‘Fundamentals of Canadian Business Law and Ethics’
(AP/ADMS 3060 3.0)
Internationally Educated Professionals (IEP) Program
(Note: Subject to Further Revision)

Faculty of Liberal Arts and Professional Studies
School of Administrative Studies
York University
Fall 2012

Course Director: Mark Schwartz, MBA, JD, PhD
Business Ethics – Online; Business Law – In-Class

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Business Ethics Component (Online): Moodle Course Website: Please go to https://moodle.yorku.ca/ to log in to Moodle course website.

Important: Note that the first session of the course will be held in-class on Wednesday, September 5th, from 7:00-10:00 pm, in the TEL Building room 0004. The next time we will meet again in class (TEL 0004) will be 7:00-10:00 pm on Wednesday, October 17th.

Business Law Component Classroom Location: TEL Building, Room 0004


There may also be supplemental readings posted on the Moodle course website throughout the semester.

Important Date: November 9th
Last date to drop course without receiving a grade.
Fundamentals of Canadian Business Law and Ethics  
(AP/ADMS 3060 3.0)  
Course Outline

Course Description: This course is intended to provide students with the basic legal and ethical principles and frameworks that are necessary when one is operating within a business context. The course is designed to essentially combine the most critical components of two typical undergraduate business courses, one in “Business Ethics”, the other in “Business Law”.

The “Business Ethics” online component of the course, covered during the first half, introduces students to the relevance and importance of ethics and social responsibility in business. Important learning objectives are to increase students’ awareness and understanding of ethical issues in business, and to provide students with useful conceptual tools to guide analysis and decisions. The ultimate intent of the course is to leave students better equipped to identify, think critically about, and resolve ethical issues that are encountered in one’s working life at the individual, organizational, and societal levels. The course will apply various conceptual tools and ethical frameworks to the treatment by business of their various stakeholder groups including: shareholders; employees; and consumers. The course concludes with a discussion of how companies can better establish ethical corporate cultures (e.g., compliance and ethics programs).

The “Business Law” in-class component of the course, covered during the second half, will introduce students to the fundamental building blocks of business law, contracts and torts (e.g., negligence). This will be followed by a discussion of the legal aspects of the different forms of business organization including: sole proprietorships; partnerships; and corporations. Other important areas of business law to be covered include: employment law; consumer law; competition law; environmental law; bailment; real estate law (including mortgages); as well as intellectual property. The course is not designed to turn students into lawyers, but to provide them with the basic knowledge and understanding of legal principles so that they are more fully aware of the legal implications of their actions in business and can more easily navigate within the Canadian legal system.
Course Learning Objectives:

The primary learning objectives of this course are as follows:

a. To have a basic understanding of the key legal concepts and principles that relate to business activity, whether as an owner, professional, employee, manager, executive, or director.

b. To become more aware of the legal implications that can arise while engaged in business activity in order to know when to engage the assistance of a lawyer, as well as how to be a more informed and knowledgeable legal client.

c. To enhance awareness and increase understanding of the nature of business ethics and corporate social responsibility in the Canadian as well as global business environment.

d. To develop critical ethical decision-making skills via the application of concepts and ethical theories to business cases.

Course Relevance

The course is required for all students admitted to the Bridging Program for Internationally Educated Professionals in Business Finance and Administration and is one of the two core courses in the Foundation Skill’s segment of the program. Students must successfully complete this course to continue to the specialized skills segment of the bridging program which is comprised of upper level (i.e., 3000 and 4000 level) courses in the BAS, BAS-ITEC programs.

Student Assignments and Grading:

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<tr>
<th>Assignment</th>
<th>Grade Weight</th>
<th>Due Date</th>
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| 1) Business Ethics Mid-Term Take Home Exam | 40%          | Posted: October 10th
Due Date: October 17th
(bring to class) |
| 2) Business Law Take-Home Assignment | 60%          | Posted: November 21st
Due: TBA                        |
| TOTAL                                | 100%         |                                 |

Mid-Term: The “Business Ethics” Mid-term Examination will be a take-home exam and consist of a case analysis utilizing the frameworks and other materials (cases and readings) from the business ethics component of the course.

Final Assignment: The Final Assignment will be a take-home assignment and cover sessions 7-12 of the course (“Business Law”) and will consist of a legal case analysis (i.e., legal issues, legal arguments, legal judgment).
Class Expectations and Participation

In general, the readings each week for the course will be quite heavy, but it is important that you take the time to do the readings and not fall behind. This will help with one’s understanding of the material presented during the lectures. It is also important to read all the assigned cases beforehand so you will be prepared to discuss them in class.

Much of the learning from the course comes from the analysis and discussion of the material. You are expected to be prepared to provide thoughtful contributions in class to advance our understanding. While class participation is not formally evaluated, attendance is required and failure to attend could affect one’s final grade. Absences should occur only under exceptional circumstances and should be discussed with the instructor.
### “FUNDAMENTALS OF CANADIAN BUSINESS LAW AND ETHICS”
**AP/ADMS 3060 3.00**

<table>
<thead>
<tr>
<th>Session 1</th>
<th>Introduction To Business Ethics</th>
<th>What is Business Ethics? What is Social Responsibility? Ethics versus the Law, Religion, and Etiquette, Moral Responsibility, Moral Development</th>
<th><strong>Readings</strong> (Course kit): • “Business Ethics Fundamentals” (Carroll and Buchholtz) <strong>Cases:</strong> • “Parable of the Sadhu”</th>
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<td>Session 2</td>
<td>Moral Standards By September 12th (On-line)</td>
<td>Core Ethical Values, Relativism, Egoism</td>
<td><strong>Readings</strong> (Course kit): • “Personal and Organizational Ethics” (Carroll and Buchholtz) <strong>Cases:</strong> • “Heinz’ Dilemma”</td>
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<td>Session 3</td>
<td>Moral Standards (Continued) By September 19th (On-line)</td>
<td>Utilitarianism, Kantianism, Moral Rights, Justice</td>
<td><strong>Readings</strong> (Course kit): • “Personal and Organizational Ethics” (Carroll and Buchholtz) <strong>Cases:</strong> • “Heinz’ Dilemma”</td>
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<td>Session 4</td>
<td>Corporate Social Responsibility By September 26th (On-line)</td>
<td>Purpose of Business, Stakeholder Theory, Social Responsibility Theory, Social Investment, Social Auditing and Reporting</td>
<td><strong>Readings</strong> (Course kit): • “The Social Responsibility of Business is to Increase its Profits” (Friedman) <strong>Cases:</strong> • “Merck &amp; Co.” • “Union Carbide in Bhopal” • “Not a Fool, Not a Saint” (Malden Mills)</td>
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<td>Session 5</td>
<td>Employees and Consumers By October 3rd (On-line)</td>
<td>Greed, Conflicts of Interest, Gifts and Entertainment, Insider Trading, Theft and Fraud, Manufacturer’s Obligations to Consumers, Product Recalls, Ethical Crisis Management</td>
<td><strong>Readings</strong> (Course kit): • “The Employee’s Obligations to the Firm” (Velasquez); • “The Ethics of Consumer Production and Marketing” (Velasquez) <strong>Cases:</strong> • “Hot Coffee at McDonalds” • “The Ford Pinto”</td>
</tr>
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Session 6
Global Business Ethics and Ethical Corporate Culture (On-line)
By October 10th
Bribery, Repressive Regimes, Overseas Suppliers (Child Labour), Corporate Ethics Programs, Review of Course.
Readings (Course kit):
• “Values in Tension: Ethics Away From Home” (Donaldson);
• “Getting Religion on Corporate Ethics” (Zipkin)

Mid-Term Assignment
Posted: Wednesday, October 10th
Due: Wednesday, October 17th by 7:00 pm (bring hard copy to class)

PART ONE: INTRODUCTION, CONTRACTS and TORTS

<table>
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<tr>
<th>Session/Dates</th>
<th>Topics Covered</th>
<th>Readings and Cases</th>
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| Session 7 Introduction October 17th (In-Class) | Course Content, Nature and Sources of Law, The Canadian Constitution, The Charter of Rights and Freedoms, Judicial System, Court Procedure, Administrative Tribunals, Alternative Dispute Resolution (ADR), the Legal Profession | Readings (Textbook):
  • Ch. 1 (pp.1-28) |
|                     |                                                                                | Cases:
  • No Assigned Cases |
| Session 8 Contracts October 24th (In-Class) | Elements of a Valid Contract, Intention, Offer and Acceptance, Consideration, Capacity, Legality, Form and Writing, Mistake, Misrepresentation, Undue Influence, Duress, Assignment, Performance, Breach, Remedies for Breach | Readings (Textbook):
  • Ch. 3 (pp.62-94);
  • Ch. 4 (pp.100-126);
  • Ch. 5 (pp.131-157).
Cases:
  • Ch. 3, Case 1 (p.96);
  • Ch. 4, Case 3 (p.128);
  • Ch. 5, Case 1 (p.159) |
| October 31st        | No Class (Co-Curricular Days)                                                 |                                             |
| Session 9 Torts Torts November 7th (In-Class) | Intentional Torts, Assault and Battery, False Imprisonment, Defamation, Trespass, Nuisance, Negligence, Professional Negligence, Defences and Remedies | Readings (Textbook):
  • Ch. 2 (pp.29-56).
Cases:
  • Ch. 2, Case 1 (p.58);
  Case 5 (p.59) |
### PART TWO: BUSINESS ORGANIZATIONS

| Session 10 | Forms of Business Organization | Sole Proprietorships, Agency Relationship, Partnerships, Nature of a Corporation, Duties and Liability of Directors, Shareholders’ Rights, Securities Regulation | **Readings:** (Textbook)  
- Ch. 6 (pp.163-186);  
- Ch. 7 (pp.193-215).  
**Cases:**  
- Ch. 6, Case 4 (pp.190-191);  
- Ch. 7, Case 2 (p.218) |

- Ch. 8 (pp.221-244);  
- Ch. 9 (pp.251-273);  
- Ch. 15 (pp.415-435)  
**Cases:**  
- Ch. 8, Case 2 (p.247);  
- Ch. 9, Case 1 (p.276);  
- Ch. 15, Case 3 (p.439) |

| Session 12 | Property Law | Bailment, Interests in Property, Land Transactions, Leasehold Interests, the Law of Mortgages, Intellectual Property, Review and Summary of the Course | **Readings** (Textbook)  
- Ch. 12 (pp.330-340);  
- Ch. 13 (pp.356-384);  
- Ch. 14 (pp.392-409)  
**Cases:**  
- Ch. 13, Case 1 (p.389);  
- Ch. 14, Case 4 (p.413) |

| Business Law Take-Home Final Assignment | Posted: November 21st  
Due: TBA |
Course Kit for “Business Ethics” Module: Table of Contents


