

York University
School of Human Resource Management
AP/HRM 3420A (ONLINE): Term S1 2021

EMPLOYMENT LAW

***ALL MATERIAL BELOW SUBJECT TO CHANGE BY PROFESSOR UPON
REASONABLE NOTICE TO STUDENTS***

INSTRUCTOR: CHRISTOPHER SWEENEY, B.A. (Honours), LL.B.

OFFICE: N/A. Communication will be through email or moodle. In past sessions I have organized weekly check-ins through chat or blogs. This can be decided with the class. For all administrative issues: Room 150 Atkinson Building. 416-736-5806. lapsshrm@yorku.ca.

COMMUNICATION: You can email me if necessary at csweeney@yorku.ca or contact me through the moodle site with questions or to make an appointment. I will respond to emails at my earliest convenience.

CLASS TIMES AND LOCATION: ONLINE. York S1 classes begin the week of **May 10, 2021** and end **June 21, 2021**.

This course will be offered through remote/online delivery and is an asynchronous course with no specified meeting times

NOTE: This is a compressed 7-week course. Two online lectures will be delivered weekly.

EXAM PERIOD: The exam period is **June 23-25** inclusive. If you are not available during this period, you should withdraw from the course.

DROP DATE: The day to drop a course without a grade being entered is **June 7, 2021**.

MANDATORY PREREQUISITE

Prerequisite: AP/HRM 2600 3.00. If you don't have the prerequisite, you cannot take the class. It is not a co-requisite, so it is not good enough for you to be in the prerequisite course this term. Course credit exclusion: None.

METHOD OF INSTRUCTION:

A combination of online lectures, power point slides, online quizzes, articles and regular homework assignments. There is no fly-fishing competition this session.

COURSE DESCRIPTION/OBJECTIVES:

This course explores the ways that law governs the employment relationship. Students will learn the law as reflected in the two legal regimes that govern non-unionized work: (1) the Common Law; and (2) Regulatory Standards (Statute) Law. A theme we will explore throughout the course is how these balance the interests of workers, employers, and of the greater society. Students who complete the course will have familiarity with essential aspects of the law of the workplace and the policy justifications for those laws. Despite what it may say in the Course Calendar – there is NO Unionized workplace aspect to the course.

METHOD OF EVALUATION:

5 Mandatory Homework Assignments (5 x 4%)	20%
Mid Term (Online) Test (Week 3*) (or make up 6-page legal memorandum)	30%
2 Multiple Choice Online Quizzes (Week 3 and Week 7 of class*) (2 x 10%)	20%
Final Online Exam (June 23-25)	30%
TOTAL.....	100%

A 3-hour mid-term test will be held during Week 3, probably during the day Saturday May 29 to accommodate people's work schedules. It will be a 'take home' Online exam, meaning you will type the exam on a computer with Internet connection and upload your answers by the designated time. This date will be confirmed during the term.

The 3-hour final exam will also be held during the York S1 exam period (June 23-25) and will also be a 'take home' Online exam, meaning you will type the exam on a computer with Internet connection and upload your answers by the designated time. It will likely be held in the evening of one of those days to accommodate people's work schedules but that is up to the School.

TESTS AND ASSIGNMENTS – Provisional*

(*This is subject to change at the professor's discretion to within the first few weeks of class and students will be notified promptly once a final decision has been made)

The **MIDTERM EXAM** will be 3 hours and held Online during the third week of class (likely Saturday May 29). It is worth 30%. If you cannot make the date and time for the midterm for an acceptable documented reason, there will be a **make-up written 6-page legal memorandum assignment** for the value of the midterm.

The **FINAL EXAM** will be 3 hours and held Online and held during the exam period (June 23-25). The University will set the date, at which time you will be informed. The Final Exam is cumulative, but weighted on material after the midterm. It is worth 30%.

There will be **5 MANDATORY SHORT ASSIGNMENTS** throughout the course. These will generally take the form of the kind of question you would encounter on an exam and are based on your assigned readings for each week. These questions will be posted on the Course Moodle Website and you will be required to post your answers by a scheduled time. Each is worth 4% (Total 20%).

There will be **2 MULTIPLE CHOICE QUIZZES** during the course held before the Final exam period. They will be held online, likely in the third week before the midterm and the final week of classes. Each is worth 10% (Total 20%).

IMPORTANT: MISSED TESTS AND LATE ASSIGNMENTS

There will be NO make-up test for the quizzes. If there is an acceptable documented reason for the quiz being missed, the value of that mark will be applied to the final exam.

If you miss the midterm for an acceptable documented reason, there will be a written legal memorandum assignment in its place.

Late Assignments will receive a zero.

ScHRM policy on Deferred Exams: The Deferred Exam will be cumulative and will include all subjects/topics of the textbook and assigned and covered in class. Deferred exams are not necessarily in the same format as the exam written by your section of the course. The format for deferred exams is not released in advance. Access to a course website will not be given. Please save your lecture notes / presentation slides.

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.

READINGS

Text: **The Law of Work, 2nd Edition** (2020) by David J. Doorey, published by Emond Montgomery Publications.

Reading Kit: Additional required readings and other materials not found in the required text will be provided to you on the class website, via links to these cases, electronic copies or also occasional hand-outs. The law constantly evolves and current events inform what we take up in class and so materials may be distributed as they become available.

FINDING AND RESEARCHING EMPLOYMENT CASE LAW

I recommend that you read additional cases during the year dealing with topics we discuss in class. Many court decisions dealing with employment law are available free of charge at the website for the Canadian Legal Information Institute at this URL: <http://www.canlii.org/en/>

On that site you can search “wrongful dismissal” and “theft”, for example, to see court cases that deal with employees being dismissed for stealing.

Other Useful Resources available on Reserve at Scott Library. Some copies are also available for purchase at the York bookstore:

Employment Law for Business and Human Resources Professionals, 4th Edition. by Kathryn Filsinger, published by Emond Montgomery Publications.

For Better Or For Worse: A Practical Guide to Canadian Employment Law, 2nd Ed. R. Echlin & C. Thomlinson,, (Aurora Professional Press, 2003);

Individual Employment Law, 2nd Edition. G. England, (Irwin Law, 2008)

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.