

DEPARTMENT Business & Office Administration
COURSE OUTLINE – Spring 2023
LR3010 (EC): Legal Relations – 3 (3-0-0) UT 45 Hours for 8 Weeks

Northwestern Polytechnic acknowledges that our campuses are located on Treaty 8 territory, the ancestral and present-day home to many diverse First Nations, Metis, and Inuit people. We are grateful to work, live and learn on the traditional territory of Duncan's First Nation, Horse Lake First Nation, and Sturgeon Lake Cree Nation, who are the original caretakers of this land.

We acknowledge the history of this land, and we are thankful for the opportunity to walk together in friendship, where we will encourage and promote positive change for present and future generations.

INSTRUCTOR: Simon Bossen, J.D. **PHONE:** n/a
OFFICE: n/a **E-MAIL:** SBossen@nwpolytech.ca
OFFICE HOURS: By appointment

CALENDAR DESCRIPTION:

A synoptic view of the Canadian legal system, with emphasis on underlying considerations of social policy. While considering the nature, sources, philosophy, and policy objectives of the law, selected topics from the fields of tort and contract will be analyzed.

PREREQUISITE: none

REQUIRED TEXT/RESOURCE MATERIALS:

Duplessis, O'Byrne, King, Adams and Enman, Canadian Business and the Law, 6th or 7th Edition, Nelson Education Ltd.

DELIVERY MODE(S): Asynchronous

This type of course will be offered online. There are no set class times and students will be required to self-study asynchronously. **This is a paced, online self-study course.**

LEARNING OUTCOMES:

By the end of this course, students will be able to:

- recognize, interpret, and evaluate the fundamental legal concepts, legislation, and legal issues important to Canadian business, to better manage risk;
- Analyze and apply legal concepts to specific legal business problems and suggest appropriate legal remedies;
- Assess real-life legal problems in order to formulate creative solutions;
- Value law as a “real life” practical subject, not as a matter of theory or history.

TRANSFERABILITY:

Please consult the Alberta Transfer Guide for more information. You may check to ensure the transferability of this course at the Alberta Transfer Guide main page <http://www.transferalberta.ca>.

**** Grade of D or D+ may not be acceptable for transfer to other post-secondary institutions. Students are cautioned that it is their responsibility to contact the receiving institutions to ensure transferability**

EVALUATIONS:

You will be tested on your understanding of and ability to apply the concepts presented in the readings. Textbook materials, discussions, videos, or any materials provided may all be used for the quizzes or exams. The exams and quizzes will be timed. All exams and quizzes will be written in myClass (D2L).

Weekly Questions	10%
Quizzes	30%
Mid-Term Exam	25%
Final Exam (Cumulative; all chapters) *	35%
Total	100%

****In order to receive credit for LR3010, you must achieve 50 percent on the final examination, and a course composite grade of at least D (50%).***

*****The course end date is June 30, 2023 at 11:59pm. The Final Exam must be attempted and completed before the end of day on June 30, 2023 at 11:59pm.***

ASSIGNMENTS, QUIZZES, TESTS AND EXAM POLICIES:

- Weekly Questions are to be completed and submitted in a Word doc. To D2L course assignment dropbox and subject to Turnitin plagiarism assessment. Late assignments will not be accepted and missed assignments will receive a grade of zero. No extensions will be granted.
- Quizzes will be completed in D2L. The quiz must be completed by the due date stated in D2L. Quizzes will be timed, and once the quiz has started, you must complete the entire quiz within the stipulated time limit. Logging out or losing internet connection during the quiz will result in a grade based only on the portion of the quiz that has been completed.
 - Re-writes or extra work will not be granted for missed quizzes or unsuccessful attempts.
 - There will be 2 quizzes, each worth 15% of your grade. Students will have 1 attempt at each quiz.
- The Mid-Term Exam must be completed between **May 18 – 23, 2023**. The term test will be completed in D2L.
 - The Term Test will account for 25% of your grade. Students will have one attempt at the Term Test. The Term Test will be timed, and students will receive 80 minutes to complete. Once the test has started it must be completed in one sitting. Logging off or losing internet connection during the test will result in a grade based only on the portion of the exam that is completed. Students must have reliable internet connection when completing tests.
 - No rewrites will be granted for missed or unsuccessful attempts.

- The Comprehensive Final Exam must be completed between **June 26 – 30, 2023**. The Final Exam will be completed in D2L.
 - The Final Exam will account for 35% of your grade. Students will have one attempt at the Final Exam. The Final Exam will be timed, and students will receive 120 minutes to complete. Once the exam has started it must be completed in one sitting. Logging off or losing internet connection during the exam will result in a grade based only on the portion of the exam that is completed. Students must have reliable internet connection when completing exams.
 - Re-writes for the final exam will *not* be granted.
- In order to receive credit for LR3010, students must achieve 50% on the Final Exam, and a course composite grade of at least a D (50%). Students are strongly encouraged to complete all assignments, quizzes, and tests/exams – you will receive a zero (0) for any missed items.
- All quizzes, tests and exams will be written as scheduled. Check myClass/D2L to confirm due dates. No rewrites or rescheduled quizzes or tests/exams will be given.

GRADING CRITERIA:

Grades will be assigned on the Letter Grading System. Please note that most universities will not accept your course for transfer credit **IF** your grade is **less than C-**.

Alpha Grade	4-point Equivalent	Percentage Guidelines		Alpha Grade	4-point Equivalent	Percentage Guidelines
A+	4.0	90-100		C+	2.3	67-69
A	4.0	85-89		C	2.0	63-66
A-	3.7	80-84		C-	1.7	60-62
B+	3.3	77-79		D+	1.3	55-59
B	3.0	73-76		D	1.0	50-54
B-	2.7	70-72		F	0.0	00-49

COURSE SCHEDULE/TENTATIVE TIMELINE:

Week 1

Chapter 1 - Knowledge of Law as a Business Asset

- Law in the Business Environment
- Law in Business Ethics

Chapter 2 - The Canadian Legal System

- Canadian Constitution
- Branches of Government (Legislative, Executive and Judicial)
- System of Courts
- Sources of Law
- Public and Private Law
- Common Law and Civil Law
- Administrative Law and Business

Chapter 3 - Managing Legal Risks

- Legal Risk Management Plan
- Identifying Legal Risks
- Evaluating Legal Risks
- Interacting with the Legal Environment
- Managing Legal Services

Week 2

Chapter 4 - Dispute Resolution

- Alternative Dispute Resolution
- Negotiation
- Mediation
- Arbitration
- Litigation
- Stages of a Lawsuit
- Pleadings
- Discovery
- Trial
- Enforcement
- Appeals
- Costs

Chapter 5 - Introduction to Contracts

- Objective Standard Test
- Bargaining Power
- Business Relationships

Chapter 6 - Forming Contractual Relationships

- The Four Contractual Requirements
- Intention to Contract
- Offer
- Acceptance
- Consideration
- Invitation to Treat
- Termination of Offer
- Revocation
- Lapse
- Rejection
- Counter-offer

- Death or Insanity
- Variation of Contracts
- Promise Under Seal
- Promissory Estoppel
- Partial Payment of Debt

QUIZ (15%) Due Sunday, May 14

Week 3

Chapter 7 - Terms of a Contract

- The Contents of a Contract (Express and Implied Terms)
- The Parole Evidence Rule
- Conditional Agreements
- Limitation of Liability Clause
- Exemption or Exclusion Clause
- Liquidated Damages Clause

Chapter 8 - Non-Enforcement of Contracts

- Legal Capacity
- Duress
- Undue Influence
- Unconscionability
- Misrepresentation
- Mistake
- Illegality
- Writing Requirement

Chapter 9 – Termination and Enforcement of Contracts

- Termination through Performance, Agreement or Frustration
- Assignment of Contract
- Privity of Contract
- Breach of Contract
- Conditions and Warranties
- Misrepresentation and Mistakes
- Remedies for Breach of Contract and Entitlement
- Expectation Damages
- Punitive Damages
- Pecuniary and Non-Pecuniary Damages
- Remoteness
- Duty to Mitigate

- Equitable Remedies
- Specific Performance
- Injunction
- Rescission
- Restitution

Week 4

MIDTERM EXAM (20%) Due Tuesday, May 23

Chapter 13 – The Agency Relationship

- The Nature of Agency
- Creation of Agency Relationship
- Agency by Estoppel
- Duties of the Agent
- Duties of the Principal
- Liability
- Termination of Agency Agreements

Chapter 14 – Business Forms and Arrangements

- Sole Proprietorship
- Partnerships
- Partnership Agreement
- General Partnerships
- Limited Partnerships
- Risk and Liability in General Partnerships
- Corporations
- Shareholders, Directors and Officers
- Franchises
- Joint Ventures
- Product Licensing

Week 5

Chapter 15 - Corporate Form: Organizational matters

- Internal and External Stakeholders
- Pre-Incorporation Issues
- Share Structure
- Corporate Name
- Organizing the Corporation
- Financing the Corporation
- Securities Legislation

Chapter 16 – The Corporate Form: Operational Matters

- Corporate Liability
- Duties of Directors and Officers
- Fiduciary Duty
- Liability of Directors and Officers
- Shareholder Liability
- Oppression
- Shareholders Agreements
- Termination of the Corporation

Week 6

Chapter 20 – The Employment Relationship

- Independent Contractors vs. Employees
- Risks in Hiring
- Human Rights Requirements
- Defences to Discrimination
- Duty to Accommodate
- Offer of Employment
- Terms and conditions
- Workplace Discrimination
- Drug and Alcohol Testing
- Workplace Privacy
- The Union Context

Chapter 21 – Terminating the Employment Relationship

- Ending the Employment Relationship
- Dismissals for Just Cause
- Serious Misconduct
- Habitual Neglect of Duty
- Incompetence
- Conduct Incompatible
- Willful Disobedience
- Reasonable Notice
- Constructive Dismissal
- Wrongful Dismissal Suit
- Damages
- Duty to Mitigate
- Termination Settlements

QUIZ (15%) Due Sunday, June 11

Week 7

Chapter 17 – Introduction to Property Law

- Tangible and Intangible Property
- Possession
- Sale of Goods
- Bailment
- Liability of Bailees and Bailors
- Types of Bailment
- Storage
- Lease
- Repairs
- Transportation
- Lodging
- Risk Management

Chapter 19 - Real Property

- Fixtures
- Interests in Land
- Limits on Ownership
- Restrictive Covenants
- Registration of Ownership
- Purchasing Transaction and Agreement
- Mortgages
- Remedies for Mortgage Default
- Real Estate Lease
- Risk Management

Week 8

Chapter 10 – Introduction to Tort Law

- Defining Tort Law
- Tort Law and Criminal Law
- Burden of Proof
- Liability
- Purpose of Damages
- Punitive Damages
- Aggravated Damages

Chapter 11 – The Tort of Negligence

- Duty of Care
- Standard of Care
- Reasonable Care (Objective Standard Test)
- Reasonable Foreseeability
- Causation
- Remoteness
- Contributory Negligence
- Involuntary Assumption of Risk
- Negligent Misrepresentation

Chapter 12 – Other Torts

- Occupiers Liability
- Nuisance
- Trespass
- Torts involving customers
- Defamation of Character
- Interference with Contractual Relations
- Injurious Falsehood or Product Defamation

Week 9

FINAL EXAM (35%)

Due Friday, June 30

STUDENT RESPONSIBILITIES:

Registered students are expected to abide by the rules and regulations of NWP. It is the student's responsibility to be fully acquainted with and adhere to NWP's policies, procedures or rules; see <https://www.nwpolytech.ca/about/administration/policies/> and <https://www.nwpolytech.ca/about/administration/policies/fetch.php?ID=69>

Time Management

Adopting and adhering to effective learning habits in this course will likely take up a great deal of time so plan your schedule accordingly. See **Course Schedule/Tentative Timeline** section above.

Course materials and announcements will be available on myClass, Connect, and NWP Webmail. Students are responsible for checking all three websites regularly.

Email

Students may contact the instructor by NWP Webmail. Webmail will be answered within two business days outside of stated office hours. Webmail correspondence must be sent to your instructor from your NWP Webmail account. Webmail should be professionally formatted with correct spelling and grammar. Webmail must include a subject line and reference to the course code and material(s) and/or textbook pages, etc.

Copyright

NWP respects Canadian and International laws and agreements with respect to the use of copyright materials. It is the responsibility of the individual using copyrighted materials to ensure said use is compliant with Canadian law, the Use of Copyright Materials Policy, and the Copyright Practices Guide for NWP instructors and Staff. See <https://www.nwpolytech.ca/about/administration/policies/index.html> and <https://www.nwpolytech.ca/about/administration/policies/fetch.php?ID=71> .

STATEMENT ON PLAGIARISM AND CHEATING:

Cheating and plagiarism will not be tolerated and there will be penalties. For a more precise definition of plagiarism and its consequences, refer to the Student Conduct section of the Northwestern Polytechnic Calendar at <https://www.nwpolytech.ca/programs/calendar/> or the Student Rights and Responsibilities policy which can be found at <https://www.nwpolytech.ca/about/administration/policies/index.html>.

**Note: all Academic and Administrative policies are available on the same page.

Additional Information:

Study Skills Hub

Adopting and adhering to effective learning habits in this course will likely take up a great deal of time so plan your schedule accordingly.

The NWP Study Skills Hub will help you develop the skills you need to succeed in your program and cope with the demands of higher education. Click on the following link for free access:

<https://libguides.nwpolytech.ca/learningportal/studyskills>