LAWS40050 Employment Law

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus.
Time Commitment:	Contact Hours: A two-hour seminar plus a one-hour seminar per week. Total Time Commitment: 120 hours.
Prerequisites:	Legal Method and Reasoning; Principles of Public Law; Torts; Legal Theory; or in each case their equivalents.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry.The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: http://www.services.unimelb.edu.au/disability/.
Coordinator:	Assoc Prof Joo-Cheong Tham
Contact:	Melbourne Law School Student Centre Email: **law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au)** Tel: +61 3 8344 4475
Subject Overview:	This subject, firstly, provides a detailed overview of the legal regulation of work relationships in Australia, in an industrial, social and political context. It examines how work relationships are regulated through statutory regimes as well as through contract law. The major focus of the subject is the *Fair Work Act 2009 (Cth)* which sets minimum employment conditions and regulates awards and workplace agreement-making. Topics include: # The constitutional framework for Australian employment law; # Statutory standards under the *Fair Work Act* regarding unfair dismissal, minimum wage rates, hours of work and leave; # The regulation of employment rights and working conditions by awards and workplace agreements under the *Fair Work Act*; # Various aspects of the common law contract of employment; and # The enforcement of Australian employment law. This subject will also examine a number of thematic issues. Topics include: # Non-standard workers; # Fair treatment at work; # Work-life balance; # Freedom of association; # Employment security; and # Employment law responses to economic downturns. Note: The 5,000 word research essay (100%) is a substantial piece of legal writing.

Objectives:	Upon completion of this subject, students should be able to: # Analyse the legal principles of Australian employment law in problem solving exercises; # Critically engage with the legal principles of Australian employment law using theoretical perspectives; and # Analyse emerging and contemporary issues in Australian work relations.
Assessment:	A 5,000 word research essay (100%) due at the end of the semester) OR a final open-book examination three hours (100%). All students are required to complete a work-book containing answers to case studies and problems discussed in class by the final week of semester (hurdle requirement).
Prescribed Texts:	Andrew Stewart, Stewart's Guide to Employment Law (latest edition, Federation Press); andPrinted materials will be available from the Melbourne Law School.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	On completion of the subject, students should have developed the following generic skills: # Attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage; # The capacity for close reading and analysis of a range of sources; # The capacity for critical and independent thought and reflection; # The capacity to solve problems, including through the collection and evaluation of information; # The capacity to communicate, both orally and in writing; # The capacity to plan and manage time; # The capacity to participate as a member of a team.