

MBA 521: Law and Governing the Modern Business

SCHOOL OF BUSINESS AND MANAGEMENT

3 Credits

Effective Date (Summer/2022)

Grading Type: Decimal

Access to the Internet is required.

All written assignments must be in Microsoft-Word-compatible formats.

See the library's APA Style Guide tutorial for a list of resources that can help you use APA style.

Faculty Information

[INSTRUCTOR MAY INSERT PERSONAL MESSAGE IF DESIRED]

Contact Information

Faculty Name: FACULTY NAME

Contact Information: CONTACT INFORMATION

Course Description

This course empowers non-lawyer decision makers with the insight to recognize and manage risk in a business environment using the tools of legal analysis. Students become familiar with the legal landscape, both inside and outside of the Courtroom and develop negotiation skills relevant to avoiding litigation. Students evaluate the concepts of risk management and mitigation and learn to become aware of potential areas of liability, risk, and avoiding possible litigation. Topics include structuring contracts and businesses, intellectual property, employee liability as well as a spotlight on specific issues in International Law related to Mexico, Canada, Vietnam, and China.

Course Resources

Required and recommended resources to complete coursework and assignments are found on the course [Reading List](#). The reading list can be found under *Course Information* in Blackboard as well as from the library homepage (“Find Your Textbook” button).

Note: Required resources that must be purchased by the student are tagged “Purchase from a vendor of your choosing.” Required resources with a direct link, “Available through CityU Library”, are available electronically at no cost to students.

Students in Canada may purchase course resources from the [Canada Bookstore](#), and students outside the U.S. and Canada should contact their advisor or textbook coordinator for additional information.

Course Outcomes

After completion of this course learners will be able to:

- Develop a plan to mitigate risks for a business and address organizational needs.
- Create law and legal concepts related to business operations.

- Evaluate business situations for areas of risk and potential mitigation, applying legal analysis models.
- Argue a legal position on ethical and legal issues related to employment.
- Assess the effect of national and international governance on the conduct of business.
- Explain the laws, policies and contracts that govern business operations domestically and internationally.

Additional Information

CORE CONCEPTS, KNOWLEDGE, AND SKILLS

- IRAC Model of Legal Analysis
- Case Types, Legal System Structure, Steps of a Lawsuit
- Alternatives to litigation
- Negotiation Skills
- Intellectual Property
- Employee Liability
- Independent Contractors
- Business Structures and Legal Protections
- International Law
- Ethics and Humanitarian Issues in International Business Law

Grading Scale

The grades earned for the course will be calculated using City University of Seattle's decimal grading system, found in the current University Catalog (<https://www.cityu.edu/catalog/>).

Grading rubrics with details on how each assignment will be graded are located under *Assignments* and/or in *My Grades* in the online course menu. Students should review the rubric for each assignment prior to completing their work in order to understand how it will be assessed.

<i>Overview of Required Assignments</i>	<i>% of Final Grade</i>
The Student is the Legislator: Now Draft the Law	25%
Intellectual Property Risk Assessment and Protection Plan	25%
Research Application Paper: The Uber Model, Legality and Ethics	30%
Instructor Determined Assignments and Activities	20%
TOTAL	100%

Course Assignments and Grading

The instructor will provide grading rubrics that will provide more detail as to how each assignment will be graded.

The Student is the Legislator: Now Draft the Law

For this assignment, the students will draft a detailed law regulating a specific business legal issue. The goal is not to report on the current legal standing of things, but rather to analyze a business problem and develop a solution in terms of an effective, thought-out, and fair law. Students are not limited to the following, but some springboard ideas include:

Music copyright: who gets to own a song? Advertising prescription medication: what should the rules and regulations for direct-to-consumer advertising be? Environmental regulations: composting laws? Fossil fuel restrictions? Workplace safety: what and how safety regulations should be put in place in a particular industry? Consumer advertising: what makes an advertisement misleading? Data privacy: what regulations must business follow with your information?

For the law development portion of the assignment, students will be encouraged to develop laws that incorporate an analysis of the following questions: *What* does this law regulate? *Who* does this law apply to or not apply to? *When* does it apply or not apply? *Why* do we need this law? *How* will this law work? *What* will happen if it is broken?

Students will divide their paper into 2 sections with the 1st heading being “Law” and the second heading being “Analysis.” In the analysis section of the assignment, students will explain the following:

- 1) Why did the student come up with that law?
- 2) What evidence supports that this law can work?
- 3) What is the opposition’s point of view and your response?

This assignment will be 3-5 pages (excluding cover page and reference page); APA writing conventions should be followed with a minimum of four (4) sources referenced and cited. Creative formatting is permitted on the law itself.

Components	% of Grade
Writing Mechanics and APA formatting	15%
Organization	10%
Analysis	25%
Situational Application	25%
Requirements	25%
TOTAL	100%

Intellectual Property Risk Assessment and Protection Plan

For this project, the student will evaluate questions around intellectual property, offer an analysis of a case study of their own choosing or the one [provided by the instructor](#), make up an intellectual property creation, and develop a legal plan to protect and profit from what they have made. Students must use the following outline to guide their analysis:

- **Introduction:** Provide a brief description of the research topic and a clear purpose statement.
- **Case analysis:** In this discussion, the student will explore and analyze, using the Issue, Rule, Analysis, Conclusion (IRAC) model a legal case related to intellectual property rights. Areas to explore include literary copyrights, music copyrights, process and design patents, and trademarks. The student should express their opinion on the case and any lessons a creator should take from it.
- **Creation:** In this section, the student will share what they have created, and why, after a search of relevant databases provided in the course content section, their creation is original.
- **Protection:** Incorporating lessons learned in the case analysis, the student will develop an intellectual property protection plan, highlighting the steps they will take and the potential risks they could face. Informed by their database searches, the student will evaluate the risk presented by similar intellectual property rights holders, and the potential likelihood of suit from that creator.
- **Conclusion:** Summarize the exercise topic, purpose and conclusion, highlighting key takeaways.

This risk assessment and protection plan will be 5-7 pages (excluding cover page and reference page); APA writing conventions should be followed with a minimum of eight (8) sources referenced and cited.

Components	% of Grade
Writing Mechanics and APA formatting	15%
Organization	10%
Case Analysis	25%
Opinion and Purpose	25%
Protection Plan	25%
TOTAL	100%

Research Application Paper: The Uber Model, Legality and Ethics

Companies, particularly phone application-based platforms such as Uber, utilize independent contractors instead of employees operating under the business model that they are connecting the customer and service provider, rather than operating a traditional business. Drivers

essentially own their own company, which means they pay a higher tax rate and do not get health insurance, but in turn have control and flexibility.

For this project, students will conduct research to identify and carefully study 2-3 academic articles or court cases related to independent contractors. Google Scholar is a great place to start. Students will analyze the “economic reality” test [Fact Sheet 13: Employment Relationship Under the Fair Labor Standards Act \(FLSA\) | U.S. Department of Labor \(dol.gov\)](#) utilized by the federal Department of Labor, applying the 7 factors to the case studies and concepts and ultimately offering an opinion on both the legality and the ethics of the uber model. Students must utilize the following outline to guide their analysis:

- **Introduction:** Provide a brief description of the research topic and a clear purpose statement.
- **Case analysis:** Evaluate the selected academic articles or case law to reveal legal and ethical issues related to independent contractors. It is critical to extract and describe the specific law or policy at play and interpret the court or article’s logic and purpose.
- **Legal Application and Opinion:** Informed by the analysis of the cases, apply, and evaluate the 7-factor test to determine if the Uber model is supported in law. Offer an opinion, give reasons to support it, and consider the opposing point of view. Incorporate a discussion of ethics in your opinion.
- **Conclusion:** Summarize the research topic, purpose and conclusion, highlighting key takeaways.

This research paper will be 5-7 pages (excluding cover page and reference page); APA writing conventions should be followed with a minimum of five (5) sources referenced and cited.

Components	% of Grade
Writing Mechanics and APA formatting	15%
Organization	10%
Case Analysis	25%
Persuasion	25%
Ethical Analysis	25%
TOTAL	100%

Instructor Determined Activities (Weekly Discussions)

Whether in class, online, or in a mixed mode setting, students will be graded on their participation in classroom discussions; their ability to present, explain, or defend alternative viewpoints; and the degree to which they have mastered the concepts and principles inherent in the study of business management. Written work will be assessed not only on relevance to the subject presented, but also on adherence to good written form, APA style, and professional presentation. The instructor may also choose to create additional activities to support learning in the classroom or online.

Components	% of Grade
Quality of Responses	50%
Quantity of Responses	30%
Timeliness	20%
TOTAL	100%

Course Policies

Late Assignments

A critical aspect of management is to meet predefined deadlines. Therefore, all assignments are expected to be submitted when due. No late assignments are accepted. Life-situations do occur. When an issue arises coordinate with the instructor prior to the assignment's due date and the due date may be adjusted. It is in the best interest of the student to ensure that all assignments are submitted on time.

Participation

Class participation will be evaluated during class. Participation includes being prepared for class discussions and contributing meaningful content when appropriate. It also includes individual effort contributed to the team project.

Professional Writing

Assignments require error-free writing that uses standard English conventions and logical flow of organization to address topics clearly, completely, and concisely. CityU requires the use of APA style.

University Policies

Students are responsible for understanding and adhering to all of City University of Seattle's academic policies. The most current versions of these policies can be found in the [University Catalog](#) that is linked from the CityU Web site.

Antidiscrimination

City University of Seattle and its staff and faculty are committed to supporting our students. We value equity, diversity, and inclusion as a way of life as well as the educational opportunities it provides. CityU will not tolerate any form of discrimination based on race, color, ethnicity, sexual orientation, gender identification, socioeconomic status, or religious values. If you have experienced any discrimination based on any of the above, we encourage you to report this to the University. Please report this to your instructor. If you do not feel safe reporting this to your instructor, please report to the Provost or to the Vice President of Student Affairs.

Non-Discrimination & Prohibition of Sexual Misconduct

City University of Seattle adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. The University is committed to ensuring that the education environment is bounded by standards of mutual respect and safety and is free from discriminatory practices.

In the U.S., the University is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender. Sex include sex, sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or parenting status. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by City University of Seattle policy. City University of Seattle also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Questions regarding Title IX, including its application and/or concerns about noncompliance, should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, visit <https://my.cityu.edu/titleix> or contact the Title IX Coordinator.

In Canada, in compliance with the British Columbia Human Rights Code, the Alberta Human Rights Act, WorksafeBC, and the Workers' Compensation Board of Alberta, the University believes that its environment should at all times be supportive and respectful of the dignity and self-esteem of individuals. Discrimination, harassment and bullying conduct, whether through person to person behaviour or via electronic communications such as email or social media is not acceptable and will not be tolerated. As an educational institution, it is our responsibility to cultivate an environment of excellence, equity, mutual respect and to recognize the value and potential of every individual. The University will take all necessary steps to meet or exceed the requirements of the law to prevent discrimination, harassment and bullying. The Respectful Workplace Policy for the prevention of discrimination, harassment and bullying policy and procedure can be found at <https://www.cityu.edu/discover-cityu/about-cityu/> under the Policies section or at <https://www.cityuniversity.ca/about/>.

Religious Accommodations

City University of Seattle has a policy for accommodation of student absences or significant hardship due to reasons of faith or conscience, or for organized religious activities. The University's policy, including more information about how to request an accommodation, is available in the University Catalog and on the my.cityu.edu student portal. Accommodations must be requested by the 20% mark of this course (e.g. day 14 of a ten-week course, day 7 of a 5-week course) using the Religious Accommodations Request Form found on the student dashboard in the my.cityu.edu student portal.

Academic Integrity

Academic integrity in students requires the pursuit of scholarly activity that is free from fraud, deception and unauthorized collaboration with other individuals. You are responsible for understanding CityU's policy on academic integrity and adhering to its standards in meeting all course requirements. A complete copy of this policy can be found in the [University Catalog](#) in the section titled *Scholastic Honesty* under *Student Rights & Responsibilities*.

Attendance

Students taking courses in any format at the University are expected to be diligent in their studies and to attend class regularly.

Regular class attendance is important in achieving learning outcomes in the course and may be a valid consideration in determining the final grade. For classes where a physical presence is required, a student has attended if s/he is present at any time during the class session. For online classes, a student has attended if s/he has posted or submitted an assignment. A complete copy of this policy can be found in the [University Catalog](#) in the section titled *Attendance Policy for Mixed Mode, Online and Correspondence Courses*.

Support Services

Disability Services Accommodations Statement

Students with a documented disability who wish to request academic accommodations are encouraged to contact Disability Support Services to discuss accommodation requests and eligibility requirements. Please contact Disability Support Services at disability@cityu.edu or 206.239.4752 or visit the [Disability Support Services](#) page in the my.cityu.edu portal. Confidentiality will be observed in all inquiries. Once approved, information about academic accommodations will be shared with course instructors.

Library Services

CityU librarians are available to help students find the resources and information they need to succeed in this course. Contact a CityU librarian through the [Ask a Librarian](#) service, or access [library resources and services online](#), 24 hours a day, seven days a week.

Smarthinking

As a CityU student, you have access to 10 free hours of online tutoring offered through Smarthinking, including writing support, from certified tutors 24 hours a day, seven days a week. Contact CityU's Student Support Center at help@cityu.edu to request your user name and password.