

# **The Human Resources Curriculum— Making a Case for Employment Law as a Core Requirement to Bridge the Gap Between Academia and Business**



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Session 3b**

***Making the Case for a Place in the HR/IR Curriculum***

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# Question

## Does HR truly have a seat at the table?

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- ❑ **Lingering “stigma” by some employers who continue to regard HR as deficient in analytical skills with a preference for “soft skill” transactional and administrative functions . . .**
  
- ❑ **Conversely , general business graduates are viewed as having a focus on driving bottom-line organizational performance and results. . .**





## **In Contrast . . . Business Graduates**

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- Are identified with one academic department (School of Business) having a “common body of knowledge” core business course curriculum**
  
- May concentrate on a specific major with additional courses required**
  - Accounting**
  - Economics**
  - Finance**
  - Management**

**Resulting in a perception that upon entering the workforce, business graduates can assimilate within the organization in terms of sharing similar “roots” of development as those who graduated 5, 10, or even 20 years earlier. A “seat at the table” is reserved . . .**

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## HR as a *Business Partner* . . .

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During the past 15 years, HR practitioners have made great strides to raise the status of HR to that of “business partner” in the workplace . . . through:

- professional certification programs
  - conferences and training
  - competency-based hiring/development efforts
  - publication partnerships with universities
  - accreditation study tools in university settings
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## As a discipline, undergraduate HR programs,

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- ✓ are not consistently affiliated with a specific academic school . . . nationwide, or
  - ✓ for those affiliated with Schools of Business, often struggle to be viewed as “on par” with other business majors
  - ✓ are not independently accredited, and
  - ✓ do not require a “common body of knowledge” of HR coursework
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## **Business Wants . . .**

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**Graduates who are able to add value in  
addressing immediate problems. . .**

## **Academia Requires . . .**

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**Upholding the integrity of the discipline  
by promoting *"theoretical, ideological,  
and ethical values defining the profession  
regardless of societal, economic, and  
political changes."***

*Rynes, 2004*

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# HR Competencies

## Private Sector (Ulrich/Brockbank)

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Much research published on HR competencies . . .

### 5 Categories:

1. Strategic Contribution
  2. Personal Credibility
  3. Business Knowledge
  4. HR Technology
  5. HR Delivery
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### **6 Categories (OPM)**

- 1. Participate as a full Business Partner;**
  - 2. Foster an environment that values technical excellence, continual learning, performance improvement;**
  - 3. HR Technology;**
  - 4. Talent Acquisition;**
  - 5. Foster Accountability;**
  - 6. Promote Workforce planning and deployment**
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# Employment Law and HR . . .

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***"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***

**Law impacts all HR areas . . .**

- **recruitment, selection, staffing**
  - **benefits and compensation**
  - **employee and labor relations**
  - **occupational health and safety**
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## Various Studies Support Employment Law as an HR Competency

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In 2003, SHRM published results of research (Kluttz & Cohen) evaluating perceptions among **academicians, practitioners,** and **students** ranking knowledge, skills, and abilities (KSAs) needed for a successful HR career . . .

**Employment Law** was in the top three among all surveyed.

### Other studies support this finding:

<b>Sincoff &amp; Owen</b>	<b>2004</b>
<b>Way</b>	<b>2002</b>
<b>Van Eynde &amp; Tucker</b>	<b>1997</b>

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# **HR and Law from a Strategic Perspective . . .**

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***"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, [HR] must develop compliance methods that are true to its objectives, acceptable to management and cost effective."***

***Koen & Crow, 1995***

**Judgment . . . Choices . . . Mission Driven Outcomes. . .**

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- - **What Business Wants**

-- **What Academia Requires**

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• **Theory vs. Application**

“What” and “Why” versus “How To”

• **What to Teach**

- discrete subject matter/specific topic(s)
  - competencies (cross-functional/multi-disciplinary)
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## Current Status of Employment Law in the Undergraduate HR Curriculum . . .

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We conducted an informal on-line survey and e-mail solicitation.

- Reviewed the websites of 137 AACSB Schools of Business offering an undergraduate HR major or degree
  - 27% listed Employment Law as a core requirement
  - Of these, we sought syllabi and other information through an informal e-mail to professors/deans
  - We obtained 20 course syllabi (54%) and various written comments from professors
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# Findings

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## I. Course and Learning Objectives

All schools included elements of **theoretical/knowledge objectives:**

- become familiar with legal terminology
  - understand legal environment of managers
  - understand legal rights/obligations of employees and managers
  - learn to read/brief/analyze administrative and court decisions addressing employment law issues
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# Findings

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## I. Course and Learning Objectives

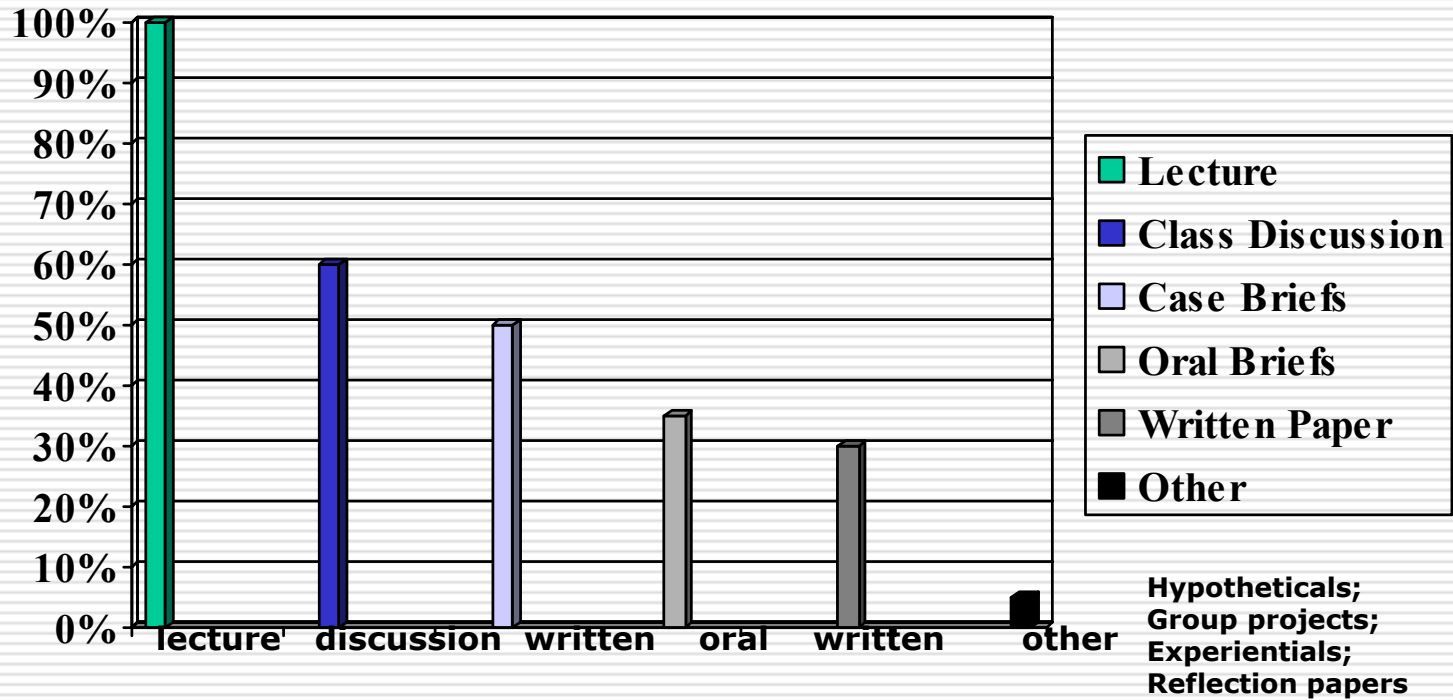
A number of schools also included **learning objectives developing skills at applying knowledge**:

- **improve the ability to think analytically/apply principles of law to real world situations;**
  - **anticipate the impact of a law or changes in a law on managers' decision-making;**
  - **improve problem-solving skills in the application of legal theories to analysis and solution of problems; and**
  - **identify alternative policy choices that may be used to conform to legal mandates.**
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# Findings

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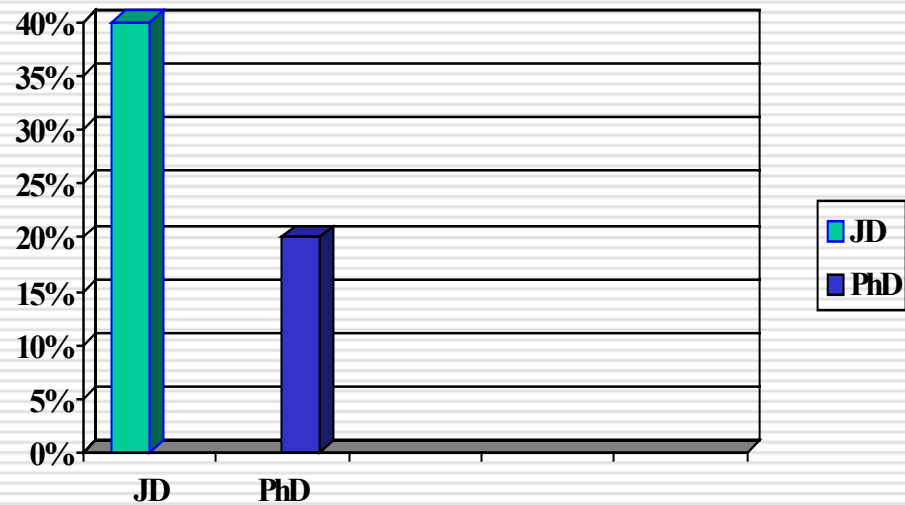
## II. Teaching Methods



# Findings

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## III. Instructor Qualifications



JD's teach Employment Law by a 2:1 margin over PhDs.

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## Discussion . . .

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### Learning Objectives

Our review was consistent with the academic interest of providing students a strong theoretical foundation. . .

*It is through providing a theoretical structure that the foundation for lifelong, continuous learning may be encouraged.*

If taught solely through a lecture mode, 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.

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## Discussion . . .

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### Teaching Methods

Our review also supported business' interest of providing students experience with applying their knowledge . . .

*If the course is conducted using active teaching methods beyond lecture, such as case briefs, research papers, group projects, and experiential exercises, including opportunity for reflection . . . the student may benefit through learning analytical thinking and reasoning skills, oral and written communication, and consideration of other perspectives . . . Thus, promoting development of a strategic perspective.*

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## Faculty Comments . . .

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***"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."***

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## Faculty Comments . . .

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**“I use a combination of lecture and discussion. I also use group employment law problems that require 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.”**

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## Discussion . . .

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### Faculty Qualifications

The JD is a an AACSB recognized “appropriate terminal degree,” however, there remains tension between PhD traditionalists and JDs over who provides the appropriate, holistic view.

Is a JD better suited to teach “law-related” courses?

Do PhD (traditional faculty) have a better sense for cross-functional, interdisciplinary perspectives?

What about adjuncts?

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## Faculty Comments . . .

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“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.”

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## Faculty Comments . . .

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“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 (e.g., 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.”

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# JD versus PhD (or other qualifications)

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## Issues:

- Why should JDs “practice” when PhDs don’t also “practice” in addition to teaching.
- Adjunct versus full-time faculty. Do adjuncts “dilute” the profession and devalue the role of full-time faculty.
- Cross-functional, team-teaching.

*“Cross-disciplinary programs facilitate market relevancy encouraging boundary spanning teaching and thinking.”*

AACSB, 2003

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## **Conclusions/Recommendations**

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HR has matured professionally during the past 15 years.

Academia has not kept pace with this maturation process.

Students must develop critical thinking, analysis, and oral and written communication/presentation skills, to be competitive in the workplace as having the ability to think and function strategically.

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# Conclusions/Recommendations

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Agreement on a core curriculum within HR can help address the tension between what business wants and what academia provides.

Employment Law, as a core course, provides students opportunities to develop a strong foundation in theory and to develop competencies employers seek.

Formal research measuring employer satisfaction with HR graduates who studied Employment Law versus those who did not, would provide empirical confirmation of this proposition.

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# Comments/Discussion

