**Law 2204 Unit 1: Case Study Assignment**

**Due: Tuesday, October 31, 2017**

**Student:**

**INSTRUCTIONS:** Read the following 3 case studies, and **independently** answer the questions that follow.

**Case Study #1: Pye v. Coleman**

Jason Pye works at a local supermarket, *Coleman’s Groceria*, in Corner Brook, NL. His boss, the manager of the store, is Ches Coleman. While most employees at the store are middle-aged, Pye is the youngest employee. An 18 year old, Pye has just recently graduated from his local High School.

*Coleman’s Groceria* is open Monday-Saturday. On Sundays, when the store is closed, Coleman requires an employee to work an 8-5 shift in order to remove old specials and get the new weekly specials displayed. Coleman recently asked Pye if he could take over this shift, as the person who previously worked on Sundays moved away. As the youngest and newest employee at the store, Pye is eager to please his employer. He agrees to work the Sunday shift.

For 6 months, Pye works the 8-5 Sunday shift, in addition to his other 8 hour shifts throughout the week. Heading into the 7th month, Pye decides to ask Coleman if he can stop working the Sunday shift. Most of his friends are in University, and the weekends are his only real time to socialize with them. Coleman reluctantly agrees to find someone else to work Sundays.

When the new shift schedule is posted the following day, Pye notices major changes in the hours he has to work. In the past, he has worked 5 regular 8 hour shifts. This time, however, he has only been given 3 shifts for the entire week, all 6-9pm. He notices that every other employee’s shifts have remained unchanged.

This decrease from a 35 hour work week to 15 comes as a shock to Pye. He decides to confront his boss, Ches Coleman, to enquire why his hours have changed so drastically. Coleman replies, “business has been slow as of late, so I needed to cut hours. However, if you think that you can take over the Sunday shift again, I’m sure we can change your schedule back to the way it was before.” Pye is angered by this and tells Coleman that it isn’t fair, that Coleman is taking advantage of him as the youngest employee, and that he won’t take over the Sunday shift again. He leaves Coleman’s office to continue his shift.

When Pye finishes his shift, he notices a note taped to his locker. It is a note from Coleman. It reads, “You’re Fired.”

**Questions:**

1. Under which Category of Law does the above scenario fall? Why?

1. Do you believe that Coleman’s actions were justifiable? Explain.

1. If you were Pye, explain what you would do in response to Coleman’s action?

**Case Study #2: Smith v. McDougal’s**

Frank Smith is a Metro Bus employee from Torbay, NL. He is a hard worker and has risen to the position of District Manager. He works regular 9-5 shifts from Monday-Friday. On his way to work each morning, he always stops at his local McDougal’s for a Large coffee, double-cupped. He is a regular customer, and the morning shift employees know him by name.

On July 19th, 2012, Frank makes his regular stop at McDougal’s on Torbay Road on his way to work. He uses the Drive-Thru as usual, and, after placing and receiving his order, continues on his way to work. A few minutes later, Frank is driving along Prince Philip Parkway at 80 km/h. The speed limit is 70 km/h.

While driving along in front of the MUN campus, Frank raises his coffee cup to his mouth for a sip. Just at that moment, a black and white cat darts across the road just a few feet in front of his Toyota Rav-4. Frank slams on the brakes in an attempt to not run over the cat. The sudden jolt sends Frank’s coffee cup against the steering wheel. As a result, the lid pops off the cup and hot coffee pours onto his legs. It is summer, and Frank is wearing shorts, so the hot coffee makes direct contact with his skin. The coffee causes third-degree burns to a large portion of Frank’s thighs.

On the advice of his lawyer, Frank sues the McDougal’s coffee for having given him coffee that was so hot as to pose serious risks if it came in contact with bare skin.

**Questions:**

1. Under which Category of Law does the above scenario fall? Why?

1. Based on the information above, do you think McDougal’s actions were responsible for the damage suffered by Mr. Smith? Why or why not?

1. Imagine you are the Manager of the McDougal’s being sued. What are a couple of things that you could do in an attempt to stop the case from going to court? (Remember: no business wants bad publicity in the news!)

**Case Study #3: Jones v. Churchill**

The Jones family lives in Vancouver, BC. John, the father, passed away 30 years ago in a work-related accident, for which his widow, Sarah, received a considerable financial settlement. Mrs. Jones lives in a comfortable 2-story detached home in an affluent neighbourhood in the suburbs of Vancouver. Mrs. Jones, now 72, lives with her caretaker, Wanda Churchill. Wanda has looked after Mrs. Jones and helped her with housework for the better part of 20 years now. Mrs. Jones’ two children, John Jr (48), and Pauline (45), both live in Vancouver, within driving distance of their aging mother.

6 months ago, Sarah suddenly and unexpectedly began showing signs of Alzheimer’s Disease. The symptoms developed rapidly, and her doctor told the Jones family that Sarah would be lucky to live beyond another 12 months. During the last 6 months, Wanda continued to take care of Mrs. Jones on a daily basis. She took immaculate care of the home and tended to her employer as much as humanly possible. She did everything possible to ensure Mrs. Jones lived as comfortably in her remaining days. On the days when either John Jr or Pauline visited, Wanda ensured them that she was doing everything she could for their mother, and that they need not worry since their mother was receiving the best care.

As Sarah Jones’ health continued to deteriorate, John Jr and Pauline helped their mother compose a Will. In it, Mrs. Jones left almost all of her possessions to her 2 children and their families. She left a small amount of money ($5000) and some personal belongings to her long-time caretaker, Ms. Churchill.

One month after the Will was created, Mrs. Jones passed away. When the children were told the particulars of their mother’s Will, they were shocked. Rather than hearing the Will they had helped their mother compose one month previously, they were told something entirely different. John Jr, Pauline, and their families were left with a sizable monetary amount ($250,000 to each of the children and their families), but the rest of the Will, including a similar amount of money, car, and house, were all left to Ms. Wanda Churchill, the caretaker. The family’s lawyer, Mr. Carberry, examined the Will and informed the family that the Will was official and the necessary signature, that of Mrs. Jones, was all in order.

**Questions:**

1. Under which Category of Law does the above scenario fall? Why?

1. In your opinion, what do you think happened for the Will to change?

1. In your opinion, what would be the best course of action for the 2 Jones children?