

COURSE OUTLINE		
<b>TERM:</b> Fall 2026	<b>COURSE NO:</b> LAW 361	
<b>INSTRUCTOR:</b>	<b>COURSE TITLE:</b> Employment Agencies and Tribunals	
<b>OFFICE:</b> <b>LOCAL:</b> <b>E-MAIL:</b> @capilanou.ca	<b>SECTION NO(S):</b>	<b>CREDITS:</b> 3.0
<b>OFFICE HOURS:</b>		
<b>COURSE WEBSITE:</b>		

Capilano University is named after Chief Joe Capilano (1854–1910), an important leader of the Skwxwú7mesh (Squamish) Nation of the Coast Salish Peoples. We respectfully acknowledge that our campuses are located on the unceded territories of the səliłwətał (Tsleil-Waututh), shíshálh (Sechelt), Skwxwú7mesh (Squamish), and xʷməθkʷəy̓əm (Musqueam) Nations.

#### **COURSE FORMAT**

Three hours of class time, plus an additional hour delivered through online or other activities for a 15-week semester, which includes two weeks for final exams.

#### **COURSE PREREQUISITES**

LAW 101, LAW 110, LAW 210, and LAW 200 or LAW 300; OR 45 credits of 100-level or higher coursework

#### **CALENDAR DESCRIPTION**

Students will apply statutory law of British Columbia in three core areas in employment law: employment standards, human rights in employment, and workplace safety and compensation. They will also learn about the purpose, powers and procedures of the agencies and tribunals that administer and adjudicate these laws.

#### **COURSE NOTE**

LAW 361 is an approved Self and Society course for Cap Core requirements.

#### **REQUIRED TEXTS AND/OR RESOURCES**

Materials, including legislation and decisions, posted on eLearn.

#### **COURSE STUDENT LEARNING OUTCOMES**

**On successful completion of this course, students will be able to do the following:**

1. Apply the statutory rules, principles and practice related to employment standards in British Columbia, including those relating to:
  - a. workers covered by the BC *Employment Standards Act* (ESA);

- b. wages, hours of work and overtime;
  - c. entitlement to and calculation of statutory holiday pay;
  - d. leaves, vacation, and vacation pay;
  - e. termination and liability arising from length of service, including comparison to the common law; and
  - f. jurisdiction, remedies and procedures under the ESA.
2. Apply the statutory rules, principles and practices related to human rights in British Columbia, including:
  - a. protected characteristics;
  - b. prohibited discrimination in employment contexts;
  - c. exceptions, including bona fide occupational requirements;
  - d. the duty to accommodate up to the point of undue hardship;
  - e. harassment and bullying in the work place; and
  - f. jurisdiction, remedies and procedures at the BC Human Rights Tribunal.
3. Apply the statutory rules, principles and practices related to workers compensation in British Columbia, including:
  - a. jurisdiction;
  - b. occupational illness and workplace injuries;
  - c. wage-loss, vocational rehabilitation, and health care benefits;
  - d. average earnings and earnings capacity; and
  - e. remedies and procedures relating to workers' compensation in BC.

**Students who complete this Self and Society course will be able to do the following:**

1. Identify potential root causes of local/global problems and how they affect local/global cultures, economies, politics, and policies;
2. Assess and evaluate individual and collective responsibilities within a diverse and interconnected global society;
3. Synthesize a range of differing community perspectives on ethics and justice and explain how these perspectives can inform structural change; and
4. Explain how contexts (e.g. cultural, historical, colonial, economic, technological) shape identity formation and social structures.

**COURSE CONTENT**

WEEKLY COURSE CONTENT	
WEEK	CONTENT
1	<b>INTRODUCTION</b> Sources of employment law, and the expansion of legislation governing the employment relationship.
2	<b>EMPLOYMENT LEGISLATION</b> Provincial vs federal jurisdiction to regulate work and employment; interpretation of employment legislation; interplay between statutory and common law contractual entitlements.

3	<p><b>EMPLOYMENT STANDARDS: JURISDICTION, HIRING &amp; WAGES</b></p> <p>Jurisdiction and application; statutory rules about hiring employees and the payment of wages, including minimum wages, deductions and assignments, and gratuities.</p>
4	<p><b>EMPLOYMENT STANDARDS: HOURS OF WORK, OVERTIME AND TIME OFF</b></p> <p>Statutory requirements relating to hours of work and overtime; entitlement to and calculation of statutory holiday pay; minimum requirements and employer duties relating to leaves and vacation.</p>
5	<p><b>EMPLOYMENT STANDARDS: TERMINATION OF EMPLOYMENT</b></p> <p>Termination of employment and liability resulting from length of service; layoffs and group termination; comparison to common law wrongful dismissal.</p>
6	<p><b>EMPLOYMENT STANDARDS: ENFORCEMENT, PROCEDURE AND APPEALS</b></p> <p>An overview of investigations, enforcement mechanisms, remedies, and procedure at the Employment Standards Branch and the Employment Standards Tribunal.</p>
7	<p><b>MIDTERM EXAM</b></p>
8	<p><b>HUMAN RIGHTS: STATUTORY REGIME AND PROTECTED CHARACTERISTICS</b></p> <p>The larger human rights regime; purposes of the legislation; the history of human rights in Canada; protected characteristics under the <i>BC Human Rights Code</i>.</p>
9	<p><b>HUMAN RIGHTS: DISCRIMINATION IN EMPLOYMENT</b></p> <p>Prohibited forms of discrimination in the employment relationship; discrimination defences, including bona fide occupational requirements; the duty to accommodate; specific forms of harassment in the workplace; employer responsibilities.</p>
10	<p><b>HUMAN RIGHTS: TRIBUNAL PRACTICE AND PROCEDURE</b></p> <p>Procedure for making complaints; remedies for human rights violations; evidentiary standards; practice and procedure at the Human Rights Tribunal.</p>
11	<p><b>WORKERS COMPENSATION: DISABILITY AND CAUSATION</b></p> <p>Jurisdiction; injuries arising out of or in the course of employment; occupational disease due to nature of employment; specific injuries, including compensation in fatalities.</p>
12	<p><b>WORKERS COMPENSATION: CLAIM BENEFITS AND SERVICES</b></p> <p>Vocational rehabilitation, health care and other assistance; temporary wage-loss, average earnings and earning capacity; permanent disability.</p>

13	<b>WORKERS COMPENSATION: PROCEDURE</b> Time limits; Board procedural issues, including board policy, board reviews and limitations of actions; WCAT jurisdiction and procedure on appeals and reconsiderations; awards, remedies and penalties.
14-15	<b>FINAL EXAM PERIOD: FINAL EXAM</b>

### EVALUATION PROFILE

Midterm Exam	25-35%
Final Exam	25-35%
Assignments (2)	30-40%
Participation	<u>0-10%</u>
<b>TOTAL:</b>	<b>100%</b>

### Midterm and Final Exams

There will be a midterm exam in Week 7 covering Weeks 1-6 of the materials and a final exam covering Weeks 8-13 of the materials. The format of the exams will be determined by the instructor and may include a combination of true/false, multiple choice, matching, short answer, and essay questions. The final exam will be scheduled at a date to be determined by the Registrar's Office.

### Assignments

Students will complete two assignments involving a simulation, memo, letter, complaint or similar document applying the law to employment standards, human rights, or workers' compensation scenarios.

### Participation

If a participation grade is provided, then it is allocated to the consistency, quality, and frequency of contributions to class discussions and class presentations. Consistency means attending every class and actively contributing to discussions on a regular basis. Quality means demonstrating respect for peers and their contributions, listening attentively during lectures and when other students are speaking, and participating in all activities with an open and inquisitive mind.

### GRADING PROFILE

A+ = 90-100	B+ = 77-79	C+ = 67-69	D = 50-59
A = 85-89	B = 73-76	C = 63-66	F = 0-49
A- = 80-84	B- = 70-72	C- = 60-62	

### Incomplete Grades

Grades of Incomplete "I" are assigned only in exceptional circumstances when a student requests extra time to complete their coursework. Such agreements are made only at the request of the student, who is responsible to determine from the instructor the outstanding requirements of the course.

**Late Assignments**

Assignments are due at the beginning of the class on the due date listed. If you anticipate handing in an assignment late, please consult with your instructor beforehand.

**Missed Exams/Quizzes/Labs etc.**

Make-up exams, quizzes and/or tests are given at the discretion of the instructor. They are generally given only in medical emergencies or severe personal crises. Some missed labs or other activities may not be able to be accommodated. Please consult with your instructor.

\*\*\* Accommodations can be made to honour community needs and traditional practices.

**Attendance**

Students are expected to attend all classes and associated activities.

**English Usage**

Students are expected to proofread all written work for any grammatical, spelling and stylistic errors. Instructors may deduct marks for incorrect grammar and spelling in written assignments.

**Electronic Devices**

Students may use electronic devices during class for note-taking only.

**On-line Communication**

Outside of the classroom, instructors will (if necessary) communicate with students using either their official Capilano University email or eLearn; please check both regularly. Official communication between Capilano University and students is delivered to students' Capilano University email addresses only.

**UNIVERSITY OPERATIONAL DETAILS****Tools for Success**

Many services are available to support student success for Capilano University students. A central navigation point for all services can be found at: <https://www.capilanou.ca/student-services/>

**Capilano University Security: download the [CapU Safe Alert App](#)**

**Policy Statement (S2009-06)**

Capilano University has policies on Academic Appeals (including appeal of final grade), Student Conduct, Academic Integrity, Academic Probation and other educational issues. These and other policies are available on the University website.

## Academic Integrity (S2017-05)

Any instance of academic dishonesty or breach of the standards of academic integrity is serious and students will be held accountable for their actions, whether acting alone or in a group. See policy and procedures S2017-05 Academic Integrity for more information:

<https://www.capilanou.ca/about-capu/governance/policies/>

Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances, are prohibited and will be handled in accordance with the Student Academic Integrity Procedures.

**Academic dishonesty** is any act that breaches one or more of the principles of academic integrity. Acts of academic dishonesty may include but are not limited to the following types:

**Cheating:** Using or providing unauthorized aids, assistance or materials while preparing or completing assessments, or when completing practical work (in clinical, practicum, or lab settings), including but not limited to the following:

- Copying or attempting to copy the work of another during an assessment;
- Communicating work to another student during an examination;
- Using unauthorized aids, notes, or electronic devices or means during an examination;
- Unauthorized possession of an assessment or answer key; and/or,
- Submitting of a substantially similar assessment by two or more students, except in the case where such submission is specifically authorized by the instructor.

**Fraud:** Creation or use of falsified documents.

**Misuse or misrepresentation of sources:** Presenting source material in such a way as to distort its original purpose or implication(s); misattributing words, ideas, etc. to someone other than the original source; misrepresenting or manipulating research findings or data; and/or suppressing aspects of findings or data in order to present conclusions in a light other than the research, taken as a whole, would support.

**Plagiarism:** Presenting or submitting, as one's own work, the research, words, ideas, artistic imagery, arguments, calculations, illustrations, or diagrams of another person or persons without explicit or accurate citation or credit.

**Self-Plagiarism:** Submitting one's own work for credit in more than one course without the permission of the instructors, or re-submitting work, in whole or in part, for which credit has already been granted without permission of the instructors.

**Prohibited Conduct:** The following are examples of other conduct specifically prohibited:

- Taking unauthorized possession of the work of another student (for example, intercepting and removing such work from a photocopier or printer, or collecting the graded work of another student from a stack of papers);
- Falsifying one's own and/or other students' attendance in a course;

- Impersonating or allowing the impersonation of an individual;
- Modifying a graded assessment then submitting it for re-grading; or,
- Assisting or attempting to assist another person to commit any breach of academic integrity.

### **Sexual Violence and Misconduct**

All Members of the University Community have the right to work, teach and study in an environment that is free from all forms of sexual violence and misconduct. Policy B401 defines sexual assault as follows:

Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent, including the threat of sexual contact without consent. Sexual assault can be committed by a stranger, someone known to the survivor or an intimate partner.

Safety and security at the University are a priority and any form of sexual violence and misconduct will not be tolerated or condoned. The University expects all Students and Members of the University Community to abide by all laws and University policies, including B.401 Sexual Violence Policy and B.401.1 Sexual Violence Procedure (found on Policy page <https://www.capilanou.ca/about-capu/governance/policies/>)

**Emergencies:** Students are expected to familiarise themselves with the emergency policies where appropriate and the emergency procedures posted on the wall of the classroom.