



# Business Administration

Course Number:	<b>BUAD 374</b>
Course Title:	<b>EMPLOYMENT LAW</b>
Credits:	3
Calendar Description:	This course combines lectures and case studies to examine in depth the common law and statutory rules that govern the employment relationship in non-unionized working environments in British Columbia. Topic areas will include a review of the sources of employment law in this province, the distinction between employment and other work arrangements, the common law obligations owed by employers and employees, the rights which arise when the relationship comes to an end, the statutory framework which informs the relationship, and the modification of the relationship through the use of employment agreements.
Semester and Year:	<b>FALL 2019</b>
Prerequisite(s):	BUAD 209, 269, third-year standing
Corequisite(s):	No
Prerequisite to:	No
Final Exam:	Yes
Hours per week:	3
Graduation Requirement:	Elective – HR Management Specialty
Substitutable Courses:	No
Transfer Credit:	
Special Notes:	Written and oral communications skills will be examined throughout the course
Originally Developed:	August 2011
EDCO Approval:	August 2013
Chair's Approval:	

**Professors**

Name	Phone number	Office	Email
<b>Bob Groves</b> <i>Course Captain</i>	250-762-5445 ext. 4331	K: C127	bgroves@okanagan.bc.ca

**Learning Outcomes**

Upon completion of this course students will be able to

- distinguish the statutory requirements, and those arising at common law, which are applicable to employment relationships within British Columbia.
- apply relevant legal principles to the resolution of legal issues that arise in employment relationships.
- evaluate the legal implications of the terminology that is commonly found in employment contracts.
- compare employment to other working relationships.
- critique the legal justification for the selection of particular approaches to the management of employment relationships.
- compose arguments supporting the legal validity of a course of action chosen for the purposes of managing employment relationships in a workplace.
- judge when it is appropriate to seek legal advice in order to avoid, or to resolve, legal issues that may arise when managing employment relationships.

**Course Objectives**

This course will cover the following content:

See weekly Course Schedule

**Evaluation Procedure**

Assignments (individual)	20%
Moot Project (group work)	30%
Mid-term Exam	20%
Final Exam	30%
Total	100%

**Notes****Assignment and Exam Policy**

- All assignments are due on the date assigned by your professor.
- Instructions for assignments will be provided by your professor.
- Assignments that are not submitted on time will lose marks according to the instructions delivered for the assignment.
- Final exams will only be rescheduled in accordance with college policy as set out in the OC calendar; inconvenience to the student is not a valid reason for rescheduling an exam.
- **Students must complete all assignments and the moot project to pass this course.**
- **Students must earn half of all available exam marks to achieve a passing grade in the course.**

**Required Texts/Resources**

K. Williams-Whitt, et al, *Employment Law for Business and Human Resources Professionals, Alberta and British Columbia*, Third edition, 2017, Emond Montgomery Publications

Online Sources:

[www.qp.gov.bc.ca/statreg](http://www.qp.gov.bc.ca/statreg)

[www.canlii.org](http://www.canlii.org)

<http://scc.lexum.org>

<http://www.courts.gov.bc.ca>

## Course Schedule

Date		Topic	Textbook
2019 Week of:		Wednesday, Sept 4 - Classes Start Monday, October 14 – Thanksgiving (no classes) Monday, November 11 – Remembrance Day (no classes) Wednesday, December 4 – Last Day of Regular Classes	
Sep	2	Introduction and Overview of Employment Law	Ch. 1
	9	Overview (cont'd) and Human Rights Issues	Ch. 1, 7
	16	Human Rights Issues (cont'd)	Ch. 7
	23	Provincially Regulated Employees	Ch. 2
	30	The Employment Contract <b>Assignment 1 due</b>	Ch. 5
Oct	7	Navigating the Employment Relationship	Ch. 11
	14	Resignations, Retirement, and Post-Employment Obligations	Ch. 12, 15
	21	<b>Midterm Exam</b>	
	28	Dismissal with Cause	Ch. 13
Nov	4	Dismissal without Cause	Ch. 14
	11	Privacy Inside and Outside the Workplace	Ch. 10
	18	<b>Moot Week</b>	
	25	Employment Standards Legislation <b>Assignment 2 due</b>	Ch. 6
Dec	2	Workers Compensation Requirements	Ch. 9, 8
Dec	7 – 18	FINAL EXAM PERIOD	

## **SKILLS ACROSS THE BUSINESS CURRICULUM**

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The Okanagan School of Business promotes core skills across the curriculum. These skills include reading, written and oral communications, computers, small business, and academic standards of ethics, honesty and integrity.

## **STUDENT CONDUCT AND ACADEMIC HONESTY**

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### **What is the Disruption of Instructional Activities?**

At Okanagan College (OC), disruption of instructional activities includes student “conduct which interferes with examinations, lectures, seminars, tutorials, group meetings, other related activities, and with students using the study facilities of OC”, as well as conduct that leads to property damage, assault, discrimination, harassment and fraud. Penalties for disruption of instructional activities include a range of sanctions from a warning and/or a failing grade on an assignment, examination or course to suspension from OC.

### **What is Cheating?**

“Cheating includes but is not limited to dishonest or attempted dishonest conduct during tests or examinations in which the use is made of books, notes, diagrams or other aids excluding those authorized by the examiner. It includes communicating with others for the purpose of obtaining information, copying from the work of others and purposely exposing or conveying information to other students who are taking the test or examination.”

Students must submit independently written work. Students may not write joint or collaborative assignments with other students unless the instructor approves it in advance as a group/team project. Students who share their work with other students are equally involved in cheating.

### **What is Plagiarism?**

Plagiarism is defined as “the presentation of another person’s work or ideas without proper or complete acknowledgement.” It is the serious academic offence of reproducing someone else’s work, including words, ideas and media, without permission for course credit towards a certificate, diploma, degree and/or professional designation. The defining characteristic is that the work is not yours.

“Intentional plagiarism is the deliberate presentation of another’s work or ideas as one’s own.” Intentional plagiarism can be a copy of material from a journal article, a book chapter, data from the Internet, another student, work submitted for credit in another course or from other sources.

“Unintentional plagiarism is the inadvertent presentation of another’s work or ideas without proper acknowledgement because of poor or inadequate practices. Unintentional plagiarism is a failure of scholarship; intentional plagiarism is an act of deceit.”

### **What are the Students’ Responsibilities to Avoid Plagiarism?**

Students have a responsibility to read the OC Plagiarism Policy and Procedures outlined in the OC calendar, which is available in online format [www.okanagan.bc.ca](http://www.okanagan.bc.ca). Students must acknowledge the sources of information used on all their assignments. This usually involves putting the authors’ name and the year of publication in parentheses after the sentence in which you used the material, then at the end of your paper, writing out the complete references in a Reference section.

“Students are responsible for learning and applying the proper scholarly practices for acknowledging the work and ideas of others. Students who are unsure of what constitutes plagiarism should refer to the UBC publication “*Plagiarism Avoided; Taking Responsibility for your Work*”. This guide is available in OC bookstores and libraries.

Students are expected to understand research and writing techniques and documentation styles. The Okanagan School of Business requires the use of the APA or MLA style, but suggests that students cite references using the APA guidelines (see Publication Manual of the American Psychological Association, 6<sup>th</sup> edition (2009)). A copy of the APA manual is available in the reference section and also available for circulation from OC libraries. The library website has access to these two major citing styles.

### **What are the Penalties for Plagiarism and Cheating?**

The Okanagan School of Business does not tolerate plagiarism or cheating. All professors actively check for plagiarism and cheating and the Okanagan School of Business subscribes to an electronic plagiarism detection service. All incidents of plagiarism or cheating are reported and result in a formal letter of reprimand outlining the nature of the infraction, the evidence and the penalty. The Dean of the Okanagan School of Business and the Registrar record and monitor all instances of plagiarism and cheating. Penalties for plagiarism and cheating reflect the seriousness and circumstances of the offence and the range of penalties includes suspension from OC.