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<http://cba.unomaha.edu/faculty/mohara/web/ohara.htm>**Office Hours: by appointment,****before class**, Mon. & Tues. 5:30 - 6:00 PM**and after class**, M & T 8:40 - 9:30 PM (M in 214)

(after class office hours often are in the classroom)

M & W, 9:30 - 10:00 AM & (after class) 11:15 - noon

Legal, Ethical, and Social Environment

Fall 2000

BSAD 8010-001 # 00425

Tuesday 6:00 - 8:40 PM CBA 218**COURSE DESCRIPTION:**

3 credit hours. "Focus upon law and ethics. Business law, legal processes, and regulations will be the subject matter focus. Business ethics will be a recurring focus of analysis. Analysis of the social environment will include public policy. Both subject matter and analysis will be integrated to build the student's critical thinking skills. Prereq.: MBA Foundation courses."

GRADED EVENTS:

A course letter grade of "A" is earned with a total course percentage of 90.0% or more; a "B+" is earned with 85.0% or more; a "B" is earned with 80.0% or more; etc.

40% ANALYSIS PAPERS**10% ETHICS**, two pages**10% BUSINESS**, two pages**20% JOINT**, by Study Group, four parts two pages each**50% EXAMS****10% Midterm Exam** solo effort exam of 35 true-false questions**40% Comprehensive Final Exams****20% Solo Final Exam** comprehensive, 60 true false questions**20% Group Final Exam** comp., 20 zero-guess multiple-choice**10% CLASS PARTICIPATION****EXTRA CREDIT up to +2%** Leadership Series Summary, one page each**TEXTS:**

1. Bagley, Constance E. and Dauchy, Craig E.
The Entrepreneur's Guide to Business Law. USA: West Ed. Pub. Co., 1998.
2. Cavenagh, Thomas D.
Dispute Resolution in Business. USA: West Ed. Pub. Co., 1999.

CLASS PARTICIPATION:

Class Participation is worth 10% of the course grade. There is NO MAKE-UP WORK for Class Participation. *You are a graduate student and you are expected to perform at that level. A close and thoughtful reading of the assigned readings prior to class is expected.* Each student may exclude one absence from the calculation of his or her Class Participation grade. For the course, each student typically will earn a grade of 80% on Class Participation. Class Participation effort will be graded on the truncated scale of:

best in class	=	A+	=	100%
clearly excellent	=	A	=	90%
expected quality	=	B	=	80%
suspect quality	=	C	=	70%
fail	=	F	=	50%.

ANALYSIS PAPERS:

For a total of 40% of the course grade, there are three (3) Analysis Papers. See TYPING REQUIREMENTS. An Ethics Analysis Paper worth 10% of the course grade is due on **October 3**, a Business Analysis Paper worth 10% of the course grade is due on **October 24**, and a Joint Analysis Paper worth 20% of the course grade is due on **December 5**.

Always bring **two copies** of your papers: turn in one for grading by the instructor and the other for your in-class use. *Some students will be called upon to present their papers to the class as part of their Class Participation grade*

Each paper will be graded on the truncated scale explained under Class Participation (i.e., +A = 100; A = 90; B = 80; C = 70; F = 50). If past classes are a good indicator of the future, then suspect quality papers will be more numerous than clearly excellent papers. To be clearly excellent a student's paper needs to deftly handle interrelated issues with minimal verbiage. Mere recitation of streams of jargon, especially in a definitional context, is rudimentary. Thus, is no more than expected quality, and if such streaming precludes analysis, it is no more than suspect quality. Adroit use of jargon to efficiently convey complex concepts is clearly excellent.

If you must miss a class when an Analysis Paper is due, then you may use **fax (402) 554-2680** or email to **mohara@unomaha.edu** to submit your paper assignment **prior to the start of class**. It will not be an adequate excuse that my fax machine was busy with other student's faxes that started transmission prior to your attempted transmission. *If you use email, then the subject line shall include your name and the assignment, and the body of the email shall be your paper.*

Ethics Analysis Paper: In this paper each student shall analyze one of several ethical problems associated with alternative dispute resolution (e.g., role of precedence; role of public hearings; agreement to ADR; etc.). Each student shall focus a single ADR process described in one of the chapters in the Cavenagh text. For example, a student may be assigned the role of precedence in the Amoco-vendor ADR process. The instructor will assign each student an ethics topic, a chapter, and a type of transaction. With the instructor's prior written approval, however, students may trade assignments.

The Ethics Analysis Paper is double-spaced and is two pages in length. The Ethics Analysis Paper assignments will be made during class on **September 5**, and the paper is due on **October 3**.

Business Analysis Paper: *Prior written instructor approval is required for selection of the topic for the Business Analysis Paper. Without that prior written approval the maximum grade for a Business Analysis Paper is a "C", and the likely grade is an "F".*

In this paper each student will analyze a local entity's alternative dispute resolution (ADR) policy. *If the student is employed*, then the student shall analyze their employer. *If the student is not employed*, then the student may suggest a local entity that the student has reason to believe will cooperate or the instructor shall assign a local business or a not-for-profit with no prior reason to believe that the entity will cooperate. If the assigned entity has an ADR, then the student shall focus on it. If the assigned entity has multiple ADR processes (e.g., different processes for employees and customers), then the student shall inform the instructor of the multiple ADR processes and the instructor will select one of the processes for the student's focus. The goal is to maximize the number and types of ADR processes analyzed by the class as a whole. If the assigned entity does not have an ADR process, then the student's focus is to argue pro or to argue con on the creation of such an ADR process for a particular class of participants.

The Business Analysis Paper is double-spaced and is two pages in length. The Business Analysis Paper has several deadlines. The assignment of the entity shall be by **September 5**. By **September 19** each student shall **report in a one page writing** to the instructor on that student's entity's ADR processes. The assignment of the focus shall be by **September 19**. The Business Analysis Paper is due on **October 24**.

Joint Analysis Paper: The Joint Analysis Paper has four parts and is authored by the final exam Study Group (see EXAMS section below). A different student shall author each of the first three parts. The author of the fourth part will depend upon the size of the Study Group: in groups of three, it shall be a joint effort; in groups of four, it shall be a sole effort of the fourth member. *Each part will use a different header.* Each part and the whole paper will be graded separately. Half of

your grade will be based on your part and half will be based on the whole paper. The four parts shall be bound by a staple and submitted as a single document.

With the prior written approval of the instructor, each Study Group shall select a local business or not-for-profit entity that does not have an ADR process and shall suggest the creation of such an ADR process for an identified class of participants. The entity shall not be the same as the entity addressed in any Business Analysis Paper of any of the Study Group members. *Without that prior written approval the maximum grade for a Joint Analysis Paper is a "C", and the likely grade is an "F".*

The Joint Analysis Paper is to be a balanced analysis. This means, while the proposal is "to create an ADR process", both the pro and the con must be dealt with in a good faith manner. The Joint Analysis Paper has four parts.

- PART ONE shall describe the entity and justify the creation of an ADR process for the class of participants.
- PART TWO shall describe the workings of the proposed ADR process.
- PART THREE shall identify, examine, and attempt to forestall the principal ethical concerns raised by the proposed ADR process.
- PART FOUR shall describe a validation process for the effectiveness of the proposed ADR.

Each of the four parts of the Joint Analysis Paper is double-spaced and is a two-page paper and the total length is eight pages. Approval of entities and focus is due by **November 14**. The Joint Analysis Paper is due on **December 5**.

EXAMS:

There are three (3) exams, one midterm and two comprehensive finals, one solo and one group. The Midterm Exam is worth 10% of the course grade, will be 35 True-False questions graded as if there were 33 questions, and is on **October 10**. The Comprehensive Final Exams are at the Regent's scheduled final exam time **December 12** and are worth 40% of the course grade. The Solo Comprehensive Final is worth 20% and the Group Comprehensive Final is worth 20%. The Solo Final will be 60 true-false questions graded as if there were 50. The Group Final will be 20 zero-guess (*i.e.*, *a*, *b*, *c*, *all*, *none*, *a+b*, *a+c*, or *b+c*) multiple-choice questions based on the Solo Final questions. Each Study Group will get four attempts at successfully completing the Group Final exam. Questions will come from the two textbooks, the lectures, and class handouts covered to-date. See Dr. O'Hara's web page for examples of prior exams.

Study Groups will form no later than the end of break on **November 7**. Study Groups may have 3 or 4 members. All Study Groups must be voluntary associations: no student may be forced to join a group and no group may be forced to accept a student. ***If all students are not in voluntary groups by the end of break on November 7, then none are and the instructor will randomly assign all students to involuntary groups. No group exists until the instructor certifies that all students are in voluntary groups or the instructor assigns involuntary groups.***

TYPING REQUIREMENTS:

Whether the assignment may be single-spaced or double-spaced is specified in the assignment as is the page length. All typed assignments shall be in a #12 font typeface, shall use one-inch margins on all four sides of a page, and shall be typed on 8 1/2" x 11" white paper. DO NOT USE A COVER SHEET, instead **use a single line header (e.g., see top of this page)** on each page identifying, from left to right: (1) the student author; (2) the assignment; (3) the date submitted [e.g., *BillyJoe DonBob Baleu; Ethics Assessment Paper; October 3, 2000*]. For two page assignments you have two options: either you may print on both sides of one sheet of paper (*the preferred method*) or you may staple two sheets together. (NOTE: *Because the CBA computer labs' printers are networked, the labs will not let you print front-to-back. For you to print front-to-back you need to have control of the print queue, which is an inappropriate breach of security for the CBA computer lab's networked printers.*)

You have been charged a \$5 *per credit hour* technology fee for the ENRON Computer Lab in CBA 403 and the campus computing rooms in CBA 007, EAB 009, and DSC 104 all of which have word processing software and provide computer support for you. *You also have paid for a UNO email account. CBA will, upon your timely request, give you a print card for use in the ENRON lab and worth \$5.* Grammar, punctuation, and spelling do influence your grade. For page limits and other assignment specific typing requirements, see the specific assignment. **EACH FAILURE to comply with the typing requirements (e.g., incorrect header or not using a staple) will cause an AUTOMATIC LOSS OF 5% from your earned assignment grade.**

EXTRA CREDIT:

The MBA graduation requirements include attending three (3) **Leadership Series** presentations prior to graduation. The presentations start at **5:30 PM** and run until 7:00 PM in the **CBA Auditorium's** main room, Pod A. During Fall 2000 the presentations are **tentatively** scheduled to be on Tuesday, **October 3** and on Wednesday, **November 1**. You may earn 1% on each presentation.

To earn 1% Extra Credit you need to do two things. First, attend a Leadership Series presentation from start to finish, including "checking-in" with the MBA Advisor Lex Kaczmarek. Second, submit on the appropriate due date a one-page, a single-spaced or a double-spaced summary of the presentation, including your comments on how the presentation relates to law and/or ethics. The Extra Credit assignments will be graded Pass = 100% and Fail = 0% where Pass is an objectively good faith effort.

*Assuming the tentative dates turn into actual dates, then on October 3 class will start at 5:30 in the CBA Auditorium; and the Extra Credit due date for the (Tuesday) October 3 presentation is **October 24**; and the Extra Credit due for the (Wednesday) November 1 presentation is **November 21**.*

MAKE-UP WORK:

Make-up work is strongly discouraged. **There is no make-up work for Class Participation and really is not feasible for the Group Final Exam.** There are two **prerequisites** for make-up work.

1. 24 hour **prior notice** of your intended absence,
unless for sufficient reason (e.g., death of an immediate family member);
- AND**
2. timely, **written verification** by an impartial third party
(e.g., from mortician on letterhead).

ACADEMIC DISHONESTY:

Any form of academic dishonesty (e.g., looking on another student's Solo Final Exam) will be grounds for a course grade of "F."

<u>DATE</u>	<u>CHAPTERS</u>	<u>TASKS and DEADLINES</u>
Aug 22	Syllabus and handouts lecture on ethics, judicial process, contracts, torts, and constitutional law	
Aug 29	Cav. Preface, Foreword, & 1 (process & ADR); B&D 1 & 2 [50 pages]	
Sep 5	B&D 10 (contracts), and 12 (torts) [75 pages]	EAP focus assigned BAP entity assigned
Sep 12	Cav. 2 (Postal), 3 (Sandia), 4 (Darden), 5 (Dollar) [84 pages]	
Sep 19	Cav. 6 (Air), 7 (Amoco), 8 (GPC) [66 pages]	report BAP entity's ADR BAP focus assigned
Sep 26	B&D 3 (atty), 4 (incorp?), & 5 (ownership) [72 pages]	
Oct 3	5:30 Leadership? class starts in CBA 010 A 7:00 - 8:40 Cav. 9 (snapshot), 10 (conclusion), & Apx. 1 & 2 [36 pages]	EAP due
Oct 10	6:00 - 6:30 ask questions & study time 6:30 - 8:00 Midterm Exam	
<i>Oct 17</i>	<i>no class FALL BREAK</i>	
Oct 24	B&D 6 (money) & 7 (creditors) [78 pages]	BAP due Oct Extra Credit due
Oct 31	B&D 8 (venture) & 9 (Board) [78 pages]	Nov 1 Leadership @ 5:30?
Nov 7	B&D 11 (product liability) [19 pages]	form Study Groups
Nov 14	B&D 13 (human resources) [71 pages]	JAP entity & focus due
Nov 21	B&D 14 (intellectual property) [62 pages]	Nov Extra Credit due <i>this is Thanksgiving week</i>
Nov 28	B&D 15 (IPO) [47 pages]	
Dec 5	review whole course via all Class Partic.	JAP due student evaluations
Dec 12	6:00 - 7:00 review 7:00 - 9:00 Solo and Group Comprehensive Final Exams	