

UNIVERSITY OF ALASKA - FAIRBANKS
SCHOOL OF MANAGEMENT
Course Syllabus – Fall 2015

COURSE NUMBER AND TITLE: TBD (MBA Business Law and Ethics)

CREDITS: 3.0 Hours

CLASS MEETING TIME: TBD

PREREQUISITES: Admission to the MBA program

INSTRUCTOR: Jim Arkell

OFFICE: BUNNELL 225I

OFFICE HOURS: Monday 10:30 – 11:30
Tuesday 1:30 – 2:30
Wednesday 10:30 – 11:30
Thursday 1:30 – 2:30
By appointment

CONTACT INFORMATION: Phone: 907/474-7916
E-mail: fjarkell@alaska.edu

REQUIRED TEXT: (Will utilize Cengage Textbook creation/consolidation tool to create one (1) text from the following sources; where available)

- 1) *Business Law: Text and Cases: Legal, Ethical, Global, and Corporate Environment*, 12th Edition, AUTHORS: Clarkson/Miller/Cross - ©2012, ISBN13: 978-0-538-47082-7
- 2) *Law and Ethics in the Business Environment*, 8th Edition, AUTHORS: Halbert/Ingulli - ©2015, ISBN13: 978-1-285-42856-7
- 3) *Fundamentals of Risk and Insurance*, 11th Edition, AUTHORS: Vaughan/Vaughan - ©2014, ISBN13 978-1-118-53400-7
- 4) *Fundamentals Insurance*, 2nd Edition, AUTHOR: Crews-©2010, ISBN13 978-0-538-45015-7
- 5) *Locating the Law: A Handbook for Non-Law Librarians*, Fifth Edition, Revised, EDITED BY: Kim - ©2011 http://www.aallnet.org/chapter/scall/locating/complete_5th_edition.pdf
- 6) *FCPA: A Resource Guide to the U.S. Foreign Corrupt Practices Act*, U.S. Department of Justice, 2012 <https://www.sec.gov/spotlight/fcpa/fcpa-resource-guide.pdf>

SUPPLEMENTAL READING MATERIALS: Provided by instructor.

COURSE DESCRIPTION:

The course will focus on the Legal, Ethical and Practical aspects of Business Law. The primary goal of the course is to better prepare Graduate Students for their roles as leaders in the Business World. In this course MBA students will learn from a practical standpoint how to take the necessary legal steps to guide a business through the legal maze that awaits them. The course will additionally target the decision making process from an ethical standpoint. They will have a thorough understanding of the various areas of business law allowing them to make legal and ethical decisions in the future.

GENERAL COURSE OBJECTIVES:

Upon completion of this course, the student should be able to:

1. Understand what is meant by the terms: ethics, social responsibility, sustainability, and the law.
2. Understand how the U.S. Legal System Works.
3. Understand how to research and find relevant law.
4. Identify the standard issues within ethics, social responsibility, and sustainability.
3. Understand what an ethical framework is and how to create a framework for decision making.
4. Analyze business dealings in ethical terms.
6. Understand the impact of business decisions on stakeholders.
7. Understand the wide-ranging, even global impact of business decisions on others.
8. Understand how Business Entities and Corporations are established, run and are accountable ethically and legally.
9. Understand Contract law from a legal and ethical perspective
10. Know how to read, write and interpret Contracts.
11. Understand a broad range of Business related Tort law from a legal and ethical perspective.
12. Understand the fundamental principles of Insurance law required for doing business.
13. Understand a broad range of Employment law from a legal and ethical perspective.
14. Understand the fundamental principles of Corporate Criminal Law.
15. Understand that complying with the law does not always ensure ethical behavior.

OFFICE HOURS:

I encourage you to come by my office during office hours if you have any questions or need help in this class or any aspect of your school life. I am here to help you succeed! If my scheduled office hours don't work for you please feel free to make an appointment.

ACADEMIC DISHONESTY:

Honesty is a primary responsibility for you and every other UAF student. The following are common guidelines regarding academic integrity:

1. Copying/Cheating: Students will not collaborate on any quizzes, exams, or assignments that contribute to their grade in this course, unless it is specifically designated as a group project. Exams are closed book so the only thing allowed on the desk during an exam is a pen and the exam.
2. Plagiarism: Students will not represent the work of others as their own in any written assignments submitted for credit. Any part of your writing that is not original to you must be cited and attributed to the original source. In this class I ask that you use the **APA Format**.

If I suspect any violation of Academic Dishonesty I will contact you directly and we'll discuss the situation.

STUDENT CONDUCT:

Per page 50 of the UAF 2014-2015 Catalog: "UAF students are subject to the Student Code of Conduct. In accordance with board of regents' policy 09.02.01, UAF will maintain an academic environment in which freedom to teach, conduct research, learn and administer the university is protected. Students will benefit from this environment by accepting responsibility for their role in the academic community. The principles of the student code are designed to encourage communication, foster academic integrity and defend freedoms of inquiry, discussion and expression across the university community.

UAF requires students to conduct themselves honestly and responsibly, and to respect the rights of others. Conduct that unreasonably interferes with the learning environment or violates the rights of others is prohibited. Students and student organizations are responsible for ensuring that they and their guests comply with the code while on property owned or controlled by the university or at activities authorized by the university."

STUDENT SUPPORT SERVICES:

Students who feel they need additional help outside of class are encouraged to use the Student Tutoring Center which is located at 514 Gruening (Phone: 474-6844). Please see <http://www.uaf.edu/sss/> for more detailed information on the student support services offered by UAF.

PERSONS WITH DISABILITIES:

UAF will make reasonable accommodations for persons with documented disabilities. Students need to contact Mary Matthews the Director of Disability Services in office 208 of the Whitaker Bldg. (mkmatthews@alaska.edu Phone: 474-5655) as early in the semester as possible to ensure that classroom and academic accommodations are implemented in a timely fashion. We can only make accommodations if put on proper notice. If no notice is given – no accommodation will be made.

COURSE GRADE EVALUATION PROCESS:

DISCUSSION BOARD PARTICIPATION: Participation will count for 500 points towards your final grade (out of 2500). Your participation grade will be a direct reflection of the number and quality of posts you make with respect to each Unit of the course. See Discussion Board rubric attached.

HOMEWORK ASSIGNMENTS: There will be a total of fourteen (14) homework assignments throughout the course. These will vary in length and scope and will be tied directly to each unit of the course. Each assignment will be worth 50 points. Only ten (10) homework assignments will count toward the final grade. Homework assignments will be worth a total of 500 points. These assignments will be graded either acceptable or unacceptable. An acceptable paper is worth 50 points and an unacceptable paper is worth 0 points.

QUIZZES: There will be eleven (11) quizzes (worth 50 points each). Only ten (10) quizzes will count toward your final grade. Quizzes will be worth a total of 500 points - I will throw out the lowest score.

FINAL PAPER: The final paper must be written in APA format. The paper should be between 8 and 10 pages. The paper will be on a topic mutually agreed upon between the student and the instructor. The final paper will be worth a total of 500 points.

FINAL EXAM: There will be a comprehensive final exam covering all the material presented during the course. The final exam will be worth a total of 500 points.

GRADING:

A = 2250 points or more

B = 2000 points to 2249 points

C = 1750 points to 1999 points

D = 1500 to 1749

F = Less than 1500 points

NB = No Basis to give a grade

Course Objectives by Unit:

Unit 1. Understanding the American Legal System and finding the law

- Overview of Common Law
- Overview of Federal Law
- Overview of Administrative Law
- US Court System
 - o Federal/State
 - o Trial
- Jurisdiction
 - o Forum Shopping (knowing where you are doing business and where you can be sued) {Legal and Ethical}
- Finding the Law (Research Skills) {Practical}

Unit 2. Introduction to Business Ethics

- Differentiating between Legal duty and Ethical duty
 - o Duty to Rescue?
- Ethical Decision Making
 - o Free Market Ethics
 - o Utilitarianism
 - o Deontological
 - o Virtue Ethics
 - o Care Based Ethics
 - o Moral Relativism

Unit 3. Corporate Law – from setting up to shutting down

- Corporate formation
 - o How to set up a Corporation {Legal and Practical}
 - o Understanding IP ramifications {Legal and Ethical}

- Corporate Duties
 - o Director and Officer Responsibility {Legal and Ethical}
 - Corporate Responsibility
 - Shareholder Responsibility
 - Stakeholder Responsibility
 - Global Responsibility
- Corporate Dissolution
 - o Winding down {Legal, Practical and Ethical}
 - Judicial
 - Bankruptcy
 - Voluntary

Unit 4. Contract Law – how to read write and avoid getting sued

- Contract formation {Legal, Practical and Ethical}
 - o Offer
 - o Acceptance
 - o Consideration
 - o Statute of Frauds
 - o Understanding and Negotiating Terms and Conditions
- Breach
 - o Types {Legal}
 - o When and Why {Practical and Ethical}
 - Working with your customers
- Damages
 - o Knowing the outcome {Legal and Practical}

Unit 5. Torts – Understanding your responsibility to society

- Duty
 - o General {Legal}
 - Corporation as an individual
 - o Professional {Legal, Practical and Ethical}
 - Malpractice
 - o Product Liability {Legal, Practical and Ethical}
 - Warranties and Disclaimers
 - o Advertising
 - Free Speech
 - Liability
 - Disclaimers
 - Defamation
 - o Intellectual Property {Legal, Practical and Ethical}
 - Understanding ownership and ownership rights
- Breach
 - o Respondeat Superior {Legal and Ethical}

- Outsourcing
- Causation
 - Understanding foreseeability {Legal and Ethical}
- Damages
 - Actual
 - Punitive
 - Knowing/Intentional {Legal and Ethical}

Unit 6. Insurance – Coverages and Claims

- Coverages {Legal and Practical}
 - General Liability
 - Property
 - Professional
 - Life
 - Key employees
 - Errors and Omissions
 - Officers and Directors
- Claims {Practical and Ethical}
 - Anatomy of a claim – Making and Defending

Unit 7. Employment – Employee Rights and Employer Responsibility

- Wages {Legal, Practical and Ethical}
 - Federal and State requirements
 - Gender Bias
 - Unemployment Insurance
- Worker Compensation {Legal, Practical and Ethical}
 - Protecting against Retaliation Claims
- Whistleblower {Ethical}
 - Enforcement and protections
- EEOC {Legal and Practical}
 - How it works
 - Avoiding claims
 - Reporting
 - Defending
- ERISA {Legal and Ethical}
 - Termination before vesting

Unit 8. Criminal – Corporate and Individual responsibility for Criminal Acts

- Corporate Criminal Liability {Legal}
- Anti-Bribery and Corruption (FCPA) {Legal and Ethical}

COURSE OUTLINE/CALENDAR:

Date	Reading Assignment	Assignments/Quizzes
<i>Week: 1</i>	Unit 1: Understanding the American Legal System and finding the law. Readings from <i>Business Law: Text and Cases</i> <ul style="list-style-type: none"> Chapter 1, Introduction to Law and Legal Reasoning Readings from <i>Locating the Law</i> <ul style="list-style-type: none"> Chapter 1, Introduction Chapter 2, How to Read a Legal Citation Chapter 3, Basic Legal Research Techniques 	Complete Homework Assignment No. 1 Quiz No. 1 on U.S. Legal System and Reading Legal Citations
<i>Week: 2</i>	Unit 1: Understanding the American Legal System and finding the law, (Cont'd) Readings from <i>Business Law: Text and Cases</i> <ul style="list-style-type: none"> Chapter 2, Courts and Alternative Dispute Resolution Chapter 3, Court Procedures Chapter 4, Constitutional Authority to Regulate Business Readings from <i>Locating the Law</i> <ul style="list-style-type: none"> Chapter 7, Federal Law 	Complete Homework Assignment No. 2 Quiz No. 2 on U.S. Courts and Legal Process
<i>Week: 3</i>	Unit 2. Introduction to Business Ethics Readings from <i>Business Law: Text and Cases</i> <ul style="list-style-type: none"> Chapter 5, Ethics and Decision Making Readings from <i>Law and Ethics</i> <ul style="list-style-type: none"> Chapter 1, Law, Ethics and Business and Introduction 	Complete Homework Assignment No. 3 Quiz No. 3 on Ethics
<i>Week: 4</i>	Unit 3. Business Entities and Corporate Law – from setting up to shutting down Readings from <i>Business Law: Text and Cases</i> <ul style="list-style-type: none"> Chapter 36, Sole Proprietorship and Franchises Chapter 37, Partnerships and Limited Partnerships Chapter 38, Limited Liability Companies and Special Business Forms Chapter 43, Law for Small Business 	Complete Homework Assignment No. 4 Quiz No. 4 on Non-Corporate Business Entities
<i>Week: 5</i>	Unit 3. Business Entities and Corporate Law – from setting up to shutting down (Cont'd) Readings from <i>Business Law: Text and Cases</i> <ul style="list-style-type: none"> Chapter 39, Corporate Formation and Financing Chapter 40, Corporate Directors, Officers, and Shareholders Chapter 41, Corporate Merger, Consolidation and Termination Chapter 43, Securities Law and Corporate Governance 	Complete Homework Assignment No. 5 Quiz No. 5 on Corporations

Date	Reading Assignment	Assignments/Quizzes
Week: 6	<p>Unit 4. Contract Law – how to read write and avoid getting sued</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 10, Nature and Terminology • Chapter 11, Agreement in Traditional E-Contracts • Chapter 12, Consideration • Chapter 13, Capacity and Legality • Chapter 14, Mistakes, Fraud and Voluntary Consent 	<p>Complete Homework Assignment No. 6</p> <p>(Final Paper Topic Due)</p>
Week: 7	<p>Unit 4. Contract Law – how to read write and avoid getting sued (Cont'd)</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 15, The Statute of Frauds – Writing Requirements and Electronic Records • Chapter 16, Third Party Rights • Chapter 17, Performance and Discharge in Traditional and E-Contracts • Chapter 18, Breach of Contract and Remedies • Chapter 19, Formation of Sales and Lease Contracts 	<p>Complete Homework Assignment No. 7</p> <p>Quiz No. 6 on Contracts</p>
Week: 8	<p>Unit 5. Torts – Understanding your responsibility to society</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 6, Intentional Torts and Privacy • Chapter 7, Negligence and Strict Liability • Chapter 22, Warranties and Product Liability <p>Readings from <i>Law and Ethics</i></p> <ul style="list-style-type: none"> • Chapter 7, Marketing and Technology; Choice and Manipulation • Chapter 8, Allocating Risk and Responsibilities in the Global Marketplace Products Liability 	<p>Complete Homework Assignment No. 8</p> <p>Quiz No. 7 on Torts</p>
Week: 9	<p>Unit 5. Torts – Understanding your responsibility to society (Cont'd)</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 8, Intellectual Property and Internet Law <p>Readings from <i>Law and Ethics</i></p> <ul style="list-style-type: none"> • Chapter 9, Ownership, Creativity, and Innovation: Intellectual Property • Chapter 3, Privacy and Technology Allocating Risk and Responsibilities in the Global Marketplace Products Liability 	<p>Complete Homework Assignment No. 9</p> <p>Quiz No. 8 on Privacy and Intellectual Property</p>

Date	Reading Assignment	Assignments/Quizzes
<i>Week: 10</i>	<p>Unit 6. Insurance – Coverages and Claims</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 51, Insurance <p>Readings from <i>Fundamentals of Risk and Insurance</i></p> <ul style="list-style-type: none"> • Chapter 1, The problem of Risk • Chapter 2, Introduction to Risk Management • Chapter 23, Employee Benefits and Other Business Uses of Life and Health Insurance <p>Readings from <i>Fundamentals of Insurance</i></p> <p>Chapter 4, Unemployment and Worker Compensation Insurance</p>	<p>Complete Homework Assignment No. 10</p>
<i>Week: 11</i>	<p>Unit 6. Insurance – Coverages and Claims (Cont'd)</p> <p>Readings from <i>Fundamentals of Risk and Insurance</i></p> <ul style="list-style-type: none"> • Chapter 31, Commercial Property • Chapter 32 Commercial Liability • Chapter 33 Surety Bonds, Trade Credit, and Financial Guaranty Insurance 	<p>Complete Homework Assignment No. 11</p> <p>Quiz No. 9 on Insurance</p>
<i>Week: 12</i>	<p>Unit 7. Employment – Employee Rights and Employer Responsibility</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 34, Employment, Immigration and Labor Law • Chapter 35 Employment Discrimination <p>Readings from <i>Law and Ethics</i></p> <ul style="list-style-type: none"> • Chapter 2, Whistleblowing: Conflict of Loyalties 	<p>Complete Homework Assignment No. 12</p> <p>Final Paper Due</p>
<i>Week: 13</i>	<p>Unit 7. Employment – Employee Rights and Employer Responsibility</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 35 Employment Discrimination <p>Readings from <i>Law and Ethics</i></p> <ul style="list-style-type: none"> • Chapter 4, Valuing Diversity: Stereotyping versus Inclusion • Chapter 5, Workers Rights as Human Rights: Health and Safety in the Global Workplace 	<p>Complete Homework Assignment No. 13</p> <p>Quiz No. 10 on Employment</p>
<i>Week: 14</i>	<p>Unit 8. Criminal – Corporate and Individual responsibility for Criminal Acts</p> <p>Readings from <i>Business Law: Text and Cases</i></p> <ul style="list-style-type: none"> • Chapter 9, Criminal Law and Cyber Crime <p>Readings from <i>A Resource Guide to the U.S. Foreign Corrupt Practices Act</i></p> <ul style="list-style-type: none"> • Chapter 1, Introduction • Chapter 2, The FCPA: Anti-Bribery Provisions • Chapter 6, FCPA Penalties, Sanctions and Remedies 	<p>Complete Homework Assignment No. 14</p> <p>Quiz No. 11 on Criminal Law</p>

Week: 15	FINAL EXAM	<i>Comprehensive Final</i>
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****I reserve the right to modify the syllabus as necessary, including Units assigned, course schedule, exams and assignments.***

Discussion Board Rubric

Discussion Board Forums

Criteria	A (90-100) Outstanding	B (80-89) Proficient	C (70-79) Basic	D/F (0-69) Below Expectations
Critical Thinking	<ul style="list-style-type: none"> rich in content full of thought, insight, and analysis 	<ul style="list-style-type: none"> substantial information thought, insight, and analysis has taken place 	<ul style="list-style-type: none"> generally competent information is thin and commonplace 	<ul style="list-style-type: none"> rudimentary and superficial no analysis or insight is displayed
Connections	Clear connections <ul style="list-style-type: none"> to previous or current content to real-life situations 	<ul style="list-style-type: none"> connections are made, not really clear or too obvious 	<ul style="list-style-type: none"> limited, if any connections vague generalities 	<ul style="list-style-type: none"> no connections are made off topic
Uniqueness	<ul style="list-style-type: none"> new ideas new connections made with depth and detail 	<ul style="list-style-type: none"> new ideas or connections lack depth and/or detail 	<ul style="list-style-type: none"> few, if any new ideas or connections rehash or summarize other postings 	<ul style="list-style-type: none"> no new ideas "I agree with ..." statement
Timeliness	<ul style="list-style-type: none"> all required postings early in discussion throughout the discussion 	<ul style="list-style-type: none"> all required postings some not in time for others to read & respond 	<ul style="list-style-type: none"> all required postings most at the last minute without allowing for response time 	<ul style="list-style-type: none"> some, or all, required postings missing
Stylistics	<ul style="list-style-type: none"> few grammatical or stylistic errors 	<ul style="list-style-type: none"> several grammatical or stylistic errors 	<ul style="list-style-type: none"> obvious grammatical or stylistic errors errors interfere with content 	<ul style="list-style-type: none"> obvious grammatical or stylistic errors makes understanding impossible