



## Human Resource Management Certificate Program

### Legal Issues for HR Professionals Syllabus

*Extended Learning, California State University San Marcos, San Marcos, California 92096-0001 760-750-4020*

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Reaching the Instructor: Email is best. I view my messages during the day on weekdays. If it is necessary to reach me right away or for emergencies, please call my cell phone.

#### **Course Description:**

One of the Human Resource professional's roles is to help ensure the organization's compliance with labor and employment laws, and recognize when the organization needs advice from legal counsel. This course will help you recognize legal issues, and recommend policies and procedures that can minimize exposure to lawsuits. It will help make you better informed about how your role and responsibilities can impact the organization's overall bottom line.

#### **Topics:**

- Recordkeeping, Posting, Hiring Practices
- Employment Policies, Leave Laws and Interactions
- Discrimination, Harassment, Accommodation, Training
- Investigations, Employee Privacy, Social Media
- Wage and Hour Laws, Exemptions
- Labor Code Penalties, Private Attorney General Act

#### **Course Objectives:**

By the end of this course, you should be able to:

- Recognize the legal concerns that arise from many improper hiring and termination practices and failure to comply with records and posting rules
- Recognize the need for correctly structured employee handbooks, documentation and employment policies
- Distinguish between California and Federal anti-discrimination laws
- Understand basic anti-harassment law and training requirements
- Conducting basic workplace investigations and recognize employee privacy issues
- Understand the interplay among the various leave statutes
- Understand basic rules for classifying exempt employees and the potential liability for failure to comply

#### **Textbooks and Materials:**

"The California Employer" (Littler Mendelson, 2009-2010); Various handouts from the instructor.  
(also, see reference list below)

#### **Reference Textbooks and Materials:**

Student should have access to people in his/her organization that can share information related to the topics discussed. Other resources will include government agency websites and optional books that can be purchased and used for reference *(these books are not required to be purchased for class but they are texts commonly used by HR Professionals in practice.)*

## **Optional Textbooks and Materials:**

### **PRINT:**

Bogue, *et al*, Advising California Employers (2009, Continuing Education of the Bar, Oakland, CA); Simmons, Wage And Hour Manual For California Employers (current Ed., Castle Publications, Ltd); Simmons, Employee Handbook And Personnel Policies Manual; Simmons, Employment Discrimination And EEO Practice Manual For California Employers; Simmons, Wrongful Discharge, Staff Reduction And Employment Practices Manual

### **ONLINE:**

<http://www.leginfo.ca.gov>

California Statutes

<http://www.oal.ca.gov>

California Regulations

<http://www.dir.ca.gov>

California Department of Industrial Relations (with links to the DLSE Enforcement Policy and Interpretations Manual, and Wage Orders)

<http://www.dfeh.ca.gov>

California Department of Fair Employment & Housing

<http://www.eeoc.gov>

U.S. Equal Employment Opportunity Commission

<http://www.dol.gov>

U.S. Department of Labor (with links to OSHA and other resources)

## **Grading:**

1. In every course, each student is expected to attend all classes, participate in class discussions and activities, and complete all assignments. In addition, each student must demonstrate his or her mastery of the material and the ability to apply this new knowledge. Students in this class will prepare and present a final project — in both written and oral form, demonstrating knowledge of an area of HR Law. Each student will be graded based on his or her performance against standards outlined in the syllabus. The following percentages are approximate.

Punctuality/Attendance/ Participation			25 pts
Preparation for Class			15 pts
Final Presentation (written and oral)			<u>60 pts</u>
			100 pts total
A (90-100)		A (93-100)	A- (90-92)
B (80-90)	B+ (87-89)	B (83-86)	B- (80-82)
C (70-80)	C+ (77-79)	C (73-76)	C- (70-72)
D (60-70)	D+ (67-69)	D (63-66)	D- (60-62)
F - below 60			

2. Student Presentations will be made on the night of Class 7, April 13, 2010, unless otherwise arranged with the instructor. Each student is expected to prepare a written memo and an oral presentation (not longer than 5 to 7 minutes). The topic of the presentation will be either a current or past HR/employment law challenge that the student had to resolve, or an imagined problem that the student has researched and analyzed in detail. The memo and presentation shall include:

- a. A summary of the important facts surrounding the HR /employment law challenge;
- b. A clear and concise summary of the laws that are applicable to the HR/ employment law challenge;
- c. A clear and concise summary of the analysis the student used to determine an appropriate

- response, along with all potential solutions evaluated, rejected and the reason(s) for rejection;  
and
- d. A clear and concise summary of the ultimate conclusion and/or resolution of the HR/employment law challenge presented, including any solutions recommended or used.
  - e. Visuals may be used in the oral presentation, but are not required. Spelling and grammar count in the written report.
3. No Final Exam is scheduled for this class.
4. This is a University based Certificate program. Students are expected to be thorough and discriminating in the selection of ideas for their presentations and the execution of assignments.
- 5. Because we will be discussing real situations taking place at real workplaces, students are expected to keep those discussions CONFIDENTIAL. Your credibility as a Human Resources professional hinges on your ability to keep secrets. What is said in this room stays in this room.**
6. You will be expected to read all assignments before class and be prepared to participate during discussions each week.

Attendance Policy:

First absence:

Participants may miss 1 class of a course and still have the class count toward the individual program completion and towards the HR Management Certificate Program Certificate of Completion. In order to keep up with the course, participants must complete the missed week's assignment and/or reading.

Second Absence:

If a participant misses a second class, it will be necessary to inform the instructor of the absence date and arrange for an out-of-class assignment to be completed by the next class (unless other arrangements are approved by the instructor) in addition to the missed week's assignment or readings. Failure to complete the out-of-class assignment by the date assigned by the instructor will mean the entire course will have to be retaken at full fee, unless otherwise agreed upon by the CSUSM Program Director.

Third Absence:

If a participant misses three classes, the remaining classes will not count towards the individual program completion or towards the HR Management Certificate Program Certificate of Completion. The entire course will need to be retaken at full fee, unless an exception is agreed upon by the instructor *and* CSUSM Program Director.