

NEW JERSEY INSTITUTE OF TECHNOLOGY
School of Management
MGMT 691 Syllabus
Diana Walsh, M.A., J.D (N J Bar)

Webpage: <http://web.njit.edu/~walshd/>
Course Title: *Legal and Ethical Issues*

Course Description/Objectives:

1. To introduce students to ethical and legal issues currently relevant in business domestically and Internationally;
2. To impart the *reasoning* and *analytical* skills needed to apply ethical and legal concepts to business decisions-making;
3. To identify the ethical and legal issues involved in the management of specific problem areas in business including employment issues, environmental, product liability, marketing and digital information;
4. To provide an understanding of the ethical views, social responsibility, and legal environments within which these issues in business arise in today's economy;
5. To understand the purpose of different sources of law and its implications with respect to business by analyzing the Constitution, court decisions and statutes both Federal and States.
6. To alert students to the impact of the ethical and legal issues of other nations on the transaction of business in a global economy.

Required Textbooks and Moodle:

- Halbert/Ingulli, *Law and Ethics in the Business Environment*, 6th/ed. (2009)
ISBN 13: 978-0-324-65732-6
- Newton/Ford, *Taking Sides: Clashing Views in Business Ethics and Society*, 10th/ed (2008);
ISBN 13: 978-0-07-352727-7
- <http://moodle.njit.edu> *Critical Thinking of different controversial legal and ethical issues in Business;*
- <http://iTunes.njit.edu> *Class lectures & ppt. lectures*

Grades:

Final grades for this course are determined as follows:

Moodle: Assignments	15%
Moodle: Team Critical Legal Thinking Discussion Forum	15%
One Team Final Legal Exam: One paper for team members	70%

<p>Unit 1</p> <p>Sept. 3 To Sept. 11</p>	<p>1. What happened to “Common Sense”? Is it plausible to have “Common Sense” in our diverse society? Is there a “shared morality”?</p> <p>Required Reading: <u>Two articles:</u> The Death of Common Sense, and Judicial Dictatorship. <u>Sarbanes-Oxley Act of 2002 (SOXA):</u> a federal statute enacted to protect investors and making Corporate America Accountable. <u>Taking Sides Clashing View (TS):</u> <i>Should Corporations Adopt Policies of Corporate Social Responsibility?</i> TS: p. 54</p> <p>Assignment 1: <i>Carnero & Collins</i> cases briefing - follow case briefing instructions.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 2</p> <p>Sept. 11 To Sept 18</p>	<p>2. What is Law? What is Justice? What constitutes our legal system? Are there alternate tools to resolve disputes?</p> <p>Required Reading: Ethics Quiz</p> <p>Assignment 2: <i>Dudley</i> case, assuming you are a judge, reason a decision applying jurisprudence.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 3</p> <p>Sept. 18 To Sept. 25</p>	<p>3. What is ethics? What makes an act good or legal or constitutional?</p> <p>Required Reading: <u>One article:</u> <i>Ethics for a Post-Enron America</i> <u>Taking Sides Clashing Views (TS):</u> <i>Does the Enron Collapse Show that We Need More Regulation of the Energy Industry?</i> TS: p. 158</p> <p>Assignment 3: <i>Gubernatorial Campaign</i> case, assuming you are a judge, reason a decision applying ethical and legal critical thinking.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 4</p> <p>Sept. 25 To Oct. 2</p>	<p>4. When is a reasonable person’s conduct ethical and in breach of a legal duty of care?</p> <p>Required Reading: <u>Chapter 1</u> of Halbert & Ingulli Textbook <u>Carvalho v. Toll Bros. & Develop .</u> (1995) <u>Taking Sides Clashing Views (TS):</u> <i>Is Wal-Mart a Good Model for Retail Sales?</i> TS: p.143</p> <p>Assignment 4: <i>Carvalho</i> case briefing, follow case briefing instructions.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 5</p> <p>Oct. 2 To Oct. 9</p>	<p>5. Are there conflicts of loyalty between whistle blowing and ethics?</p> <p>Required Reading: <u>Chapter 2</u> of Halbert & Ingulli textbook <u>Lytle v. City of Haysville, Kansas</u> (1998) <u>The Bayer Corporation Case</u> (2003) <u>Taking Sides Clashing Views (TS):</u> <i>Does blowing the whistle violate company loyalty?</i> TS: p. 190</p> <p>Assignment 5: <i>Lytle v. City of Haysville</i> case briefing, follow case briefing instructions.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>

<p>Unit 6</p> <p>Oct. 9 To Oct. 16</p>	<p>6. Can we have “privacy” with the advances of technology?</p> <p>Required Reading:</p> <ul style="list-style-type: none"> • <u>Chapter 3</u> of Halbert & Ingulli Textbook. • E-commerce and cyberlaw • <i>Frazier v. Nationwide Mutual Insurance Co.</i> (2004) • <u>Taking Sides Clashing Views</u> (TS): Is Employer monitoring of employee e-mail justified? TS: p. 109 <p>Assignment 6: <i>Frazier v. Nationwide Mutual Insurance Co.</i>, assuming you are a judge, reason a decision applying ethical and legal critical thinking.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 7</p> <p>Oct. 16 To Oct. 23</p>	<p>7. Can we have “equality” in a diverse society?</p> <p>Required Reading:</p> <ul style="list-style-type: none"> • Chapter 4 of Halbert & Ingulli Textbook • <i>National Federation of the Blind v. Target</i> (2006) • <u>Taking Sides Clashing Views</u> (TS): <i>Is "Employment-at-Will" good social policy?</i> TS: p. 219 <p>Assignment 7: <i>National Federation of the Blind</i> case briefing, find the case and follow case briefing instructions.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 8</p> <p>Oct. 23 To Oct. 30</p>	<p>8. Is Business responsible for the health and safety in the course of employment?</p> <p>Required Reading:</p> <ul style="list-style-type: none"> • Chapter 5 of Halbert & Ingulli Textbook • <i>The Touch of Class Lounge case</i> • <u>Taking Sides Clashing Views</u> (TS): Should the state regulate appropriate business behavior? TS: p. 120 <p>Assignment 8: <i>The Touch of Class Lounge case</i>, assuming you are a judge, reason a decision applying ethical and legal critical thinking.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 9</p> <p>Oct. 30 To Nov. 6</p>	<p>9. Should our ethical instincts in preserving the natural world trump the freedom of free enterprise?</p> <p>Required Reading:</p> <ul style="list-style-type: none"> • Chapter 6 of Halbert & Ingulli Textbook • <i>The Farmer Case</i> • <u>Taking Sides Clashing Views</u> (TS): <i>Should the world continue to rely on oil as a major</i>

	<p><i>source of energy?</i> TS: p. 406</p> <p>Assignment 9: <i>The Farmer Case</i>, assuming you are a judge, reason a decision applying ethical and legal critical thinking.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 10</p> <p>Nov. 6 To Nov. 13</p>	<p>10. Are Marketing and Advertisement exploitive?</p> <p>Required Reading:</p> <ul style="list-style-type: none"> • Chapter 7 of Halbert & Ingulli Textbook • <i>Pelman v. McDonald's Corp.</i> (2003) • <u>Taking Sides Clashing Views</u> (TS): Is direct-to-consumer advertising of pharmaceuticals bad for our health? TS: p. 279 <p>Assignment 10: <i>Pelman v. McDonald's Corp.</i> case briefing, and follow case briefing instructions.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 11</p> <p>Nov. 13 To Nov. 20</p>	<p>11. When is a product “defective”?</p> <p>Required Reading:</p> <ul style="list-style-type: none"> • Chapter 8 of Halbert & Ingulli Textbook • <i>Richardson v. Holland</i> (1987) • <u>Taking Sides Clashing Views</u> (TS): <i>Should we require labeling for genetically modified food?</i> TS: p. 320 <p>Assignment 11: <i>Richardson v. Holland</i>, case briefing, and follow case briefing instructions.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Unit 12</p> <p>Nov. 20 To Dec. 2</p>	<p>12. How can we protect the work we do with our minds?</p> <p>Required Reading:</p> <ul style="list-style-type: none"> • Chapter 9 of Halbert & Ingulli Textbook • <i>Peta v. Doughney</i> (2001) • <u>Taking Sides Clashing Views</u> (TS): <i>Should Patenting Life Be Forbidden?</i> TS: p. 352 <p>Assignment12: <i>Peta v. Doughney</i>, case briefing, and follow case briefing instructions.</p> <p>Team Critical Legal Thinking Discussion Forum: Issue(s) to discuss are posted under the forum.</p>
<p>Dec. 9</p>	<p>Final Team Exam due no later than December 9, 2009.</p>