

ECONOMIC ANALYSIS OF TORT LAW

- A mere opportunity to commit a wrongful act does not suffice to show **vicarious liability**;
- *one must consider the job-created power and the nature of an employee's duties as a fundamental component of determining if a particular enterprise increased the risk of particular wrongdoing in relation to a claimant by the employee complained about. (SCC)*
- In this case, the employee's limited role and duties "fell short" of what is required to prove vicarious liability.

Economic Analysis Of Tort Law

Steven Shavell



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