

LAWS70197 Labour Standards under the Fair Work Act

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: July, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Visit the Melbourne Law Masters website for more information about this subject.
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Coordinator:	Assoc Prof John Howe
Contact:	For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at law-masters@unimelb.edu.au or phone 8344 6190 or alternatively visit the subject website: www.masters.law.unimelb.edu.au
Subject Overview:	<p>This subject covers federal statutory regulation of minimum working conditions in Australia. It addresses the relevant provisions of the key federal statute, the Fair Work Act 2009 (Cth). Principal topics will include:</p> <ul style="list-style-type: none"> # The way that the Australian Constitution shapes the legal mechanisms used to regulate labour standards and working conditions, including the historical origins and purposes of conciliation and arbitration and the scope of the corporations power # The institutions that regulate labour standards and working conditions under the Fair Work Act, including Fair Work Australia and the Fair Work Ombudsman # The form, function and content of Modern Awards as a mechanism for setting minimum labour standards under the Fair Work Act at an industry level # The role of Modern Awards and the National Employment Standards (NES) in the Fair Work Act as a means of maintaining a safety net of fair working conditions # The relationship of Modern Awards and the NES to other means of regulating working conditions, including the contract of employment and enterprise agreements made under the Fair Work Act # The maintenance of minimum labour standards and working conditions in the case of business restructuring and through enforcement # The Victorian system for maintaining fair labour standards and working conditions # Emerging issues in regulating labour standards and working conditions, including protection of employee entitlements, the rights of casual and part-time workers, and regulating the work-life balance.
Objectives:	<p>A student who has successfully completed this subject should have an understanding of:</p> <ul style="list-style-type: none"> # The historical origins of the federal system of conciliation and arbitration as a means of setting minimum labour standards in Australia # The different mechanisms of setting and maintaining minimum labour standards under the Fair Work Act 2009 (Cth), and be able to evaluate them using historical, practical and theoretical perspectives, in particular using elements of regulation theory # Emerging issues in the setting of labour standards and working conditions and how they might best be regulated and enforced # The development of Australian labour standard-setting and enforcement in an international context.

Assessment:	Take-home examination (100%) (2-6 September) or 10,000 word research paper (100%) (18 October) on a topic approved by the subject coordinator
Prescribed Texts:	Visit the subject website for more information
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:	Visit the Melbourne Law Masters website for more information about this subject.
Links to further information:	http://www.masters.law.unimelb.edu.au/