

## 730-760 Bargaining at Work and Industrial Action

<b>Credit Points:</b>	12.500
<b>Level:</b>	Graduate/Postgraduate
<b>Dates &amp; Locations:</b>	2008, This subject commences in the following study period/s: Semester 2, - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
<b>Prerequisites:</b>	Prerequisites It is recommended that candidates without a law degree from a common law jurisdiction should have completed <b>Regulating Individual Work Relationships</b> ( <a href="http://www.masters.law.unimelb.edu.au/subject/730831/2007">http://www.masters.law.unimelb.edu.au/subject/730831/2007</a> ) . Note Candidates who have completed both Labour Relations Law and Trade Unions and Industrial Action may not enrol in this subject.
<b>Corequisites:</b>	N.A.
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	N.A.
<b>Coordinator:</b>	Professor Andrew Stewart
<b>Subject Overview:</b>	<p><b>Objectives:</b></p> <p>A candidate who has successfully completed the subject should:</p> <ul style="list-style-type: none"> <li># Have an understanding of the principles of Australian labour relations law promoting the setting of working conditions through both collective and individual negotiations at the workplace</li> <li># Be able to apply, at an advanced level, relevant legal principles to problemsolving exercises</li> <li># Understand the common law regulating the taking of industrial action, the regime for protected action under the Workplace Relations Act 1996 (Cth) and the differences between them</li> <li># Demonstrate an understanding of the role of law, and of institutions such as the common law courts and the Australian Industrial Relations Commission in regulating workplace relations.</li> </ul> <p><b>Syllabus:</b></p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Theories of labour regulation, including theoretical analysis of marketbased and state-based approaches to setting working conditions</li> <li># The constitutional basis of the federal system of labour relations law, as it relates to regulating and making workplace agreements</li> <li># Relevant international legal principles and Australia's obligations in this respect</li> <li># Theories and purposes of industrial action in workplace bargaining</li> <li># Common law regulation of strikes and industrial action</li> <li># The system regulating workplace bargaining under the Workplace Relations Act 1996 (Cth), including the conduct of bargaining and the taking of protected industrial action</li> <li># The form, function and content of certified agreements and Australian Workplace Agreements</li> <li># The relationship of certified agreements and Australian Workplace Agreements to other means of regulating working conditions, including the contract of employment</li> </ul>

	# Alternatives to the present system.
<b>Assessment:</b>	Take-home examination (100%)(13-17 November)
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	Please see the Subject Objectives for this information.
<b>Links to further information:</b>	For the latest information on this subject, please visit: <a href="http://www.masters.law.unimelb.edu.au/subject/730760">http://www.masters.law.unimelb.edu.au/subject/730760</a>