

CHAPTER 1

LAW, VALUE CREATION, AND RISK MANAGEMENT

This first chapter lays the foundation for the modern corporate manager who is swimming in a "sea of law." It sets forth a framework for the legally astute manager to better understand the intersection between law and management, while introducing a systems approach to business, law, and society. And finally, this chapter, can help managers become more legally astute by understanding how to legally protect a company's value, while managing legal risks.

1-1 THE SYSTEMS APPROACH TO BUSINESS AND SOCIETY

Because we live in a social system, managers must anticipate, understand, and respond to changing policy and social perceptions of ethical management.

1-1a Meeting Societal Expectations

Business decisions are a series of interrelated economic and moral components, as well as systems of shareholders and community stakeholders.

1-1b Effect of Law on the Competitive Environment and Firm's Resources

- (i) Law shapes competitive environment with five forces that determine a company's attractiveness to customers: (1) buyer power, (2) supplier power, (3) the competitive threat posed by current rivals, (4) the availability of substitutes, and (5) the threat of new entrants.
- (ii) *Resource-based view (RBV):* firm's resources can sustain competitive advantage if they are valuable, rare, and hard or expensive to imitate by competitors.
- (iii) Consider the corporate scandals beginning in 2000 with Enron, and continuing to the recent JP Morgan "London Whale Trades."
- (iv) Legally astute management teams are proactive, and practice *strategic compliance management.*

1-1c Law and the Value Chain

Each activity in the value chain has legal aspects: design, manufacturing, distribution, sales and warranties.

1-1d Law Is Dynamic

Systems approach recognizes that the law is not static and changes based on court decisions, federal, or state laws. Managers should be proactively involved in

Managers And The Legal Environment Instructor Manual

Joseph A. Zavaletta

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Instructor's Manual to Accompany Thomas J. Harron,1984 **Managers and the Legal Environment** Constance E. Bagley,1995 Cutting edge issues and cases are presented with a managerial focus Each chapter has four to five summarized cases organized into facts and decisions plus two cases in the language of the court At the Top features reflect the importance of corporate governance in today s business and regulatory environment In Brief segments summarize some of the key concepts discussed Ethical and International Considerations are interspersed within the chapters This reorganized edition contains a chapter on consumer protection and expanded coverage of employment law **Managers and the Legal Environment** Joseph A. Zavaletta,2002 *The Legal Environment for Business Managers* Thomas J. Harron,1983-11

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