Making a Case for Employment Law as a Core Requirement in the Undergraduate HR Curriculum

This article is based on an earlier discussion draft the authors co-presented at the Fourth Conference of Innovative Teaching in Human Resources and Industrial Relations, Park City, Utah, March 31-April 2, 2005.

Abstract

Surveys of senior HR-practitioners, academicians, and students consistently agree that individuals seeking to enter the HR profession should be knowledgeable in employment law. Most university HR programs, however, do not uniformly require students to complete an Employment Law course. This article presents a case for Employment Law as a core requirement in the undergraduate HR curriculum. Data from course syllabi and professor comments demonstrate how this course can meet academia’s need to promote higher education principles while providing learning opportunities for development of competencies that employers increasingly seek, such as critical analysis, communication, and having a strategic perspective.
Making a Case for Employment Law as a Core Requirement in the Undergraduate HR Curriculum

Martha Crumpacker and Jill M. Crumpacker ©fn

Today’s legal environment, in particular, demands that HR managers master a labyrinth of employment-related laws. But simply understanding a law is not enough; you also must be able to make good judgments within its legal framework. For any given law, they [HR] must develop compliance methods that are true to its objectives, acceptable to management and cost effective. (Koen & Crow, 1995, p. 13)

INTRODUCTION

In 2003, the Society for Human Resource Management (SHRM) published results of research that surveyed three groups, academicians, practitioners, and students, regarding their perceptions of the importance of various knowledge, skills, and abilities (KSAs) required as a foundation for building a successful Human Resources (HR) career (Kluttz & Cohen, 2003). Each group independently listed employment law among the top three KSAs important for success in an entry-level HR job (the other two were oral and/or written communications and business ethics) (Kluttz & Cohen, 2003, pp. 1-2). The findings of the SHRM study were consistent with the findings of previous studies listing employment law or its equivalent at or near the top of areas of importance for HR professionals (Sincoff & Owen, 2004; Way, 2002; Van Eynde & Tucker, 1997).

That the results of various studies consistently place a high value on employment law competency seems contradictory with commentary that HR professionals should direct their attention less to compliance or technical matters and more to broad-ranging, strategic perspectives (Aghazadeh, 2003, p. 205; Mello, 2002, p. 103). These results, however, are in accord with the ever-increasing importance business leaders place on

* Authors’ Note: The views and opinions expressed in this article are solely those of the authors alone and in no way purport to represent an opinion, policy, or position of the Washburn University School of Business, the Federal Labor Relations Authority, or the U.S. Government.
law and legal awareness (Siedel, 2000). “An understanding of the legal framework within which business operates is especially important to sense-making in business organizations because law, perhaps more than any other function or discipline, touches every aspect of business strategy and operations” (Siedel, 200, p. 728).

Widespread agreement of the necessity for HR professionals to be knowledgeable about employment law invites discussion of the undergraduate HR curriculum in relation to that topic. For instance, to what extent do university HR programs require students to complete an Employment Law course? In schools that do require Employment Law within the core curriculum, do the structure and execution of the course provide learning opportunities for students to develop competencies beyond knowledge of the black letter law? And, should the Employment Law course instructor possess JD credentials as opposed to being a PhD or DBA?

During early 2005, we explored these questions through an Internet search of schools of business accredited by the Association to Advance Collegiate Schools of Business (AACSB) that offered an undergraduate HR major or degree. We assessed current offerings of Employment Law in the HR curriculum. Of 137 AACSB business schools we identified as offering an undergraduate HR major, 27% reflected Employment Law as a core requirement in their on-line course catalog (Table I).

<table>
<thead>
<tr>
<th>Insert Table 1 about here</th>
</tr>
</thead>
</table>

Through an e-mail solicitation to these schools, we requested a copy of the Employment Law syllabus from the professors listed as teaching the course. We also
solicited the professors’ comments concerning whether Employment Law should be a required course and whether JD versus PhD/DBA instructor credentials made a difference in teaching the course. We obtained responses from 54% of the professors/schools we contacted (Table II). In order to encourage candid comments, we guaranteed professors we would not relate individual names to specific comments, although we did retain all responses and syllabi on file.

Our approach to data collection for this article was purposefully informal. Our goal, simply, is to present the data as a means of generating dialogue among the academic and business communities on the merits of requiring Employment Law as a core course within the HR undergraduate curriculum. To that end, this article begins with a brief discourse of the importance of Employment Law knowledge to the HR practitioner. Using our survey data, we then discuss how an Employment Law course can promote both technical knowledge, as well as development of other competencies that employers seek. We also highlight the debate among academicians regarding whether the PhD/DBA or the JD qualification is better suited for teaching an Employment Law course to non-law students.

This paper asserts that an Employment Law course should be required of all undergraduate HR students. Whether the instructor is JD or PhD/DBA-qualified, inclusion of Employment Law as a core course in the HR curriculum, at a minimum, would offer students the opportunity to attain technical knowledge about the ever-
present legal environment within which HR and managers exist. Ideally, if the instructor presented the course using active teaching methods, HR students could reap additional benefits through opportunities to develop their continuous learning skills, including competencies in oral and written communication, critical analysis, and having a strategic perspective.

THE IMPORTANCE OF EMPLOYMENT LAW KNOWLEDGE TO THE HR PRACTITIONER

To ensure HR policies and practices are aligned to enable managers to maximize organizational performance, HR practitioners, executive-level or entry-level, must understand how internal and external forces affect the organization, including cultural, social, technological, political, economic, and legal (Baron, Kreps, 1999; Milkovich & Boudreau, 1991). HR policies and practices consistently impact key organizational activities such as recruitment, selection, and staffing; benefits and compensation; employee and labor relations; and occupational health and safety (Clardy, 2003, p. 26; Milkovich & Boudreau, 1991). Federal, state, and or local laws, regulations, and ordinances define and govern nearly every one of these HR areas (Clardy, 2003, p. 28).

According to SHRM, “it is the very nature of the human resources field to engage in law-related services and to provide direction to an employer on activities that have significant legal ramifications” (SHRM, 2003). These ramifications, however, are not limited to the HR profession at large or even to the employer as an entity, but also affect individuals within the organization, particularly managers (Siedel, 2000, p. 29). For instance, a Title VII harassment claim is a classic situation in which employer liability often turns on the quality of HR services; namely, whether the employer had an
appropriate policy in place that was widely distributed and available to employees. The personal liability of HR practitioners themselves may also be at issue for their role with any particular personnel action that subsequently ends-up in litigation. Examples include: employee evaluations, terminations, or the HR practitioner’s role simply in reviewing and approving these personnel actions with no other substantive involvement (Fredericksen, 2002).

Employers expect a university business undergraduate to enter the workforce with a baseline level of competency, as a result of completion of a defined course of study rooted in the underlying tenets governing the discipline (Porter & McKibbin, 1988, p. 134). For undergraduate HR students enrolled in an academic program affiliated with an AACSB-accredited school of business, the mandated common body of knowledge course curriculum provides the student an opportunity to learn the basics of business, on par with other business majors. This experience in and of itself can enhance the HR student’s exposure to such employer-desired competencies as general business knowledge, technology, and even delivery. In terms of a common body of knowledge for HR, however, our research identified no standardized core curriculum for HR majors, including a basic course such as Employment Law. Our finding confirmed the findings of other researchers (Sincoff & Owen, 2004, p. 82).

Beyond technical knowledge, employers increasingly expect new employees with an HR degree to enter the workforce able to approach organizational and managerial issues with a strategic perspective advocating for the organization (Bates, 2004). Technical knowledge is only the starting point. The HR practitioner must be able to apply that knowledge within a business context, including synthesizing technical
knowledge with business and financial knowledge (Yeung, 2004, p. 55). As a strategic partner, HR seeks to ensure that managers’ program plans or recommended personnel actions can be accomplished efficiently and effectively and that such plans and actions do not unnecessarily increase corporate risk of liability (Fredrickson, 2002). The HR practitioner may add value through a knowledge of the organization, including management’s likelihood of litigating a matter and the potential interrelationships between other internal or external issues that could either help or hinder the organization should a lawsuit ensue (Neuser, 2003; Joinson, 2001). HR also may provide a crucial advisory role to senior leadership in terms of demonstrating how liability may not always take a financial form, but may, for instance, include long-term public relations consequences that could far overshadow potential short-term monetary loss (Schachner, 1996, p. 51). The HR practitioner able to advance a means for performance improvement or competitiveness while reducing risk or liability demonstrates strategic competence in partnering with managers to achieve their program and organizational goals. Demonstrating such a strategic perspective requires knowledge and the ability to apply that knowledge continuously by learning from new or developing situations.

Continuous learning has long been a goal of academia and university learning (Rynes, 2004). Continuous learning, however, is also a necessity for business in achieving and sustaining organizational competitiveness in an ever-increasing legal environment. Employment law is well-suited to position HR students to transition to understanding “the business context, how to relate [and synthesize] business elements to issues associated with human resources” without having to compromise the
expectations of academia in promoting the learning of a human resources discipline (Yeung, *et al.*, 2004, p. 55). First, Employment Law provides particular opportunities for teaching a learned body of knowledge. Second, through application of active teaching methods, students have the opportunity to develop critical analysis and communication skills that are applicable both to success in other coursework, as well as the workforce.

**Developing Technical Knowledge and Other Competencies**

The HR practitioner who consults with either employees or managers faces a need for employment law knowledge from virtually the first day on the job. For example, an important area for HR, currently, involves the question of providing guidance on the application of the Family and Medical Leave Act of 1993 (FMLA) in the workplace (29 U.S.C. § 2601, *et seq.*). To advise the employee or manager appropriately, the HR practitioner must, at a minimum, possess a general awareness and knowledge of FMLA as a workplace law. The HR practitioner must be able to gather relevant facts, including identifying unknown variables. The HR practitioner must then apply those facts to the various elements of the FMLA. Required analysis would include questions such as the following: What are the size and scope of the “employer” involved? How does FMLA define “employee” (e.g., does the FMLA apply to full-time, part-time, contingent, contract, or union employees)? And, what, if any notice, certification, or documentation requirements exist? Finally, the HR practitioner must be able to synthesize and concisely present a reasoned recommendation, including, importantly, options or flexibilities available for either employee or manager. Courts have found personal liability against managers and officials for actions taken under FMLA
 ignorance of the law on the part of the HR practitioner, experienced or novice, is no defense.

Consistent with other areas of law, and, perhaps different from traditional foundational business classes, such as accounting or economics, students do not attain a working knowledge of Employment Law through rote memorization of a set of concrete principles or rules. Rather, students attain such knowledge by learning various terms of art; acquiring fact-gathering skills; and analyzing and applying relevant statutes, regulations, or policies in relation to those facts (Rapoport, 2002). Jurisdictional issues must not be neglected, especially if the employer has a presence in more than one state or country (Allen, 1998, pp. 132-134). Moreover, students must master basic research principles in order to remain abreast of trends and changes in the law. And, the student and future HR practitioner must be able to communicate, whether orally or in writing, concisely and professionally, in order to advise managers or employees or to interact effectively with in-house or external legal staff. A course in Employment Law provides an HR student myriad opportunities to develop competencies in technical knowledge, critical thinking and analysis, communication, and strategic perspective, depending upon how the course is structured and delivered. Importantly, upon completion of the Employment Law course, the student can transfer and further refine these skills in other courses as s/he progresses through the undergraduate curriculum, during internships, and, ultimately, within the workplace.

**Discussion**

“Pressures are being brought to bear both by the academic side to be more academic and scholarly and by the profession trying to download as much skills training
as possible into the schools” (Neumann, 2001, p. 169). This quote, reflecting on a comparison of education models among medicine, law, and architecture, also succinctly states the current tension between academia and business in relation to HR. Namely, the maturation of HR as a learned discipline within academia has not necessarily kept pace with business’ push for HR vocational training, exacerbated, at least in part, we believe, by the lack of a uniform undergraduate HR curriculum.

In spite of the tension between academia and business, the syllabi we reviewed support both groups’ interests in educating future HR practitioners. Academia’s interest in presenting HR as a learned discipline rather than a vocation is reflected through the presentation of foundational theory and policy considerations resulting in a body of black letter law. Specifically, our review of syllabi revealed that the majority of syllabi included one or more specific theoretical/knowledge objectives, as follows:

- Become familiar with legal terminology used in HR;
- Understand the legal environment within which managers function;
- Understand the legal rights and obligations of employees and employers; and
- Learn to brief and analyze administrative and court decisions addressing employment law issues.

Business’ interest that new employees enter the workforce able to contribute immediately is reflected through practical application of theory via classroom activities. Specifically, a number of the syllabi included course or student learning objectives that challenged students to develop specific skills or competencies through application of their newly-acquired technical knowledge. These objectives required students to:

- Improve the ability to think analytically and apply principles of law to real world situations;
• Anticipate the impact of a law or changes in a law on managers’ decision-making;

• Identify alternative policy choices that may be used to conform to legal mandates; and

• Improve problem-solving skills in the application of legal theories to the analysis of and solution of problems.

All of the syllabi we reviewed promoted traditional course presentation through lectures. Two syllabi presented the course exclusively through a lecture format. As reflected in Figure 1, the syllabi referenced a requirement for preparation of written case briefs in about 50% of the courses. Specific assignments to brief cases orally were required about 35% of the time; however, class participation was required 60% of the time. Approximately 30% of the syllabi listed a requirement for a research paper.

We also identified other learning techniques professors were using in the classroom, including assignments requiring students to attend administrative hearings; participate in mock trials; conduct web searches; write reflection papers; or engage with guest speakers for discussion of specific topics or issues. These other techniques, however, were reflected in less than 10% of the syllabi. Finally, of the responses we received, 40% of instructors teaching Employment Law held a JD, representing a 2:1 margin over those with a PhD/DBA, or other combinations of academic credentials.

**Course Content and Presentation**

The phrase “think like a lawyer” has long been one means by which lawyers have
distinguished their profession as a learned discipline as opposed to a vocation or trade (Rapoport, 2002). This reference to a higher-order thinking process is rooted in the case study method as introduced by Dean Christopher Columbus Langdell at the Harvard Law School during the 1870s (McDonnell, 2002, p. 68). Through the case study method, in addition to exposure to foundational information about law and the legal process, students develop skills in gleaning relevant facts and information from large quantities of information; evaluating and determining relevance of information received; applying existing laws, rules, or regulations to existing fact scenarios; and developing and communicating proposed result(s) or courses of action in light of competing views, facts, and laws -- while at all times remaining cognizant that new information may arise or that laws may change (Rapoport, 2002; Sappir, 1994, pp. 114-116).

As a precedent to developing a strategic perspective, the undergraduate student must first learn the terminology, general theories, and structural framework for approaching the study of such laws. Without such a foundation, expecting one to apply, with competence, various laws, rules, or regulations to a specific fact-scenario; to engage in forward-looking strategy; or to partner with in-house or outside legal counsel seems illusory, at best. Therefore, incorporating theory, policy, and history into the teaching of any course is a critical component of the education process (Rynes, 2004). The syllabi we reviewed support teaching both theory and policy as well as black-letter law, with all syllabi promoting traditional course presentation through lectures geared to such course objectives as learning legal terminology, understanding the legal environment of managers, and learning the process of briefing court decisions. Based
upon our own experiences and the syllabi we reviewed, we assert that this foundational aspect of the educational experience should not be short-changed simply to satisfy external demands for learning the latest “how to” over ensuring students’ understanding and internalizing of the “what” and the “why.” It is through providing a theoretical structure that the foundation for lifelong, continuous learning may be encouraged to develop.

In preparing any HR course, the instructor must be realistic in ascertaining the likelihood of whether a recent graduate will be called upon for a leadership role in strategic planning or to provide strategic consultation in a work setting without first attaining some level of on-the-job experience. Thus, in teaching Employment Law to undergraduate HR students, a lecture/written exam approach to testing knowledge may be appropriate. At a minimum, an HR student exposed to the subject matter through a lecture-driven course, with little or no additional learning opportunities, should certainly be able to contribute in the workplace from the minimal compliance or transactional point-of-view. As mentioned previously, however, employers increasingly expect new employees to be able to apply their knowledge strategically. Additionally, as the literature on adult learning has long shown, knowledge acquired through passive means, such as rote memorization of principles or rules is not generally retained on a long-term basis (Boyle & Dunn, 1998). Fortunately, incorporating learning opportunities for the student to apply theories, principles, and practices as part of an undergraduate course does not need to result in a dilution of the academic learning experience or reduce a learned discipline to a vocation. We assert that through incorporation of various active teaching activities into the learning experience, the instructor may
strengthen the student’s overall learning experience and promote lifelong, continuous learning that extends the student’s approach and perspective into the forward-thinking and critical analysis required to contribute strategically.

In contrast to the passive learning reflected by the lecture format, active learning includes activities in which students may apply theory with the opportunity to think about what they are doing and why (Bonwell & Eison, 1991). One example of active learning is the case discussion format of instruction, most frequently delivered through the Socratic method (Desiraju & Gopinath, 2001). Through this method, the instructor presents issues and challenges the students’ responses. Students develop skills in analysis, active listening, and oral communication (Desiraju & Gopinath, 2001).

Some research has pointed out that the Socratic method does not necessarily take into account various individual learning styles (Teich, 1986). This method is unlikely to be discontinued anytime soon, however, given that law professors traditionally and currently approach teaching using the Socratic case method style or a modification of this style (Russo, 2002). A related method, long popular in business schools, is the use of computer simulations as part of the capstone strategic management course (Mitchell, 2004). According to one survey, among AACSB-accredited schools, “97% have used such simulations in some way” (Mitchell, 2004, p. 198).

The value-added from incorporating case studies, computer simulation exercises, or similar active learning techniques in the classroom is beneficial for students who have little or no relevant work experience. This is especially true given the growing popularity of behavioral interviews among employers seeking to ascertain competency
levels of prospective employees (Tyler, 2005; Buhler, 2005). Although a student may not be able to relate actual experience during such an interview, the student who has participated in an active learning environment can reasonably expect to be able to respond to situational questions by describing how s/he would approach an issue, thereby demonstrating to a prospective employer critical thinking and analysis skills.

The syllabi and the faculty comments we reviewed support a conclusion that HR students studying Employment Law benefit from opportunities to apply knowledge learned, thereby developing competencies leading to a strategic perspective. Representative instructor comments include:

*The way that I teach the class is primarily through discussions of hypothetical cases, practical problems that might confront an employer, and case decisions in the text. I try to keep lecturing to a minimum.*

*We spend a lot of time discussing cases. I do call upon students to recite although not in the rigorous law school Socratic format. They seem to respond positively to the practice and it does generate discussion.*

*I use a combination of lecture and discussion. I also use group employment law problems that requires (sic) students to work in groups I assign of various employment issues. Each group has a different “employer.” I use a hypothetical public school, a manufacturer, a service company, and a software company. I give the groups three main employment issues to research and then write a recommendation for their hypothetical supervisor. They also give an oral presentation . . . so other class members can hear about the other issues and how they recommend they be resolved.*

We submit that providing a foundation of theory, principles, and law, followed by opportunities to apply this new knowledge through active teaching methods will encourage HR students who successfully complete an Employment Law course to develop and demonstrate a strategic perspective. Noting the SHRM survey’s findings that oral/written communication is the second of the top-three desired KSAs for entry-
level HR practitioners, we further urge the requirement for Employment Law professors, and for all professors in the undergraduate HR curriculum, to mandate significant individual student-written projects and student-oral presentations whenever possible. Writing and speaking are skills for which there is no substitute for practice.

**Instructor Qualifications**

Because a successful learning experience does not result from subject matter and teaching methods alone, we also sought information on qualifications of instructors currently teaching Employment Law. Faculty responses reflected varied opinions on desired qualifications and a range of views regarding preference for a JD or a PhD/DBA, or some other qualification. Among the comments supporting the JD-credentialed faculty, were the following:

*It’s great to have a lawyer teach the class because of the practical application an attorney is able to bring to the class.*

*I believe this course should be taught by a JD. I don’t teach management — the management faculty shouldn’t teach law.*

*I have a JD degree and feel strongly that this course should be taught by someone with a JD degree. We have always had a member of our Legal Studies faculty, all of which have the JD degrees, teach the class and will continue to do so. We feel it is essential that the class is taught by a faculty member with legal training.*

Comments reflecting an opposing view, that a JD is not necessary to teach employment law effectively, included:

*I don’t think that a JD should be a requirement for teaching the course. To some extent, having a lawyer teach the course sends the wrong message (i.e., that this is a foreign subject that only someone with training in another field can adequately master). There is also a question whether lawyers will pay sufficient attention to or fully understand the practical implications of the law.*
Our course(s) are taught by two management department faculty members. One a JD with an MBA and the other a Ph.D. in Business with an emphasis major in law and HR. Both faculty members are fully qualified under AACSB accreditation to teach these courses. Both faculty members are mediators and arbitrators in the fields of labor management relations and employment discrimination.

The AACSB accreditation standards consider the Juris Doctor (JD) degree to be an “appropriate terminal degree” for faculty teaching law-related courses (AACSB, 2005). Faculty comments from our informal survey reflected on-going larger debates, at several levels, regarding the status of legally trained professors within schools of business (Morgan, 2003, p. 285). Such debates are worthy of mention, given the number of HR programs affiliated with schools of business and the fact that Employment Law is a law-related course.

First, there has long been disagreement within schools of business concerning whether legal-studies classes should be afforded the same status as the traditional business disciplines of accounting, economics, or management. The fact that the overwhelming percentage of faculty who teach within the traditional business disciplines are terminally-qualified as a PhD or equivalent (e.g., DBA), while up to 90% of faculty teaching law-related business courses hold a JD-degree has not been overlooked by either group of faculty (Morgan, 2003).

Second, for faculty who do possess a JD, the question arises whether such faculty should also be practicing attorneys, as opposed to pure academics (Miller, 2002; Siedel, 2000). Whether a PhD professor should practice a profession concurrent with his or her teaching courses within the traditional business disciplines rarely arises. Finally, reflecting a tension that is also present within the traditional business
disciplines, is the question of adjunct faculty versus full-time faculty - - in this situation, the extent to which a lawyer with experience limited to practice within a local jurisdiction is suited to teach law-related courses, such as employment law, to HR students.

For purposes of discussion, we suggest that whether a faculty member should or should not possess a JD degree to teach Employment Law effectively to HR students is arguably a function of the end-result sought. There is widespread agreement that the HR undergraduate should come away from the Employment Law course with a minimal level of awareness of and understanding of laws affecting the workplace and how to monitor such laws to ensure organizational compliance. Arguably, if nothing further were sought in terms of competency-development, then a legally-trained faculty member probably provides the best value, as lawyers are trained specifically to identify issues and to apply the law in its most current form (Morgan, 2003). Given the mandate for strategic thinking, however, the HR undergraduate should extend his or her level of understanding of the legal framework governing HR functions to encompass what Clardy has described as incorporating the following four factors: (1) common-law (court) decisions, constitutional protections, executive orders, statutes, and administrative (agency) decisions; (2) the impact of any of these decisions, orders, or statutes on a particular HR function; (3) jurisdictional issues; and (4) coverage or applicability to a particular employer (Clardy, 2003).

Clearly, learning the “rule of law” or the current status of a law is often important for a short-term solution. Being able to apply a law within the context of the broader environment, taking into account legal, social, political, and economic realities of the workplace differentiates transactional HR from strategic HR. From this perspective,
traditionalist PhD qualified faculty may argue that legal training is not conducive to the added requirement for integrating and harmonizing legal knowledge among various organizational functions (Koen & Crow, 1995). Nor does this perspective support the use of adjunct, local lawyers who, generally, teach from the vantage point of their own local jurisdictional laws, rules, or ordinances, and thus, may be less likely to provide the student the benefit of having engaged in legal research and writing from a comparative view, or, importantly, a global view (Morgan, 2003, p. 287; Siedel, 2000).

We recognize that some adjunct instructors provide outstanding learning environments for students. We support the view, however, that indiscriminate use of adjunct instructors can contribute to the dilution of the educational experience and may also devalue the university-teaching profession as a whole. This can be especially true when adjuncts are hired to control costs. One means of mitigating a potential adverse outcome in the use of adjuncts would be to ensure all core courses are taught by academically-qualified, full-time faculty. We are less supportive of the view that legally-trained faculty are not as likely as PhD-trained faculty to approach the course holistically. As one PhD-JD credentialed professor observed in response to our informal survey:

*It is my personal opinion that a faculty member should have a JD in order to teach this course. I have both a JD and a PhD and taught employment law prior to receiving my JD. I must say I have a better understanding of the nuances of the law since receiving my JD and I think that is a valuable asset when teaching employment law.*

Interestingly, our informal survey revealed several instances of the Employment Law course being co-taught by a JD and PhD team. Evolving accreditation standards promote increased use of joint or cross-functional teaching (Petty, 2000). In a report
from the 2003 AACSB Management Education Task Force, the blurring of boundaries between education disciplines was listed as one of the challenges that business schools should face. Specifically, the Executive Summary stated: “Cross-disciplinary programs facilitate market relevancy by encouraging boundary spanning teaching and thinking” (AACSB, 2003, p.2). Such an approach is worthy of further consideration as it provides opportunities to lessen the academic divide between PhD/DBA traditionalists and JDs, through the respective recognition of each to the contributions of expertise and insights directed at the common interests of imparting knowledge and learning opportunities to the student (Rapoport, 2004). Additionally, experiencing first-hand the varied faculty perspectives that a JD and a PhD/DBA bring to a problem enables both instructor and student to appreciate better the diversity of thought and approach in real-world problem solving.

CONCLUDING COMMENTS/RECOMMENDATIONS

During the past decade, HR has undergone significant transformation and maturation as a profession within both the private and public sectors. Arguably, academia has not kept pace with this maturation process. Increasing demands to attract and retain the best and brightest employees in an environment of competing resources has increased pressure on academia to train students in certain competencies, including thinking and performing strategically. This pressure has challenged academia at the university level to reconcile its role in presenting HR education programs as a learned discipline versus a skilled trade. Such pressure is exacerbated by the lack of a defined or standardized undergraduate HR curriculum.
Piqued by the consistent results of several surveys documenting the high value of Employment Law shared equally by students, academicians, and practitioners, we undertook an informal data-collection effort among Employment Law professors within AACSB schools of business to explore whether requiring Employment Law as a core course could serve to bridge the gap between business' expectations and academia's obligations in developing student competencies. Our brief review of course syllabi and professor comments supports our proposition that by requiring Employment Law as a core requirement for an undergraduate HR degree, the student, at a minimum, has the opportunity to obtain a solid theoretical foundation upon which to build understanding and knowledge of the legal and regulatory environment within which HR operates. If the course is conducted using active teaching methods beyond the traditional lecture format (e.g., case briefs, research papers, group projects, and/or experiential exercises), the student may benefit by developing additional competencies, such as analytical thinking and reasoning, oral and written communication, and strategic thinking and consultation. Such benefits may extend further to students facing the prospect of a behavioral interview, through an enhanced ability to discuss their approach to a particular scenario - even if they, as yet, have no specific personal experience to share. Legally-trained faculty committed to the tenets of HR as an academic discipline can enhance the learning experience of students at a level consistent with traditional PhD/DBA faculty. And, joint-teaching between legally-trained, JD faculty and traditional, PhD/DBA faculty offers students exposure to cross-disciplinary perspectives.

Standardizing the undergraduate HR curriculum is a necessary step towards continued maturation of the HR profession and the acceptance of HR graduates as
equal to their business graduate counterparts in the workplace. At present, the academic community is not unified in terms of which courses to include in a common body of knowledge for HR. We propose a logical starting point is to agree to require Employment Law as a core course and prerequisite for an HR degree or major. Further research directed specifically at the success of entry-level HR practitioners who completed an Employment Law course as part of their undergraduate HR curriculum and employer satisfaction with such practitioners could provide additional empirical data to support or disclaim our assertions.
TABLE 1

Universities in the Sample Offering Employment Law as a Core Course in the Undergraduate HR Curriculum

<table>
<thead>
<tr>
<th>Auburn Univ.</th>
<th>Louisiana State Univ.</th>
<th>Virginia Polytechnic Inst. &amp; Univ.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belk College (North Carolina)</td>
<td>Miami College (Ohio)</td>
<td>University of Central Florida</td>
</tr>
<tr>
<td>Boise State Univ. (Idaho)</td>
<td>Michigan State Univ.</td>
<td>University of New Mexico</td>
</tr>
<tr>
<td>Bradley Univ. (Illinois)</td>
<td>Niagera Univ. (New York)</td>
<td>University of New Orleans</td>
</tr>
<tr>
<td>California State Univ. (Chico)</td>
<td>Northern Illinois Univ.</td>
<td>University of Northern Iowa</td>
</tr>
<tr>
<td>Clarion Univ.</td>
<td>Ohio Univ.</td>
<td>University of Tennessee</td>
</tr>
<tr>
<td>Cleveland State Univ.</td>
<td>Oklahoma State Univ.</td>
<td>University of Texas</td>
</tr>
<tr>
<td>Duluth Univ.</td>
<td>Old Dominion (Virginia)</td>
<td>University of Wisconsin</td>
</tr>
<tr>
<td>Florida State (Tallahassee)</td>
<td>Oswego (New York)</td>
<td>Winthrop Univ. (So. Carolina)</td>
</tr>
<tr>
<td>Grand Valley (Michigan)</td>
<td>Texas A&amp;M Univ.</td>
<td>Wright State Univ. (Ohio)</td>
</tr>
<tr>
<td>Indiana Univ. (So. Bend)</td>
<td>University of Arkansas</td>
<td>Youngstown State (Ohio)</td>
</tr>
<tr>
<td>Kansas State Univ.</td>
<td>Virginia Commonwealth Univ.</td>
<td></td>
</tr>
<tr>
<td>Belk College (North Carolina)</td>
<td>Ohio Univ. (Athens)</td>
<td></td>
</tr>
<tr>
<td>Boise State Univ. (Idaho)</td>
<td>Oklahoma State Univ.</td>
<td></td>
</tr>
<tr>
<td>Bradley Univ. (Illinois)</td>
<td>Oswego (New York)</td>
<td></td>
</tr>
<tr>
<td>California State Univ. (Chico)</td>
<td>Texas A&amp;M Univ.</td>
<td></td>
</tr>
<tr>
<td>Cleveland State Univ.</td>
<td>Virginia Commonwealth</td>
<td></td>
</tr>
<tr>
<td>Grand Valley (Michigan)</td>
<td>Virginia Polytechnic Inst. &amp; Univ.</td>
<td></td>
</tr>
<tr>
<td>Kansas State Univ.</td>
<td>Wright State Univ. (Ohio)</td>
<td></td>
</tr>
<tr>
<td>Louisiana State Univ.</td>
<td>University of Tennessee</td>
<td></td>
</tr>
<tr>
<td>Miami College (Ohio)</td>
<td>University of New Mexico</td>
<td></td>
</tr>
<tr>
<td>Northern Illinois Univ.</td>
<td>Winthrop Univ. (So. Carolina)</td>
<td></td>
</tr>
</tbody>
</table>
FIGURE 1

Teaching Methodologies Used in Teaching Employment Law
Endnotes


IOMA. (2001, May). Where the action is: the states are focusing on employment and labor law. *HR Focus*.


Tyler, Kathryn. (2005, May). Train for smarter hiring: train hiring managers to communicate their needs to HR as well as to ask candidates probing questions. *HR Magazine*, 50(5), 89-92.

