

CAL POLY-SAN LUIS OBISPO  
ORFALEA COLLEGE OF BUSINESS  
BUS 404-04/FALL 2015  
**RM 03-206 T & TH 6:10PM-8:00-PM**

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**BUS 404 Law Business & Society**

This course explores American governmental and social influences on business and will examine government regulation of business and the role that public policy plays in shaping business laws, such as administrative regulations, employment laws, and anti-trust laws, with an emphasis on business ethics and how business law can influence socially responsible conduct.

Prerequisite: BUS 207 and ECON 222.

**COURSE TEXT---**There is no required textbook for this class. Instead, we will use the U. S. Constitution, court cases interpreting the Constitution, and newspapers and other media reports and analysis on current examples of the intersection between government, public policy and business. The court cases can be accessed at numerous public websites online, such as The Oyez Project ([www.oyezproject.org](http://www.oyezproject.org)). I will also post copies of the cases on Poly Learn.

As an additional resource, the following textbook is on reserve at the University Library:

***"LISA SPEROW BUS 404"* containing excerpts from Law, Business & Society published by McGraw-Hill Irwin (Tenth Edition)**

This textbook provides good additional explanation of some of the concepts we will be covering in class, but it is not required reading.

**STUDENT EXPECTATIONS/CLASS FORMAT**

Each student will be expected to attend class, read assigned material before each class, and participate in the discussion of the material during class or be prepared to answer questions. In addition, students will be expected to read a newspaper of his or her choice on a daily basis. Students will be expected to be able to reference and incorporate information and analysis from these additional current media resources in class discussions, written assignments and exams.

In each class, assigned reading will be discussed in lecture and Q&A format, and then analyzed in real world examples (case study or current news events). We will have in class exercises periodically to debate and test the application of concepts studied to real life situations, from the perspective of a business owner, consumer, activist, legislator, and judge.

## EXAMS/PROJECTS SCHEDULE

<ul style="list-style-type: none"> <li>• Participation Points Quizzes (30 points)</li> <li>• Midterm Exam (35 points)</li> <li>• Ethics Exam (10 points)</li> <li>• Final Take-Home Project (25 points)</li> </ul>	<ul style="list-style-type: none"> <li>• 3 Quizzes given during the quarter testing on materials assigned. No make-ups are allowed, but all quizzes are announced at least one class in advance</li> <li>• 10-22-15</li> <li>• 11-10-15</li> <li>• Deadline: Tues. 12-8-2015 10:00pm</li> </ul> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p><i>The above dates should be noted now because no make-ups will be permitted absent an emergency.</i></p> </div>
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## COURSE OUTLINE AND ASSIGNMENTS

SEPT. 22	<p>INTRODUCTION TO COURSE AND OVERVIEW OF INTERSECTION BETWEEN PUBLIC POLICY, BUSINESS AND THE LAW</p> <p>ASSIGNMENT:</p> <ul style="list-style-type: none"> <li>• REVIEW THE U. S. CONSTITUTION, FOCUSING ON THE STRUCTURE AND THE ARTICLE I POWERS.</li> <li>• READ <i>WICKARD V. FILBURN</i></li> <li>• BEGIN READING OR LISTENING TO A NEWS SOURCE AND FOLLOW EVENTS AND TRENDS IMPACTING BUSINESS REGULATIONS AND BE PREPARED TO DISCUSS THESE EVENTS AND TRENDS IN CLASS.</li> </ul>
SEPT. 24	<p>CONSTITUTIONAL POWER AND LIMITATIONS (THE COMMERCE CLAUSE): WHAT CONSTITUTES INTERSTATE COMMERCE? <i>WICKARD V. FILBURN</i></p> <p>ASSIGNMENT: READ <i>GONZALEZ V. RAICH</i></p> <p>BE SURE TO READ BOTH THE MAJORITY AND DISSENTING OPINIONS IN <i>GONZALES V. RAICH</i> AND BE PREPARED TO ANSWERS QUESTIONS ABOUT THE REASONING OF THE DISSENT COMPARED TO THE REASONING OF THE MAJORITY CONSTITUTIONAL POWER AND LIMITATIONS (THE COMMERCE CLAUSE)</p>
SEPT. 29	<p>CONSTITUTIONAL POWER AND LIMITATIONS (THE COMMERCE CLAUSE): THE APPLICATION OF WICKARD TODAY? <i>GONZALEZ V. RAICH</i></p> <p>ASSIGNMENT FOR NEXT CLASS: <i>NATIONAL FEDERATION OF INDEPENDENT BUSINESSES V. SEBELIUS (OBAMACARE CASE)</i></p>
OCT. 1	<p>FEDERAL REGULATION OF BUSINESS VERSUS STATE REGULATION OF BUSINESS: WHAT SHOULD BE REGULATED BY THE STATES? <i>NATIONAL FEDERATION OF INDEPENDENT BUSINESSES V. SEBELIUS (OBAMACARE CASE)</i></p> <p>ASSIGNMENT FOR NEXT CLASS: <i>LOVING V. VIRGINIA</i></p>

OCT. 6	<p>CONSTITUTIONAL POWER AND LIMITATIONS (THE ROLE AND IMPACT OF THE EQUAL PROTECTION CLAUSE AND THE BILL OF RIGHTS ON BUSINESS REGULATION); WHEN AND HOW FEDERAL LAW CAN STOP STATE REGULATION OF BUSINESS: <i>LOVING V. VIRGINIA &amp; EXCERPTS OF OBERGEFELL V. HODGES</i></p> <p>ASSIGNMENT FOR NEXT CLASS: <i>RESEARCH REGULATION OF UBER AND SIMILAR TRANSPORTATION TECHNOLOGY</i></p>
OCT. 8	<p>INTRODUCTION TO GOVERNMENT REGULATION OF BUSINESS---WHAT IS REGULATED AND WHY? MARKET FAILURE AND REGULATORY LIFE CYCLE FOCUS ON EMPLOYMENT REGULATION</p> <p>ASSIGNMENT FOR NEXT CLASS: <i>BARBARA ANN BERWICK VS. UBER TECHNOLOGIES</i></p>
OCT. 13	<p>GOVERNMENT REGULATION OF BUSINESS ---CONTINUED FOCUS ON EMPLOYMENT REGULATION: THE ROLE OF ADMINISTRATIVE AGENCIES <i>BARBARA ANN BERWICK VS. UBER TECHNOLOGIES</i></p> <p>ASSIGNMENT FOR NEXT CLASS: WATCH “HANK: FIVE YEARS FROM THE BRINK” ON NETFLIX</p>
OCT. 15	<p>GOVERNMENT REGULATION OF BUSINESS –CORPORATIONS AND PUBLIC POLICY. INTRODUCTION TO REGULATION POST-2008 FINANCIAL CRISIS</p> <p>ASSIGNMENT FOR NEXT CLASS: CATCH UP ON READING AND BEGIN STUDYING FOR MIDTERM</p>
OCT. 20	<p>Q&amp;A FORMIDTERM</p> <p>ASSIGNMENT FOR NEXT CLASS: STUDY FOR MIDTERM</p>
<b>OCT. 22</b>	<p><b>MIDTERM EXAM (MULTIPLE CHOICE &amp; 1 ESSAY)</b></p> <p>ASSIGNMENT FOR NEXT CLASS: HANDOUT RE LEGAL REFORMS FOLLOWING FINANCIAL CRISIS</p>
OCT. 27	<p>THE CORPORATION AND THE FINANCIAL CRISIS---THE START AND THE AFTERMATH (TARP LAW, DODD-FRANK)</p> <p>ASSIGNMENT FOR NEXT CLASS: WATCH THE REPUBLICAN CANDIDATE DEBATE ON CNBC</p>
OCT. 29	<p>THE POLITICS OF BUSINESS REGULATION: WERE THE REFORMS EFFECTIVE? HAVE CORPORATIONS LED ANY REFORM? CAN AND SHOULD WE RELY ON POLITICAL LEADERS?</p> <p>ASSIGNMENT FOR NEXT CLASS: READING TO BE ASSIGNED?</p>

Nov. 3	THE ROLE OF ETHICS IN BUSINESS REGULATION : ANALYZING AN ETHICAL ISSUE  ASSIGNMENT FOR NEXT CLASS: TO BE DISTRIBUTED
Nov. 5	<b>REAL WORLD ETHICS EXERCISE</b> TO BE DONE IN LIEU OF CLASS LECTURE
<b>Nov. 10</b>	<b>ETHICS EXAM</b>
Nov. 12	INTRODUCTION TO ANTI-TRUST LAW---RESTRAINTS ON TRADE  ASSIGNMENT FOR NEXT CLASS: BEGIN <i>UNITED STATES V. APPLE, INC.</i>
Nov. 17	ANTI-TRUST LAW---MONOPOLIES AND MERGERS  ASSIGNMENT FOR NEXT CLASS: FINISH <i>UNITED STATES V. APPLE, INC.</i>
Nov. 19	IMPACT OF MONOPOLIES ON INDIVIDUAL RIGHTS: A LOOK AT CURRENT BIG BUSINESSES AND HOW CONTROL OF A MARKET IMPACTS THE CONSUMER (CASE STUDY: APPLE'S INFLUENCE ON E-BOOK PRICES)  ASSIGNMENT FOR NEXT CLASS: RESEARCH CURRENT ANTITRUST INVESTIGATION OR ENFORCEMENT ACTION
Nov. 24	IS ANTITRUST REGULATION NECESSARY? REVIEW OF CURRENT ENFORCEMENT? MARKET AND SOCIETAL INFLUENCES ON ANTI- COMPETITIVE BEHAVIOR
<b>Nov. 26</b>	<b>THANKSGIVING HOLIDAY (NO CLASS)</b>
Dec. 1	FINAL TAKE HOME EXAM ASSIGNMENT DISTRIBUTED AND COURSE REVIEW
Dec. 3	Q&A REGARDING FINAL ASSIGNMENT AND CASES COVERED DURING QUARTER
<b>Dec. 8</b>	<b>FINAL TAKE-HOME EXAM DUE</b> <b>TAKE HOME FINAL EXAM MUST BE RECEIVED BY PROFESSOR</b> <b>EPPRIGHT VIA E-MAIL BY DEADLINE (10:00PM DEC. 8).</b> <i>CAUTION: DO NOT WAIT UNTIL THE LAST FEW HOURS ON DEC. 8 TO SEND</i> <i>VIA EMAIL BECAUSE OF THE RISK OF TECHNICAL PROBLEMS. ANY LATE</i> <i>SUBMISSIONS WILL BE DEDUCTED 10 POINTS REGARDLESS OF REASON</i>