

MASTER SYLLABUS -BUS 446, Government Regulation and Human Resources (4)
School of Business and Economics, SONOMA STATE UNIVERSITY

I. Course Description: An examination of current legislation and executive orders affecting the human resource function. Laws, orders, guidelines and regulations will be examined within the framework of the regulatory model, which presents an integrated framework for understanding the relation of societal problems, laws, agencies, guidelines, the courts, and management responses.

II. Prerequisites: BUS 340 must be taken prior to registration in BUS 446. These prerequisites must be completed with a letter grade of C or better. The justification for requiring completion of BUS 340 before taking BUS 446 is as follows: BUS 340, *Survey of Human Resource Management*, is a comprehensive introduction to the management of human resources. Without the basic principles of human resource management, the interface between human resource management and the complexities of the regulatory model will be illusory.

III. Course Learning Outcomes:

General: The course presents the framework of the regulatory model as it is interpreted in federal and state jurisdictions by analyses of cases, statutes, regulations, and regulatory agency guidelines. This comprehensive and multi-jurisdictional approach enhances understanding of the effects of constitutional, economic, political, and societal interests on management parameters.

Specific: After completing the course, the student should be able to:

- 1) Demonstrate a basic understanding of the regulatory model and relation to common law contract and tort principles.
- 2) Describe the primary federal and state statutes, court opinions, and agency guidelines that form the framework for regulating employer-employee relations.
- 3) Explain the rationale for the diverse regulatory schemes as they affect constitutional, economic, political, and societal issues.
- 4) Describe the *prima facie* elements required to sustain the burden of proof for significant causes of action within the regulatory scheme, including racial, religious, gender, national origin, affinity orientation, disability, and sexual discrimination.
- 5) Distinguish between the employee and independent contractor relationship and demonstrate an understanding of benefits and detriments of these classifications.
- 6) Explain the statutes, cases, and guidelines that affect advertising, testing, and selecting of candidates for potential positions within the business environment.
- 7) Demonstrate an understanding of the employee protections that exist beyond the Civil Rights Act of 1964 and its progenies, both federal and state, including an understanding of privacy, labor law, workers compensation law, retirement security law (ERISA), fair labor statutes, and occupational safety (OSHA).
- 8) Explain the distinction between administrative and legal remedies from both the employer and employee perspectives.

- 9) Demonstrate an understanding of the recent trend toward mediation and arbitration in employer-employee disputes.
- 10) Demonstrate proficiency in one or more areas of employment law by presenting a training session on an employer-employee regulatory subject using a team-generated brochure, training videotape, role play, etc. The work product of this training, where feasible, is to be provided to the members of the class for future on-the-job reference.

IV. **Course Materials:** The basic resource used in BUS 446 is a comprehensive textbook that incorporates subject matter for the above-stated objectives. For example, Dawn D. Bennett-Alexander and Laura P. Hartman, **Employment Law for Business (3rd.)** is representative of the type of textbook used in this course. Also, the instructor may utilize other materials such as videos, and current federal and state cases that update areas of the text. Examples of these sources include The California State Bar Association, (Employment Law Section), Littler, Mendelson, et al., a law firm specializing in employer-employee issues, and PASCO, a local organization for human resource professionals.

V. **Teaching Methodology:** Actual teaching methods will be at the discretion of the individual professor. However, most approaches will utilize and include experiential and self-assessment exercises, group projects, team-based projects, lectures, guest speakers, video-tape presentations, and web-based and computer-aided presentations. All of the above didactic methods will be utilized at the determination and discretion of the professor.

V. **Evaluation Tools:** The professor, subject to review, will determine evaluation techniques used in the course. However, the typical methods of student feedback and evaluation are midterm and final examinations, group term projects and papers, oral presentation of projects, individual papers relating to course concepts, and journal or web articles related to business and issues from the text.

Further, other common methods of evaluation are classroom contributions and participation, peer evaluations of team skills, and individual contributions to group projects.

VI. **Course Content:**

A) Course Topics:

- Common law tort and contract principles in disputes as related and as distinct from claims in employment law
- Federal and State legal and administrative remedies
- Interface of constitutional, economic, political, and societal issues with regulatory models
- Elements of a *prima facie* cause of action in the regulatory scheme
- Classification of employees versus independent contractors
- Regulatory effect on advertising, testing, and selecting potential candidates
- Employee administrative protections including The Civil Rights Act of 1964 and its Amendments, state civil rights statutes (e.g. FEHA), labor law, workers compensation law, ERISA, OSHA, Fair Labor Statutes and privacy

- Conflict resolution in employment law with particular focus on mediation and arbitration (federal and state)
- Guidelines for Human Resource Management to minimize litigation
- Documentation, training, and follow-up to manage and regulate proactively

B) Interdisciplinary Content:

<u>Topic</u>	<u>Class Hours</u>	<u>Required Graded Work Other Than Exams?</u>
International/Global	.5	No
Ethical Issues	.5	No
Political Issues	.5	No
Social Issues	1	No
Legal/Regulatory	5.0	Yes
Environmental	.5	No
Technology Issues	1	Yes
Demographics & Diversity	2	No

B) Interdisciplinary Skills:

<u>Skill Area</u>	<u>Required Graded Work Other Than Exams?</u>
Oral Communication	Yes
Written Communication	Yes
Critical Thinking	Yes
Working in Teams	Yes