation. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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).

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 where 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: <https://carleton.ca/equity/sexual-assault-support-services>

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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

Academic Consideration for Medical and Other Extenuating Circumstances

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).