

## 730-828 Regulating Working Conditions

<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>	Prerequisite It is recommended that candidates without a law degree from a common law jurisdiction should have completed 'Regulating Individual Work Relationships'.
<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>	Mr Colin Fenwick, Mr John Howe
<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 historical origins and continuing importance of the Federal system of conciliation and arbitration as a means of setting minimum working conditions</li> <li># Be able to apply, at an advanced level, relevant legal principles to problem-solving exercises</li> <li># Understand the different means of setting and maintaining minimum working conditions, and be able to evaluate them using historical, practical and theoretical perspectives, in particular using elements of regulation theory</li> <li># Have sound knowledge of emerging issues in working conditions and how they might best be regulated</li> <li># Demonstrate an understanding of the development of Australian labour relations law in an international context.</li> </ul> <p><b>Syllabus:</b></p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># The way that the Australian Constitution shapes the legal mechanisms that are used to regulate working conditions, including the historical origins and purposes of conciliation and arbitration and the scope of the corporations power</li> <li># The institutions that regulate working conditions, including the Fair Pay Commission, the Australian Industrial Relations Commission, the Office of the Employment Advocate and the Office of Workplace Services</li> <li># The form, function and content of awards of the Australian Industrial Relations Commission</li> <li># The role of awards and the Australian Fair Pay Standard as means of maintaining a safety net of fair working conditions</li> <li># The relationship of awards and the Australian Fair Pay Standard to other means of regulating working conditions, including the contract of employment and legislative standards</li> <li># Recent developments in setting new minimum working conditions</li> <li># The maintenance of minimum conditions in the case of business restructuring and through enforcement</li> <li># The Victorian system for maintaining fair basic working conditions</li> </ul>

	# Emerging issues in regulating working conditions, including employee entitlements, the rights of casual and part-time workers, and regulating the work-life balance.
<b>Assessment:</b>	Take-home examination (100%) (11-15 September) or Research paper 10,000 words (100%) (9 October) (topic approved by the subject coordinator)
<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/730828">http://www.masters.law.unimelb.edu.au/subject/730828</a>