Course Syllabus





A message from your instructor →

(https://valenciacollege.zoom.us/rec/share/tvaZBrpyU

tSFwS-X1I11TBC2.SBfVOeIF8tebqSxd?

startTime=1661002937000)

COURSE INFORMATION

Course Name: Human Resource Management Law

Course ID/Section: MNA 2403

Term/Year: Summer 2023

Modality: Online

Length of Term: 12 weeks

Credit Hours: 3

Campus/Building/Room: Virtual (Canvas)

Meeting Day/Time: N/A

INSTRUCTOR CONTACT INFORMATION

Instructor: Dr. Micah Dalcoe

Email: mdalcoe@valenciacollege.edu

COURSE DESCRIPTION

From the hiring process to privacy and compensation, employment law is a critical component of the relationship between organizations and workers. Contrary to popular belief, however, the law does not have all the answers to today's tricky business situations. This course draws attention both to the aspects of the law that involve specific legal protections and constraints, as well as to the zones of discretion within which employers and employees can act.

You will start by developing a solid foundation in U.S. employment law: what you need to know and what you need to keep in mind in your business in order to avoid litigation. Subsequent course material covers specific areas of interest in the workplace, such as employee privacy, wages and benefits, anti-discrimination policies, and intellectual property rights. In each of the modules, you will begin with the basic outlines of the most important laws that relate to the topic under discussion. After you gain a baseline understanding, you'll go beyond it to explore the discretionary areas within the law.

This course gives you the opportunity to study real-world cases which challenged and in some cases divided the courts. You'll read the cases, compare your assessments with those of your peers, then read the judges' decisions. Throughout the course, projects will give you the opportunity to explore how each topic area relates to your own workplace.

Particular emphasis is placed on the impact of legal issues, laws, and organizational policies on the employee-employer relationship.

Prerequisites: BUL 2241 and MAN 2300

COURSE OUTCOMES

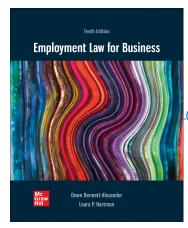
By the end of this experience, participants will:

- · Assess duty of loyalty and trade secrets
- Evaluate Noncompetition Clauses and Other Restrictive Covenants
- Assess Rights to Employee Inventions
- Analyze the potential exposure to discrimination charges in your organization
- Avoid creating a hostile work environment
- · Create an inclusive work environment that reasonably accommodates individuals with disabilities
- Evaluate the employee privacy policies of two companies
- · Evaluate elements of defamation
- Evaluate your workplace for potential liability exposure based on Section 7
- · Evaluate at-will employment and exceptions
- Evaluate different categories of employees
- Assess lawsuit mitigation strategies (employee status and wrongful termination)
- · Determine whether positions are exempt or nonexempt
- · Apply leave regulations

- · Assess retirement and medical insurance benefits
- · Describe diversity
- · Evaluate diversity awareness and appreciation
- · Describe changes in the workplace due to diversity

TEXTBOOK & REQUIRED MATERIALS: Employment Law for Business, 10th Edition by Dawn D.

Bennett-Alexander.



(https://connect.mheducation.com/connect/hmEBook.do?setTab=sectionTabs)

COMPUTER/EQUIPMENT REQUIREMENTS

Must have access to the Internet and Microsoft Office.

COURSE COMPETENCIES

The course seeks to strengthen students' skills applicable to Valencia's Student Core Competencies: Think, Value, Communicate, and Act.

COLLEGE POLICIES

No Show Policy

Class attendance is required for online classes; students who are not actively participating in an online class and/or do not submit the required attendance activity or assignment by the scheduled due (Orientation Quiz and Discussion Board in Orientation Module) date must be withdrawn by the instructor at the end of the first week as a "no show". If you are withdrawn as a "no show," you will be financially responsible for the class and a final grade of "WN" will appear on your transcript for the course."

Withdrawal Policy

Per <u>Valencia policy</u> : http://catalog.valenciacollege.edu/academicpoliciesprocedures/courseattemptscoursewithdrawal/) a student who withdraws from class before the established deadline for a particular term will receive a grade of "W. A student is not permitted to withdraw after the withdrawal deadline.

A faculty member **will** withdraw a student up to the withdrawal deadline for violation of the class attendance policy. A student who is withdrawn by faculty for violation of the class attendance policy will receive a grade of "W". After the withdrawal deadline, faculty will not withdraw a student and the student will receive the grade earned at the end of the course. Any student who withdraws or is withdrawn from a class during a third or subsequent attempt in the same course will be assigned a grade of "F." If you do not intend to complete the course, you must withdraw yourself prior to the withdrawal date.

College Student Conduct Policy

Valencia is dedicated not only to the advancement of knowledge and learning but also to the development of responsible personal and social conduct. As a registered student, you assume the responsibility for conducting yourself in a manner that contributes positively to Valencia's learning community and that does not impair, interfere with, or obstruct the orderly conduct, processes, and functions of the college as described in the Student Code of Conduct (Student Code of Conduct (Student Code of Conduct.pdf).

Academic Honesty

All forms of academic dishonesty are prohibited at Valencia College. Academic dishonesty 🖶

(http://valenciacollege.edu/generalcounsel/policy/documents/Volume8/8-11-Academic-Dishonesty.pdf)_includes, but is not limited to, acts or attempted acts of plagiarism, cheating, furnishing false information, forgery, alteration or misuse of documents, misconduct during a testing situation, facilitating academic dishonesty, and misuse of identification with intent to defraud or deceive.

All work submitted by students is expected to be the result of the students' individual thoughts, research, and self-expression. Whenever a student uses ideas, wording, or organization from another source, the source shall be appropriately acknowledged. If a student is caught submitting plagiarized work a first offense will result in a zero score on the assignment, a second offense will result a class grade of F.

Students with Disabilities

Valencia is committed to ensuring that all of its programs and services are accessible to students with disabilities. The Office for Students with Disabilities (OSD) ⇒ (http://valenciacollege.edu/osd/) determines reasonable and appropriate accommodations for qualified students with documented disabilities based upon the need and impact of the specific disability.

Any student requiring course accommodations due to physical, emotional or learning disability must contact the instructor and provide a *Notification to Instructor* form by the end of the second week of class. To obtain a letter of accommodation, contact OSD at 407-582-2229.

Baycare Student Assistance Services

Valencia College strives to ensure all our students have a rewarding and successful college experience. To that purpose, Valencia students can get immediate help with issues dealing with stress, anxiety, depression, adjustment difficulties, substance abuse, time management as well as relationship problems dealing with school, home or work. BayCare Behavioral Health Student Assistance Program (SAP)

(http://catalog.valenciacollege.edu/studentservices/baycarestudentassistanceservices/).services are free to all Valencia students and available 24 hours a day by calling (800) 878-5470. If needed, the counselor may refer the student to appropriate resources or to speak face-to-face with a licensed counselor.

COLLEGE LINKS

College Catalog (http://valenciacollege.edu/catalog/)

Valencia Policy Manual → (http://valenciacollege.edu/generalcounsel/policy/)

Student Handbook (http://valenciacollege.edu/pdf/student-handbook.pdf)

Microsoft Office Instructions for free software → (http://valenciacollege.edu/support/howto/documents/Valencia Office-ProPlus-Instructions.pdf)

Course Support . (http://valenciacollege.edu/learning-support/): onsite, online tutoring, writing help, etc.

COURSE POLICIES

DISCLAIMER STATEMENT: At the discretion of the instructor, the schedule, procedures, and assignments are subject to change in the event of extenuating circumstances OR students' collective assignment completion behaviors. However, any such change will be clearly announced. Such changes are designed to deal with unforeseen circumstances that arise during the course. The changes will be intended to benefit the student and will not significantly add to the rigor of the course.

Attendance Policy

This is an asynchronous course, which means there are no live class sessions. However, students are expected to participate fully by watching all assigned videos, completing any ungraded activities assigned, and reading all assigned text (i.e., worksheets and textbook sections). Attendance will be tracked via Canvas participation (i.e., review of hours logged into Canvas, participation in discussion boards, submitting assigned work, number of pages viewed/time spent reviewing content). Students who do not meet the college's attendance policy are subject to dismissal from the course.

Late Work/Makeup Policy

LATE OR MAKEUP WORK WILL NOT BE ACCEPTED FOR ANY REASON. Additional opportunities for graded assignment submissions have been built into the course to ensure that students have ample opportunities to submit assignments in the event of a documented emergency as well as other personal circumstances preventing students from submitting work. The course is designed to provide ultimate flexibility in managing the rigors of school with life demands

Final Exam Policy

There is no final exam in this course.

Grading Scale

90% -100% A

89.9%-80% B

79.9%-70% C

69.9%-60% D

59.9%-50%

and lower F

Grading Breakdown

All grades will be assigned as described within each assignment's grading rubric. Students who would like to discuss their grade may do so by scheduling an appointment with the instructor.

To build equity among students, you will decide which assignments to complete in order to achieve the course goals. Each student must attempt 620 points from which 120 points will be earned via participation points (20% of your final grade). Additionally, students may not attempt more than 500 points worth of course assignments; each student's grade will be calculated by dividing the points earned by total points possible (620).

Each course component and its point values are provided below. As an example, a student may choose to complete 3 course projects, 1 discussion board and 2 quizzes for a grand total of 500 possible course work points with 120 points coming from participation.

Points in excess of 500 will not count as extra credit, and may be voided at the professor's discretion. Once students have attempted 500 points, all other assignment opportunities will no longer apply or be accepted for submission or inclusion in the final grade.

Scenario 1: a student completes 4 projects for a grand total of 600 possible points. The professor will void the last submitted project and instruct the student to select other assignments to cover the 50 possible points remaining.

Scenario 2: a student completes all discussion boards and quizzes for a grand total of 500 possible points, and is unhappy with the current grade and decides to complete additional assignments without proper coordination with the professor. The professor voids all additional assignments leaving the student with the originally attempted assignments.

Discussions (13 opportunities, 30 points per discussion board):

All discussion criteria will be reflected in the rubrics for discussion posts, and require an initial post of a minimum of 200 words, and 2 replies to peers (minimum 100 words). Discussion postings should be:

- o Substantial Thoughtful, original, relevant and contributes to the overall learning of the group.
- Thought-provoking Stimulates thinking and reasoning.
- Timely Post early to give your peers time to respond, this contributes to a rich discussion.
- · Logical, concise, and grammatical.
- Convey "your presence" Reinforce your conclusions with real-life and professional experiences.

Activities and Course Projects (Activities are ungraded, and there are 6-course project opportunities worth 150 points each).

All activities and course projects will be graded according to the rubric criteria located after the assignment instructions. Activities and course projects should be submitted by the due date and may be re-submitted if needed to fulfill all of the rubric criteria.

Quizzes 11 quiz opportunities worth 10 points each)

All quiz questions should be answered correctly. Students will have a limited amount of attempts (2) to complete the quizzes. Feedback is available after each quiz attempt.

Classroom Policy

All participants are expected to be respectful, courteous and professional in manner towards others in conduct and deed. Students are expected to work in good faith to meet course objectives, contribute to the learning of self and others, and dedicate sufficient time towards the completion of course requirements.

Communication Policy

I am available to discuss any questions or concerns you may have via email, phone or zoom. Please send an email to my university email address to establish a time and date as well as modality of conference (i.e., telephone, email, zoom). I will respond within 48-72 hours of receipt of the request.

DISCLAIMER STATEMENT

Changes to the course calendar may be made at the discretion of the professor, and students will be notified of any changes in class and/or via the Canvas Inbox conversations tool.

IMPORTANT DATES

Start Date: 08 May 2023 End Date: 30 July 2023

Final Grades Posted: 04 August 2023

Drop Deadline: 15 May 2023

Withdrawal Deadline: 30M June 2023

(https://valenciacollege.edu/academics/calendar/documents/2022-2023-academic-calendar.pdf)

Course Schedule

Course Schedule and Summary of Assignments

Module	Content to Read and Assignments to be Completed (Graded assignments are bolded and in green font)
Orientation Module	Review Syllabus.
5/8 - 5/14	Review pages in the Orientation Module.
	Complete the Orientation Module Quiz (due 14 May by 11:59 PM)
Points Possible: 40	Complete the Orientation Module Discussion: Introductions and Course Matriculation Plan (due 14 May by 11:59 PM)
Module 1: The Influence of Law on Personnel Matters and Employee Relations	
5/15 - 5/28	Read pages 4-34 in the textbook.
	Complete Chapter 1 quiz.
Points Possible: 460	Section 1 Introduction: Evaluate Company Employee Privacy Policies
	Watch Interpreting Privacy Rights at and off Work Video
	Watch Assessing Employee Autonomy Rights Video
	Watch Defining the Origins of Privacy and Autonomy Protections Video
	Watch Investigating Complex Autonomy Cases Video
	Watch Conducting Drug and Psychometric Tests Video
	Read Investigating a Relevant Case: Novosel v. Nationwide Insurance
	Review Applying Workplace Privacy and Autonomy Concepts Worksheet
	Complete Interpreting Privacy and Autonomy in Your Workplace Discussion Board
	Complete Part One — Evaluating Company Employee Privacy Policies
	Section 1 Wrap-up: Evaluate Company Employee Privacy Policies
	Section 2 Introduction: Evaluate Elements of Defamation
	Watch Discerning the Elements of Common-Law Defamation Video
	Complete Assessing Whether a Statement Is Defamatory Activity
	Watch Applying a Legal Interpretation of Defamation Video
	Read Investigating a Relevant Case: Sigal Construction v. Stanbury
	Watch Deciding Whether or Not to Give References Video
	Review Recognizing Defamatory Language Worksheet
	Complete Part Two — Evaluating Elements of Defamation
	Section 2 Wrap-up: Evaluate Elements of Defamation
	Section 3 Introduction: Evaluate Your Workplace for Potential Liability Exposure Based on Section 7 • (https://lms.ecornell.com/courses/1526083/modules/items/22364230)
	Watch Introducing Section 7 of the National Labor Relations Act Video
	Review Studying Section 7 of the National Labor Relations Act
	Complete Applying Section 7 of the National Labor Relations Act Quiz
	Watch Looking at Examples of Protected and Unprotected Activity Video
	Watch Considering Employer Social Media Policies Video
	Complete Assessing Social Media Policies Quiz
	Watch Talking — or Not Talking — About Wages Video

- Complete Comparing Wages Discussion Board
- Complete Part Three Evaluating Your Workplace for Potential Liability Exposure Based on Section 7

Section 3 Wrap-up: Evaluate Your Workplace for Potential Liability Exposure Based on Section 7

Read pages 786-835 in the textbook.

o Complete Chapter 14 Quiz

Section 4 Introduction: Assess Duty of Loyalty and Trade Secrets

- Watch Honoring Your Duty Not to Compete With a Current Employer Video
- o Complete Duty of Loyalty: Jet Courier Case Activity
- Watch Protecting Your Employer's Trade Secrets Video
- Watch Comparing Customer Lists and Customer Relationships Video
- o Complete Leaving for New Opportunities Discussion Board
- Watch Misappropriating Company Assets Video
- Complete Course Project, Part One: Assessing Duty of Loyalty and Trade Secrets

Section 4 Wrap-up: Assess Duty of Loyalty and Trade Secrets

Section 5 Introduction: Evaluate Noncompete Clauses and Other Restrictive Covenants

- Watch Exploring the Range of Restrictive Covenants Video
- Watch Evaluating Restrictive Clauses Video
- o Watch Identifying Legitimate, Protectable Interests Video
- o Complete Evaluating a Legitimate, Protectable Interest Activity
- Watch What is "Reasonably Tailored?" Video
- Complete Assessing Reasonably Tailored ActivityWatch Analyzing a Case: Amazon Video
- Read Ask the Expert: Noncompete Agreements
- Watch Gauging Reimbursement for Training Contracts Video
- Complete Specialized Training Poll Activity
- Complete Course Project, Part Two: Evaluating Noncompetition Clauses and Other Restrictive Covenants

Section 5 Wrap-up: Evaluate Noncompete Clauses and Other Restrictive Covenants

Section 6 Introduction: Assess Rights to Employee Inventions

- Watch Assessing Who Owns an Invention Video
- · Complete Who Owns the Invention? Activity
- Complete Francklyn Shop Right Case Activity
- Watch Assessing Who Owns a Copyright Video
- o Complete JustMed v Byce Case and Analysis Activity
- Read Ask the Expert: Copyright, Trade Secrets, Inventions, and Trademarks
- Watch Holdover Clauses Video
- o Complete Who Would Own Your Brilliant Invention? Discussion Board
- Complete Course Project, Part Three: Assessing Rights to Employee Inventions

Section 6 Wrap-up: Assess Rights to Employee Inventions

Module 2: Employment Law in Practice

Read pages 155-211 in textbook.

5/30 - 6/18

Read pages 57-94 in textbook.

Points Possible: 280

Section 1 Introduction: Evaluating Types of Workers

- Watch Surveying Employment Law Video and review worksheet.
- Watch Determining Who Is an Employee Video and review worksheet and additional resources.
- Watch Applying the Right to Control Test video and review worksheet.
- Watch Applying other Multi-factored Tests video and review worksheet.
- Complete Investigating Secretary of Labor v. Lauritzen, aka Federal Pickle Case Quiz.
- Watch Classifying Partners, CEOs, Interns and Volunteers video, review worksheet and case study.
- Complete Applying 20th-Century Laws to 21st-Century Jobs Discussion Board.
- Course Project Part One- Distinguishing the Employees in Your Organization

Section 1 Wrap-up: Evaluating Types of Workers- Who Is Covered?

Section 2 Introduction: Exploring Exceptions to At-Will Contracts

- Watch Appreciating At-Will Contracts in Employment Law video and review case study.
- o Watch Differentiating Possible Contract Exceptions video.
- Watch Examining Employee Handbooks video.
- Watch Distinguishing the Tort Exceptions video.
- o Complete Fortune v. National Case Register Co. Discussion Board.
- Watch Delving Into Good Faith and Fair Dealing video and review worksheet.
- o Complete Determining Protections Against Arbitrary Dismissal Quiz.
- o Complete Chapter 2 Quiz.
- Course Project Part Two- Identifying Exceptions to At-Will Employment in Your Workplace

Section 2 Wrap-up: Exploring Exceptions to At-Will Contracts

Section 3 Introduction: Assessing Termination Claims

- Review Johnston v. Del Mar Distributing Co case study.
- Watch Whistleblowing Claims and Policy videos.
- Watch Investigating a Complex Case Gardner v. Loomis video.
- o Complete Exploring Legality vs. Ethics Discussion Board
- o Complete Chapter 4 Quiz.
- Course Project Part 3- Assessing a Termination Claim

Section 3 Wrap-up: Assessing Termination Claims

Module 3: Discrimination, Work and Safety Issues and Compensation and Benefits

Section 1 Introduction: Analyzing the Potential Exposure to Discrimination Charges in Your Organization

- Watch Surveying the Foundations of Anti-Discrimination Law Video
- Read Summary of Anti-Discrimination Statutes
- Watch Avoiding Disparate Treatment Video
- o Read Disparate Treatment for Age vs Other Protected Class Status
- Watch The BFOQ Defense Video
- o Complete Bona Fide Occupational Qualification (BFOQ) Discussion Board
- Watch Avoiding Disparate Impact Video
- Watch Sex Stereotyping: "Sex Plus" Discrimination Video
- Watch Applying Title VII to Cases of Gender Nonconformity Video
- Watch Viewing Sexual Orientation Through the Lens of Title VII Video
- o Watch Creating a Lawful Affirmative Action Plan Video
- o Read Attributes of a Lawful Affirmative Action Plan
- o Complete Assess Affirmative Action Employment Plans Activity

6/19 - 7/9

Points Possible: 430

 Complete Course Project, Part One — Analyze the Potential Exposure to Discrimination Charges in Your Organization

Section 1 Wrap-up: Analyzing the Potential Exposure to Discrimination Charges in Your Organization

Section 2 Introduction: Avoiding a Hostile Environment

- Watch Identifying Factors in Hostile Environment Cases Video
- o Review Six Behaviors Involved in Hostile Environments Worksheet
- Watch Gauging Employer Liability in Harassment Cases Video
- Complete Applying the Six Factors to a Workplace Situation Activity
- o Complete Part Two Avoid a Hostile Work Environment

Section 2 Wrap-up: Avoiding a Hostile Environment

Section 3 Introduction: Creating An Inclusive Work Environment

- Watch Understanding the Americans With Disabilities Act Video
- · Read ADA Definition of Disability
- Watch Evaluating Categories of Disability Video
- Watch Appraising "Reasonable Accommodation" Video
- o Read Hoffman v. Carefirst
- o Watch Assessing Hoffman v. Carefirst Video
- Review Tips for Avoiding Discrimination in the Workplace
- o Complete Hoffman v. Carefirst Discussion Board
- Course Project, Part Three Create an Inclusive Work Environment

Section 3 Wrap-up: Creating An Inclusive Work Environment

Read pages 902 - 950.

o Complete Chapter 16 quiz

Section 4 Introduction: Determine Whether Positions Are Exempt or Nonexempt

- Watch Reviewing the Fair Labor Standards Act Video
- Watch Calculating Regular and Overtime Rates Video
- Watch Determining What Counts as Work Time Video
- Read the Case Allen v. City of Chicago
- Read Debrief Allen v. City of Chicago
- Watch Classifying Exempt and Nonexempt Positions Video
- Watch Applying the Job Duties Test Video
- $\circ~$ Watch Applying the Salary Level and Salary Basis Tests Video
- Read The Three Tests
- o Complete Is this Employee Exempt or Nonexempt? Activity
- o Complete Exploring Wages in Your Organization Discussion Board
- Complete Part One Determining Whether Positions Are Exempt or Nonexempt

Section 4 Wrap-up: Determine Whether Positions Are Exempt or Nonexempt

Section 5 Introduction: Apply Leave Regulations

- Watch Examining the Essentials of the Family and Medical Leave Act Video
- o Read Families First Coronavirus Response Act
- Watch Assessing Other Leave Statutes in the United States Video
- o Complete USERRA Benefits vs. FMLA Benefits Activity
- Watch What Does It Mean to 'Give Notice'? Video
- Complete Part Two Applying Leave Regulations

1	Section 5 Wrap-up: Apply Leave Regulations
	Section 6 Introduction: Assess Retirement and Medical Insurance Benefits Read Explore U.S. Benefit Data Watch The Misnomer — 'Fringe' Benefits Video Complete Data Search Activity Watch Why Employers Offer Benefits Video Complete Talking About Data Discussion Board Watch Examining the Tax Treatment of Benefits Video Watch Defined Contribution Plans vs. Defined Benefit Plans Video Watch ERISA Steps In Video Watch The Affordable Care Act Video Read ACA Basics Complete Part Three — Assessing Retirement and Medical Insurance Benefits
	Section 6 Wrap-up: Assess Retirement and Medical Insurance Benefits
Module 4: Diversity and the Work Place 7/10 - 7/30	 Watch Module 4 Lecture Read pages 231 - 282 Complete Chapter 5 Quiz Complete Implicit Bias Discussion Board
Points Possible: 190	Complete Section 4 Course Project
Course Summary 7/10 - 8/1	
Total Points Possible: 1,400	Complete Course Survey.
Total Points Required: 620 (120 points from participation and 500 from attempted assignments)	