

York University
School of Human Resource Management
AP/HRM 3420 Section B
EMPLOYMENT LAW (Remote Section)
Fall 2020

INSTRUCTOR: **PROFESSOR DAVID DOOREY, Ph.D**

PLATFORM: Remote Course; Mix of recorded lectures, on-line content, and live on-line sessions

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PREREQUISITE:

Prerequisite: HRM 2600 3.00 This is a Hard Prerequisite. If you haven't taken it, you cannot take the class.

COVID19: Note that this short course outline is being prepared in spring 2020 and COVID19 remains an evolving crisis. This outline is based on information as I have it at this time, but is subject to change as things evolve. Any changes to the information described in this document will be announced at the start of the course in the fall.

COURSE DESCRIPTION/OBJECTIVES:

This Remote section of HRM 3420 we will function like a regular seminar-based course but as modified by the COVID19 requirement that course be taught online. Each week a new lecture recording will be posted on the course Moodle website. Students are required to do the assigned readings and listen to the lectures. At this point (writing this outline in spring 2020), the plan is to also hold weekly or occasional live sessions during the regular scheduled class time (Mondays at 2:30 p.m.). At that time, students will be expected to log onto the platform and participate in exercises and other course related activities.

The course explores how law governs the employment relationship. It focuses on two of work law's three regimes: (1) the common law; and (2) regulatory standards law. The third regime of work law, Collective Bargaining Law, is explored in HRM3422 Industrial Relations.

The course begins with an exploration of the Common Law model of the employment contract and the judge-made rules that have developed over time. We will learn about how judges have created a special type of contract to regulate work and that as judicial attitudes evolved, so too judges' interpretations of employment contracts. In the second half of the course, we will explore how Canadian governments have intervened in the common law model in pursuit of various public policy goals (i.e. better wages and working conditions, less discrimination in employment) through employment legislation. We will focus in this course on two examples: Employment Standards and Human Rights legislation.

The objective of this course is to introduce students to the fundamental concepts that guide the law of work. A key theme is that the law is shaped by developments and forces in broader society, and by the imbalance of power that permeates the employment relationship. This course will provide a strong foundation in work law for students interested in a career in HRM, labour relations, law, or public policy.

PREPERATION FOR CLASS

You are responsible for all assigned material covered in the lecture as well as the readings. There are a lot of “cases”—decisions written by judges and tribunals—considered in the readings and the lectures, as is to be expected in a law course. You should begin early in the term preparing a case summary log, which is a quick summary of the main point from each case. You will use this to study from for the test and exam. In the lectures, I will review key themes and issues from the readings and discuss questions and case studies relating to those readings. There are also exercises in the back of the chapters which you are expected to do. We will discuss these questions in the online lectures. Tests and exams will be similar in form to these questions.

READINGS

Text: D. Doorey, *The Law of Work*, 2nd Ed (2020, Emond)

You can order the book directly from the [publisher at this website \(https://emond.ca/the-law-of-work-2nd-edition.html\)](https://emond.ca/the-law-of-work-2nd-edition.html), in either hard copy (there is usually free shipping) or electronic version. The Bookstore will also have copies, although I am not sure how the Bookstore will be working this fall due to COVID19. The exam will be “open-book”, meaning you can use the textbook, so I recommend that you have your own copy.

METHOD OF EVALUATION:

At the time of writing this outline, there is still some uncertainty about grading options during COVID19. However, there will most likely be a midterm test and final exam that you will write remotely. The midterm will probably take place during the scheduled class time (Monday at 2:30 p.m.). That date and format will be confirmed once classes begin. There will also be a final exam scheduled during the exam period. That too will probably be written online during a designated time. In both cases, you will type your responses in a Word document and upload that document to the course Moodle page.

AT THIS POINT IN TIME, THE METHOD OF EVALUATION IS AS FOLLOWS:

Mid Term Test	45%
Final Exam	<u>55%</u>
TOTAL	100%

However, it is possible that the details of the grading scheme could change and students enrolled in the course will be updated once classes begin. Note that exams and any other assignments will be run through Turnitin to check for plagiarism. Any student who submit work that is not their own

original work will receive zero on the assignment and be reported to the Academic Discipline process.

Missed Tests and Late Assignments

There will be no make-up test for the mid-term. Students who present a proper medical authorization form as per the University's policy explaining that they could not write the mid-term due to medical or other recognized accommodation reasons **must write a written essay** (topic to be assigned by the professor), and will be graded as follows:

Essay:	35%
Final Exam:	65%

READ THIS: If you miss the midterm and you do not want to be assessed under this revised scheme, you should drop the course before the drop date. **All final grades will be reviewed by the School of Human Resource Management, and the School reserves the right to modify them in order to maintain high standards.**