

COURSE SYLLABUS



COURSE TITLE:	BUS 311 Employment Law
CLASS SECTION:	D01
TERM:	Winter 2022
COURSE CREDITS:	3
DELIVERY METHOD(S):	Online, synchronous – Mondays (excluding stat holidays) 5:30-8:20pm -14 Weeks

Camosun College campuses are located on the traditional territories of the Ləkʷəŋən and W̱SÁNEĆ peoples. We acknowledge their welcome and graciousness to the students who seek knowledge here. Learn more about Camosun's [Territorial Acknowledgement](#).

For COVID-19 information, please visit <https://legacy.camosun.ca/covid19/index.html>.

Camosun College requires mandatory attendance for the first class meeting of each course. If you do not attend, and do not provide your instructor with a reasonable explanation in advance, you will be removed from the course and the space offered to the next waitlisted student.

INSTRUCTOR DETAILS

NAME: Sonja Kennedy (she/her/hers)

EMAIL: kennedys@camosun.ca

HOURS: Please email me for an appointment well in advance of due dates for assignments

As your course instructor, I endeavour to provide an inclusive learning environment. However, if you experience barriers to learning in this course, do not hesitate to discuss them with me. Camosun College is committed to identifying and removing institutional and social barriers that prevent access and impede success.

CALENDAR DESCRIPTION

This course examines the legal relationship between employers and employees, as defined by common law and statute law. Topics include human rights, employment standards, contracts and HR policies, privacy, wrongful dismissal and just cause for termination. While the topics apply to both union and non-union environments, the collective bargaining relationship between unions and employers is not examined.

PREREQUISITE(S)

Must be completed prior to taking this course. All of:

- C in [BUS 210](#)

And **one** of:

- C in [BUS 276](#)
- C in [BUS 318](#)
- Bachelor degree from a recognized post-secondary institution

COURSE LEARNING OUTCOMES / OBJECTIVES

1. Identify the role of administrative agencies as they affect the workplace, including the Human Rights Tribunal and the Employment Standards Branch, and to anticipate when these agencies would be involved in the workplace.
2. Assess when a contract of employment exists as opposed to an independent contract of service and to assess the contractual and legal ramifications between the two.
3. Identify the typical terms of an employment contract and what makes the contract binding and draft basic terms.
4. Identify specific statutes and regulations relevant to the workplace and how they affect the employment relationship, including but not limited to, the Employment Standards Act, and BC Human Rights Code, and to apply their relevance to specific workplace situations.
5. Identify the respective common law obligations that are owed between employers and employees in the employment contract.
6. Identify and apply the legal obligations of an employer when terminating a worker, whether such termination is for just cause or not, and what notice of termination – if any – must be given to a dismissed worker.
7. Evaluate the ways in which employers can be liable for discrimination against workers and, applying the terms of human rights legislation to specific work situations, determine what constitutes such things as a *bona fide* occupational requirement, and the employer's duty to accommodate a worker alleging discrimination.
8. Assess the limits of vicarious liability of employers for their worker's torts and other wrongdoing when they are conducted within the scope of the worker's employment duties.
9. Apply existing affirmative action requirements in human rights legislation, including the Canadian Charter of Rights and Freedoms, to specific workplace situations.
10. Identify ways in which privacy rights of workers must be respected and protected by employers.
11. Assess workplace equity issues particularly gender differences and unequal pay for equal work.
12. Identify the role of Social Media in the workplace and evaluate its appropriate use.

REQUIRED MATERIALS & RECOMMENDED PREPARATION / INFORMATION

Text: Williams-Whitt, K., Letourneau, A. Schmaltz, T.J., Anderson, R., & Filsinger K.J. (2020). *Employment Law for Business and Human Resource Professionals: Alberta and British Columbia*. **4th edition**. Toronto: Emond Montgomery Publications Limited. ISBN 978-1-77255-615-5

A microphone, reliable internet, and video camera are required for this class.

COURSE SCHEDULE, TOPICS, AND ASSOCIATED PREPARATION / ACTIVITY / EVALUATION

The following schedule and course components are subject to change with reasonable advance notice, as deemed appropriate by the instructor.

CLASS/ DATE	TOPIC (Guideline)
01: January 10	Introduction to course, format and assessments Chapter (C.). 1 Overview of Employment Law ~ Team formation discussion
02: Jan 17	C. 2 Provincially Regulated Employers – Common Law C. 5 The Employment Contract Team input emails due.
03: Jan 24	C. 6. ESA Team Project Launch; cases and assignment posted; groups organize and first meeting occurs during this week
04: Jan 31	C. 7 Human Rights – Term Test Review
05: Feb 7	Term Test 1 in D2L- Covers Chapters 1, 2, 5, 6, & 7 (25%) <i>No class online- exam is on D2L during class time</i> C. 10 Privacy Video Lecture – pre-recorded C. 12 Resignation & Retirement - pre-recorded
06: Feb 14	C. 11 Navigating the Employment Relationship TEAM TIME
07: Feb 21	<i>Family Day & Reading break no class</i>
08: Feb 28	C. 14 Dismissal without Cause Human Rights Cases due (25%) at 9am Feb 28 in dropbox Accommodations & difficult terminations <i>Detailed Instructions for Termination Case (pairs) provided during lecture</i>
09: March 7	C. 13 Dismissal with Cause
10: March 14	C. 15 Post Employment Obligations Social Media; Off-duty Conduct & Review Term Test Review
11: March 21	Term Test 2 in D2L - Covers Chapters 10-15. (25%) during class time No class online – exam is in D2L during class time
12: March 28	Covid cases and Q/A with Sonja Termination case (pairs) due by noon (12pm) on March 29th - Assignment drop box online (25%)
13: April 4	Hybrid Cases, Natural Justice, and Q/A with Sonja
14: April 11	Review of Termination case (pairs)

Students registered with the Centre for Accessible Learning (CAL) who complete quizzes, tests, and exams with academic accommodations have booking procedures and deadlines with CAL where advanced notice is required. Deadlines can be reviewed on the [CAL exams page](http://camosun.ca/services/accessible-learning/exams.html). <http://camosun.ca/services/accessible-learning/exams.html>

EVALUATION OF LEARNING

DESCRIPTION	WEIGHTING
Pairs Assignment <ul style="list-style-type: none">Termination Package	25%
Team Assignment <ul style="list-style-type: none">Human Rights Case	25%
Term Tests <ul style="list-style-type: none">2@ 25% each	50%
	TOTAL
	100%

If you have a concern about a grade you have received for an evaluation, please come and see me as soon as possible. Refer to the [Grade Review and Appeals](http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf) policy for more information.
<http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf>

WORKLOAD:

You are expected to consult the course website and then read the materials for the coming class (**beforehand**), to attend all meetings of the class, including group meetings, to develop class and study notes, and to prepare for your examinations.

INSTRUCTION METHOD:

This class meets for three hours per week with additional time online. Classes may include a lecture, class discussions, team meetings, in-class tests and additional weekly on-line work/readings. There is a team project. Since some topics included in the course text are also addressed in other courses, **we do not cover Chapters 3, 4, 8 and 9.**

COURSE GUIDELINES & EXPECTATIONS

See the course D2L site for assignment instructions and grades, rubrics, course materials, and handouts for class. Important information will be posted in the course **News; ensure you read each item.** Due date reminders also appear on the course home page. If you have any questions or concerns, please ask!

SCHOOL OR DEPARTMENTAL INFORMATION

[School of Business Academic Honesty Guidelines](#)

The School of Business is committed to promoting competence, professionalism and integrity in our students and developing their core skills to succeed throughout their academic programs and in their careers. The purpose of these guidelines is to provide clear expectations of appropriate academic conduct and to establish processes for discipline in appropriate circumstances. It is the **student's responsibility** to become familiar with the [guidelines](#), definition, and consequences of academic dishonesty.

[School of Business Academic Honesty Guidelines](#)

Acts of academic dishonesty include, but are not limited to:

- Using the exact words of a published or unpublished author without quotation marks and without referencing the source of these words.
- Duplicating a table, graph, or diagram, in whole or in part, without referencing the source.
- Paraphrasing the ideas of another person, whether written or verbal, without referencing the source.
- Providing answers to another student in any test, examination, or take-home assignment.
- Taking unauthorized materials into an examination or test.
- Submitting the same paper or portions thereof for more than one assignment in different courses without the instructor's permission.

If you are uncertain or have any questions regarding academic integrity, please do not hesitate to discuss these with your instructor.

Assignments & Exams

Assignment Formatting

The School of Business uses **APA style** for formatting assignments and citing references. Proper citations and formatting using APA style will be required. See <https://camosun.libguides.com/apa7>

- *Submit all assignments into the D2L drop box by your last name.*
 - *In text citations for quotes, paraphrasing, and references must be consistent with APA standards.*
 - *Grammar, spelling, style and APA formatting, citations and referencing will be assessed in your mark.*
 - **All submitted work must be properly referenced to sources.**
- a. Students must submit their assignments on the due date. A grade of zero will be assigned to late submissions. There are no additional assignments or make up exams of any kind if you performed poorly on an assignment, midterm or final exam.
 - b. **EXAM DATES WILL NOT BE RESCHEDULED.** Non-attendance on scheduled exam dates results in a zero grade. Exceptions will be made only for medical reasons or extenuating circumstances which must be submitted and then accepted by the instructor. Please advise your instructor **promptly**.
 - c. Students registered through the [Centre for Accessible Learning \(CfAL\)](#) should discuss timelines with their instructors **at the beginning of each semester**.
 - d. Medical notes must be dated, signed, and be written on letterhead or prescription paper imprinted with the physician's name and address. Notes from RNs, chiropractors, massage therapists, etc., will not be accepted. Electronic notes will not be accepted. Medical documentation must be received no later than 1 week after the student's absence.
 - e. Unless otherwise specified, you are to submit your own work, any work collaborated (unless permitted by the course) will be considered in violation of the College's [Student Conduct Policy](#).

STUDENT RESPONSIBILITY

Enrolment at Camosun assumes that the student will become a responsible member of the College community. As such, each student will display a positive work ethic, assist in the preservation of College property, and assume responsibility for their education by researching academic requirements and policies; demonstrating courtesy and respect toward others; and respecting expectations concerning attendance, assignments, deadlines, and appointments.

SUPPORTS AND SERVICES FOR STUDENTS

Camosun College offers a number of services to help you succeed in and out of the classroom. For a detailed overview of the supports and services visit <http://camosun.ca/students/>.

Support Service	Website
Academic Advising	http://camosun.ca/advising
Accessible Learning	http://camosun.ca/accessible-learning
Counselling	http://camosun.ca/counselling
Career Services	http://camosun.ca/coop
Financial Aid and Awards	http://camosun.ca/financialaid
Help Centres (Math/English/Science)	http://camosun.ca/help-centres
Indigenous Student Support	http://camosun.ca/indigenous
International Student Support	http://camosun.ca/international/
Learning Skills	http://camosun.ca/learningskills
Library	http://camosun.ca/services/library/
Office of Student Support	http://camosun.ca/oss
Ombudsperson	http://camosun.ca/ombuds
Registration	http://camosun.ca/registration
Technology Support	http://camosun.ca/its
Writing Centre	http://camosun.ca/writing-centre

If you have a mental health concern, please contact Counselling to arrange an appointment as soon as possible. Counselling sessions are available at both campuses during business hours. If you need urgent support after-hours, please contact the Vancouver Island Crisis Line at 1-888-494-3888 or call 911.

COLLEGE-WIDE POLICIES, PROCEDURES, REQUIREMENTS, AND STANDARDS

Academic Accommodations for Students with Disabilities

The College is committed to providing appropriate and reasonable academic accommodations to students with disabilities (i.e. physical, depression, learning, etc). If you have a disability, the [Centre for Accessible Learning](#) (CAL) can help you document your needs, and where disability-related barriers to access in your courses exist, create an accommodation plan. By making a plan through CAL, you can ensure you have the appropriate academic accommodations you need without disclosing your diagnosis or condition to course instructors. Please visit the CAL website for contacts and to learn how to get started:

<http://camosun.ca/services/accessible-learning/>

Academic Integrity

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.13.pdf> for policy regarding academic expectations and details for addressing and resolving matters of academic misconduct.

Academic Progress

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.1.pdf> for further details on how Camosun College monitors students' academic progress and what steps can be taken if a student is at risk of not meeting the College's academic progress standards.

Course Withdrawals Policy

Please visit <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.2.pdf> for further details about course withdrawals. For deadline for fees, course drop dates, and tuition refund, please visit <http://camosun.ca/learn/fees/#deadlines>.

Grading Policy

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.5.pdf> for further details about grading.

Grade Review and Appeals

Please visit <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.14.pdf> for policy relating to requests for review and appeal of grades.

Mandatory Attendance for First Class Meeting of Each Course

Camosun College requires mandatory attendance for the first class meeting of each course. If you do not attend, and do not provide your instructor with a reasonable reason in advance, you will be removed from the course and the space offered to the next waitlisted student. For more information, please see the "Attendance" section under "Registration Policies and Procedures" (<http://camosun.ca/learn/calendar/current/procedures.html>) and the Grading Policy at <http://camosun.ca/about/policies/education-academic/e-1-programming-and-instruction/e-1.5.pdf>.

Medical / Compassionate Withdrawals

Students who are incapacitated and unable to complete or succeed in their studies by virtue of serious and demonstrated exceptional circumstances may be eligible for a medical/compassionate withdrawal. Please visit <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.8.pdf> to learn more about the process involved in a medical/compassionate withdrawal.

Sexual Violence and Misconduct

Camosun is committed to creating a campus culture of safety, respect, and consent. Camosun's Office of Student Support is responsible for offering support to students impacted by sexual violence. Regardless of when or where the sexual violence or misconduct occurred, students can access support at Camosun. The Office of Student Support will make sure students have a safe and private place to talk and will help them understand what supports are available and their options for next steps. The Office of Student Support respects a student's right to choose what is right for them. For more information see Camosun's Sexualized

Violence and Misconduct Policy: <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.9.pdf> and camosun.ca/sexual-violence. To contact the Office of Student Support: oss@camosun.ca or by phone: 250-370-3046 or 250-3703841

Student Misconduct (Non-Academic)

Camosun College is committed to building the academic competency of all students, seeks to empower students to become agents of their own learning, and promotes academic belonging for everyone. Camosun also expects that all students to conduct themselves in a manner that contributes to a positive, supportive, and safe learning environment. Please review Camosun College's Student Misconduct Policy at <http://camosun.ca/about/policies/education-academic/e-2-student-services-and-support/e-2.5.pdf> to understand the College's expectations of academic integrity and student behavioural conduct.

Changes to this Syllabus: Every effort has been made to ensure that information in this syllabus is accurate at the time of publication. The College reserves the right to change courses if it becomes necessary so that course content remains relevant. In such cases, the instructor will give the students clear and timely notice of the changes.