

LAWS50064 Employment Law

Credit Points:	12.50
Level:	5 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus. Seminars.
Time Commitment:	Contact Hours: 36 hours, 1 X 2-hour seminar and 1 x 1-hour seminar per week. Total Time Commitment: 144 hours.
Prerequisites:	LAWS50023 Legal Method and Reasoning; LAWS50024 Principles of Public Law; LAWS50025 Torts; LAWS50026 Obligations; LAWS50027 Dispute Resolution; LAWS50031 Legal Theory.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	LAWS70200 Employment Contract Law.
Core Participation Requirements:	The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: http://www.services.unimelb.edu.au/disability/ .
Coordinator:	Ms Anna Chapman
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 <i>Fair Work Act 2009</i> (Cth) which sets minimum employment conditions and regulates awards and workplace agreement-making. Topics include: <ul style="list-style-type: none"> # The constitutional framework for Australian employment law; # Statutory standards under the <i>Fair Work Act</i> 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 <i>Fair Work Act</i>; # Various aspects of the common law contract of employment; and

	<p># The enforcement of Australian employment law.</p> <p>This subject will also examine a number of thematic issues. Topics include:</p> <ul style="list-style-type: none"> # Non-standard workers; # Fair treatment at work; # Work-life balance; # Freedom of association; # Employment security; and # Employment law responses to economic downturns.
Objectives:	<p>Upon completion of this subject, students should be able to:</p> <ul style="list-style-type: none"> # 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:	<p>A 6,000 word research essay due at the end of semester (100%); ORA final 3-hours open-book examination (100%); A workbook containing answers to problems and questions discussed in class by the final week of semester (hurdle).</p>
Prescribed Texts:	<p>Andrew Stewart, <i>Stewart's Guide to Employment Law</i> (latest edition, Federation Press); and Printed materials will be available from the Melbourne Law School.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Generic Skills:	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # 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.