

DEPAUL UNIVERSITY
HC 293 **LAW AND THE WORK PLACE**
Syllabus
Autumn 2009 (9/09/09 – 11/24/09)

FACULTY:

RUSSELL W. HARTIGAN

Hartigan & O' Connor, P.C.
20 North Clark Street, Suite 1250
Chicago, Illinois 60602
Business Phone: (312) 201-8880
Facsimile:(312) 201-8905
E-Mail: RWHartigan@aol.com

LOCATION: Chicago Campus, 6:00 p.m. Wednesday; Quarter Hours: 4 hours

COURSE DESCRIPTION:

There is continual involvement in the field of law from the "common law" to precedent setting cases. An evaluation of the basis structures and sources of laws will first be addressed. This will then lead to discussion of the interplay between employers and employees. An overview will be given as to how law dictates business policy and procedure, consumer rights, Employer and Employee rights will be analyzed and discussed. Workman's Compensation, OSHA "Retaliatory Discharge", "Civil Rights", and general principles of Tort law will be studied. The student will obtain a basic understanding of legal terminology, concepts, structures, and then apply these to case studies and group projects.

COMPETENCIES OFFERED: H-1-X, H-2-A, H-2-C, F-X

- H-1-X -** This Competency will be written by the student with the Instructor=s input and approval.
- H-2-A -** Can understand the social problem and can analyze the effectiveness of social institutions in addressing it.
- H-2-C -** Can identify an organizational problem and design a plan for change, based on an understanding of change theories or models.
- F-X -** This Competency will be written by the student with the Instructor=s input and approval.

EXPECTED OUTCOMES:

Upon successful completion of this course, students will:

1. Have a greater understanding of our Court structure(s) and how certain rulings impact the business community.
2. Understand how the legal and business institutions interrelate and their effects on our society. A greater understanding of our legal structure(s) and new alternatives to them.
3. Have a working knowledge of the importance of law on business institutions and whether these institutions are adaptable for making decisions in the workplace. A.D.A., Employment Discrimination, Retaliatory Discharge, Worker's Compensation, OSHA and E.E.O.C. will also be discussed.
4. Understand sources of law and their legal evolution. Also, Employee-Employer

- rights, Corporate Responsibility and Employment Discrimination and Harassment.
5. Be able to analyze a legal problem and attempt to solve through theory application and research. Apply group and case studies to an empirical problem(s) in the workplace.

LEARNING STRATEGIES:

Students will learn the basis of law and its structure in the State and Federal system. Various aspects of business problems will be discussed and students will be encouraged to discuss these problems and what the current state of the law is as to that subject area.

Class session will include:

1. Lectures;
2. Discussions and Debate;
3. Panel Discussion;
4. Group Project and Trial Group Project; and
5. Pass-out Materials.

LEARNING TOOLS:

1. "THE LEGAL, ETHICAL, AND REGULATORY ENVIRONMENT OF BUSINESS" – 8th Edition or Most Current Edition - Bruce D. Fisher and Michael J. Phillips, West Publishing.
2. Lectures and handouts. Certain legal cases and statutes will be analyzed along with legal articles.
3. Sub-groups and discussion on timely topics in the business/legal world.
4. Discussion of Assigned Research Paper(s).
5. Completion of weekly written Chapter Assignments and Learning through group projects, including Trial project.
6. Read book "The Nine – Inside the Secret World of the Supreme Court", By: Jeffrey Toobin; Anchor Books

EVALUATION:

Method of evaluation is subject to some modification, but the basic criteria is as follows:

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| 1. Chapter Exercise Completion - weekly | 15% |
| 2. Class Participation/ Attendance | 15% |
| 3. One Selected Issue Topic - Short Essay | 10% |
| 4. Individual Paper - Selected Topic | 35% |
| 5. Group Project and Group Paper | 20% |
| 6. Trial Project - Last Class | 5% |

TOPICS AND FRAMEWORK:

1. **WEEK ONE:**
Review Handouts B Discuss Individual Paper and Class Objectives
Read Chapter One (1), and Chapter Two (2), pages 60-61, numbers 1, 2, 4, 6, 8. Do for next session. Begin discussion on Chapter Two and Read Chapter Three.
2. **WEEK TWO:**
Discussion on Chapter Two (2) and Chapter Three (3). Courts and Legislatures. A discussion of the State and Federal Courts along with an in-depth analysis of their differences. Pre-Trial Motions and Trial analysis. Also, Post-Trial remedies. Assign Group Projects and Group Members and dates for presentation of group project(s). Do Chapter Four problems on page 126, numbers 1 – 5, and Chapter Six (6) Page 180-181,

Problems 6, 7, & 9. Do for next session.

3. **WEEK THREE:**
Discussion on Chapter Four (4) Arbitration. Read Chapter Six (6), but only pages 168 B 180, Read Chapter Ten (10) –Torts. Do for next session.
4. **WEEK FOUR:**
Discuss Chapter Six (6) and Chapter Ten (10), Torts. Do problems, page 275-276, numbers 10-14. Identify topic for your Individual Research Paper and communicate topic to Mr. Hartigan for his approval. Selected topic essay assigned today - Punitive Damages - your opinion (no research needed - 2 to 3 FULL pages). Do Chapter Fourteen (14) problems, page 384, numbers 1,2,7,8,9. Do for next session.
5. **WEEK FIVE:**
Discuss Chapter Fourteen B Employer/Employee Relations. Turn in short essay on Punitive Damages. 2 to 3 pages – your opinion only on issue.
6. **WEEK SIX:**
Prepare for group presentations next week. Use demonstrative evidence in group project. Group paper accompanying it is due (2 to 3 pages) - to be given to class to follow. Also, pass out illustrations/ handouts to class members or Power Point. Assign Chapter Fifteen (15) problems, page 421-422, numbers 3,4,6,7,8,9,10. Do for next session.
7. **WEEK SEVEN:**
Chapter Fifteen B Employer/Employee Statutes. Group projects presentation today. Read Chapter Sixteen (16). Assign chapter problems, page 447, numbers 1-11.
8. **WEEK EIGHT:**
Finish Group Projects if not completed by each group - Discuss Mock Trial and assign people into Trial groups. Discuss important Employer-Employee Statutes, Employment Issues and Law and handouts. Read Chapter Twenty-Three (23).
9. **WEEK NINE:**
Chapter Twenty-Three (23) – Product Liability – Also, Discussion on employment law. Individual research paper due today. Do chapter problems, page 644-645 , numbers 6,8,9 & 10. Due next Session.
10. **WEEK TEN:**
Finish Chapter Twenty-Three (23) - "Employment Discrimination". Mock Trial Project today. Pizza - local restaurant.

Your attendance is extremely important. If you cannot make a class session, please call or email in ADVANCE. DePaul only allows two absences per course, if necessary.

Russell W. Hartigan is a graduate of DePaul University, BSC Commerce 1970. He attended the DePaul MBA Program 1970-1971 at DePaul University. He also attended The John Marshall Law School and graduated in 1975. He taught at Morton Junior College and has been a lecturer at DePaul University for eighteen (18) years. He also teaches and is on the staff at Northwestern University and has been so for the past eighteen (18) years. He is a Trial Attorney, with specialization in Municipal and Insurance/Employment Law-related issues. He has tried over sixty (60) Jury Trials in State and Federal Courts in the past twenty-three (30) years. He has argued in both State Appellate and Supreme Courts and Federal Appellate Courts, as well.

He is an elected Member of the Board of Governors of the Illinois State Bar Association. He is the elected Supervisor of Lyons Township. He is a member of the Illinois Bar Board of Governors Association.

Mr. Hartigan is the founder and managing Partner of a litigating Firm. He also serves as a Board of Governors Member of the Illinois Bar Foundation and is the immediate past-President of the John Marshall Alumni Board. He was recently appointed to the CMAP Board (Chicago Metropolitan Planning.) He is a frequent lecturer on Civil Trial, Evidence and Post-Trial Motions topics for the Illinois State Bar Association, and the Northwest Bar Association For Continuing Legal Education programs