Law for Human Resources
HURS6010

Course Outline (hybrid)

Description:
This course will introduce students to some of the basic legal concepts that are fundamental to human resources issues, including employment contracts, human rights, and termination issues. You will become familiar with legislative provisions relating to employment law and understand the role of the courts and various tribunals in interpreting and applying those provisions to everyday situations. You will use case studies to learn how to analyze issues and determine the appropriate legal principles to be applied in solving problems. You will learn how human resource professionals interact with legal counsel, both in-house and outside, to problem solve and ensure compliance with legal requirements.

Course Goals:

- To enhance understanding of basic legal concepts as they intersect with Human Resources issues;
- To be able to apply that enhanced understanding to assist in analyzing situations and problems likely to arise in a Human Resources setting.

Course Objectives: At the completion of this course, the student will be able to:

- Understand basic legal concepts related to human resources issues;
- Apply those concepts in developing strategies to prevent problems from arising and deal with issues as they arise;
- Analyze situations that arise in the context of an HR practice and determine the legal issues relevant to dealing with the situation;
- Provide knowledgeable instructions to, and receive and apply advice from legal counsel in the course of an HR practice.

Evaluation:
Class Participation 10%
5 Exercises/Case Studies 10% each
Mid Term Test 10%
Final exam 30%

**Please note: if this course is being taken as part of the Human Resources Professional Association’s (HRPA) Certified Human Resources Professional (CHRP) coursework requirement, a minimum grade of 50% or higher is required on this final exam to gain credit for the course.

Notes on assignments (papers and reports):
- Must be academic in style and content
- Must have a clear focus
- Must present ideas in a logical and well thought-out flow
- Arguments, analysis and conclusions must be based on clearly identified research and sources

This course outline is a sample only and is subject to change.
• Must cite all references from other sources
• Must be in paragraph format
• Must be double-spaced, and typewritten
• Must follow APA style

Grading:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>A+</td>
<td>90-100</td>
</tr>
<tr>
<td>A</td>
<td>80-89</td>
</tr>
<tr>
<td>B</td>
<td>70-79</td>
</tr>
<tr>
<td>C</td>
<td>60-69</td>
</tr>
<tr>
<td>D</td>
<td>50-59</td>
</tr>
<tr>
<td>F</td>
<td>below 50</td>
</tr>
</tbody>
</table>

**Please note: a minimum overall grade average of 70% is required, with no individual course grade lower than 65% to complete the Diploma in Human Resources. Students must obtain an average of 70% in all ten required courses with no individual course grade below 65% to progress to practicum.**

Participation Grading Chart:

The following chart will act as a guide for assessing student participation in the course.

<table>
<thead>
<tr>
<th>Grade</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-10</td>
<td>The student participates frequently, providing relevant responses and over the length of the course actively replies to discussion questions, instructor comments, and other students in a positive manner that demonstrates critical thinking skills; the responses often offer new perspectives on course material and spark discussion.</td>
</tr>
<tr>
<td>7-8</td>
<td>The student participates consistently, providing relevant responses and over the length of the course actively offers new ideas and responds to the contributions of others.</td>
</tr>
<tr>
<td>6</td>
<td>The student provides some relevant contributions and occasionally offers new ideas.</td>
</tr>
<tr>
<td>5</td>
<td>The student’s contributions are inconsistent in both quality and relevance. The student does not offer any new ideas, and responses to fellow students are few.</td>
</tr>
<tr>
<td>4</td>
<td>The student rarely participates, rarely provides responses, and rarely responds to the comments and contribution of others. The student is rarely involved in group or class discussions.</td>
</tr>
<tr>
<td>0-3</td>
<td>The student never participates, does not respond to the comments or contributions of others, and does not offer their opinion or ideas. The student only contributes when specifically asked by the instructor.</td>
</tr>
</tbody>
</table>

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Policy on Cheating and Academic Misconduct:

Academic honesty is a cornerstone of conduct at Western University. We cannot have freedom of expression without integrity. Students are responsible for understanding the nature of and avoiding the occurrence of plagiarism and other academic offences; please refer to the section on “Scholastic Offences” in the current University Academic Calendar, or on the web at http://www.westerncalendar.uwo.ca. Such offences include plagiarism, cheating on an examination, submitting false or fraudulent assignments or credentials, impersonating a candidate, or submitting for credit in any course any academic work for which credit has previously been obtained or is being sought in another course in this University or elsewhere (without the knowledge and approval of the instructor to whom the work is submitted). Students enrolled in non-degree courses are expected to abide by the University’s code of conduct.

Code of Student Conduct:

The purpose of the Code of Student Conduct is to define the general standard of conduct expected of students registered at Western University, provide examples of behaviour that constitutes a breach of this standard of conduct, provide examples of sanctions that may be imposed, and set out the disciplinary procedures that the University will follow. For the complete Code of Student Conduct: http://www.uwo.ca/univsec/pdf/board/code.pdf.

Plagiarism:

All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between Western University and Turnitin.com (http://www.turnitin.com).

Statement on Professionalism:

Students enrolled in this program are expected to maintain standards of professionalism consistent with those in the workplace. This includes absenteeism and lateness, appropriate attire, use of technology during class, and your overall demeanour, especially when giving presentations, going on site visits, or hearing from guest speakers. Please consult your instructor if you require clarification on these standards and their interpretation for a specific course.

Laptops/Cell Phones:

The use of cellular phones in class is prohibited. As per the statement on professionalism, laptops and tablets can be used as tools for note taking, presentations and to contribute to in-class productivity. Abuse of laptops during class may result in discretionary limitations on the use of technology in the classroom on behalf of the instructor.

Policy on Late Assignments:

10% per day deduction, including weekends, up to a maximum of 5 days, after which assignments will not be accepted and a grade of zero will be assigned unless documentation for accommodation has been provided in advance.

Policy on Attendance:

Students are expected to arrive for class in a timely manner. Attendance is mandatory for all scheduled classes. Should a student miss a class due to illness, the instructor must be notified prior to. In accordance with Western’s Policy on Academic Consideration for Student Absences, students who

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experience an extenuating circumstance (illness, injury or other,) sufficiently significant to temporarily render them unable to meet academic requirements may submit a request for academic consideration by emailing the instructor of the impacted course and cc'ing the academic program manager on the message. Students will be allowed a maximum of two self-reported absences between September and April (per program, not per course) and one self-reported absence between May and August. Any absences in excess of two will require students to present a Student Medical Certificate signed by a licensed medical or mental health practitioner. For more information on this process, please visit http://www.westerncalendar.uwo.ca/PolicyPages.cfm?Command=showCategory&PolicyCategoryID=1&SelectedCalendar=Live&ArchiveID=#Page_12

Requesting Academic Accommodation:

We recognize that, from time-to-time, and for varied reasons, students may require accommodation for assignments, tests, or other academic responsibilities. The following information should be used as a guideline for you to balance fairness with personal accountability as you work to fulfill course and program requirements. If you have any questions about these details, please contact the Program Manager.

- If you have disability-related accommodation needs, Services for Students with Disabilities (SSD) plays a central role in Western’s efforts to ensure that its academic programs are accessible for students with disabilities at the graduate and undergraduate levels. SSD arranges academic accommodation for classes, exams, internships and other course or program activities. To request academic accommodation for medical/disability-related needs, contact SSD to meet with a counsellor to discuss your accommodation needs as soon as possible. SSD can be reached at 519-661-2147 or ssd@uwo.ca. Note that accommodation from previous studies does not transfer to Diploma/Certificate programs.

- If you require accommodation for other human-rights based needs, please contact your instructor directly with your accommodation request.

- Approval of non-medical or non-human rights based accommodations is at the discretion of course instructors, who may consult with the Program Manager in some circumstances.

- If you require accommodation for a short-term medical issue, please follow the Accommodation for Illness – Undergrads policy available through the Academic Policies section of the University Secretariat website. You may also contact the Program Manager directly for assistance with this policy.

How often will the instructor communicate with me?

E-mails received through OWL will be responded to within 24 hours. The instructor will be available to meet with students before or after any in class session, or by appointment at another mutually agreeable time.

How do I hand in assignments?

All assignments will be submitted electronically through OWL using the assignment tool. Failure to meet deadlines without the instructor’s written permission will be subject to the late assignment policy. It is the student’s responsibility to ensure that all assignments forwarded to the instructor arrive before the due date. If you experience difficulty in submitting assignments through OWL, you are responsible for contacting the instructor and arranging an alternate method of delivery (e.g. e-mail attachment) for the assignment.
**When will I receive my grades?**

Assignments will be marked, and the grades available, as soon as possible after they are due. Final grades will be available within two weeks after the last scheduled day of the course and can be viewed through the Student Centre account [https://student.uwo.ca](https://student.uwo.ca).

Students taking this course for professional development or as a sample course prior to apply to the program can print a grade report from myWCS.

**Course Schedule:**

<table>
<thead>
<tr>
<th>Unit</th>
<th>Week</th>
<th>Topic and Learning Objectives</th>
</tr>
</thead>
</table>
| 1    | In Class | Course Introduction, Introduction to Canadian Legal System, Courts and Tribunals, Three Legal Regimens that interact with Human Resources Issues. Learning Objectives:  
  - To obtain a basic understanding of the Canadian legal system and the manner in which it interacts with Human Resources issues |
| 2    | In Class | Creating the Employment Relationship – an Introduction to Contract law  
  Learning Objectives  
  - To understand the basic concepts of contract law  
  - To understand the special nature of an employment contract  
  To be able to identify problem areas in creating an employment contract |
| 3    | Online  | Understanding Case Law and Statutory Interpretation.  
  Learning Objectives  
  - To obtain the basic tools to interpret and understand new developments in law relating to HR |
| 4    | Online  | Creating the Employment Relationship – issues arising from the *Human Rights Code* and the *Employment Standards Act*  
  Learning Objectives  
  - To be able to identify the grounds of discrimination in the Human Rights Code and how they apply to the hiring process  
  - To identify the provisions of the ESA to be considered when hiring |
| 5    | In Class | Managing the Employment Relationship – Accommodation and the Human Rights Code  
  Learning Objectives  
  - To understand the duty to accommodate  
  - To recognize and respond to situations requiring accommodation |
| 6    | Online  | Managing the Employment Relationship |

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<table>
<thead>
<tr>
<th>Week</th>
<th>Type</th>
<th>Topics</th>
<th>Learning Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>In Class</td>
<td>Managing the Employment Relationship –</td>
<td>- To be able to understand and recognize various legislative compliance issues that may arise during the employment relationship</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Privacy, Equity</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Terminating the Employment Relationship-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Resignation, Retirement</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Online</td>
<td>Terminating the Employment Relationship</td>
<td>- To understanding the legal aspect of privacy issues in the workplace</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment Standards Act</td>
<td>- To understand legal issues arising out resignations and retirements</td>
</tr>
<tr>
<td>9</td>
<td>In Class</td>
<td>Terminating the Employment Relationship -</td>
<td>- To identify and understand the relevant provisions of the ESA relating to termination of employment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Modifying the Employment Contract</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Constructive Dismissal</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Cause</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Online</td>
<td>Severance Packages</td>
<td>- To understand various alternative approaches available in constructing a severance package</td>
</tr>
<tr>
<td>11</td>
<td>In Class</td>
<td>Problem Solving</td>
<td>- To be able to apply basic knowledge of legal concepts and legislation to analyze and solve day to day HR issues</td>
</tr>
<tr>
<td>12</td>
<td>In Class</td>
<td>Final Exam</td>
<td></td>
</tr>
</tbody>
</table>