

LAWS70025 Equality and Discrimination at Work

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2012, 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: Not available
Prerequisites:	None.
Corequisites:	None.
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None.
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of 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 who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	Discrimination and sexual harassment in the workplace represent an overwhelming majority of total complaints made to anti-discrimination authorities. Equality and discrimination at work remain pressing concerns for employees, managers and more broadly for society. Achieving equality is elusive and, indeed, the very meaning of equality is highly contested. This subject explores the legal meanings of equality, with a focus on the frameworks through which Australian Parliaments have sought to address inequality, discrimination and harassment. It examines federal legislation dealing with race, sex, disability and age discrimination, and the <i>Equal Opportunity Act 2010</i> (Vic). Also examined is how these schemes interact with the new discrimination provisions in the <i>Fair Work Act 2009</i> (Cth). The lecturers in this subject combine many years of academic scholarship in this area, engagement in law reform debates and practical client-focused legal advice.

	<p>This subject provides an examination of the development and current scope of Australian equality and discrimination law, as relevant in employment and work relationships. It will focus on federal and Victorian jurisdictions.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # A study of the framework and key features of federal and state legislative provisions dealing with equality and discrimination in the employment context, including the <i>Equal Opportunity Act 2010</i> (Vic), the <i>Racial Discrimination Act 1975</i> (Cth), the <i>Sex Discrimination Act 1984</i> (Cth), the <i>Disability Discrimination Act 1992</i> (Cth) and the <i>Age Discrimination Act 2004</i> (Cth) # An examination of the general protection provisions in the <i>Fair Work Act 2009</i> (Cth), including redress for certain types of adverse action # Debates regarding the meaning of equality, discrimination and other contested concepts such as choice, especially as choice relates to carer responsibilities # The <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic), and its potential impact in the interpretation of the <i>Victorian Equal Opportunity Act</i> # Conciliation, dispute resolution and remedies # Alternative regulatory regimes, including the National Employment Standards, equal remuneration provisions under the <i>Fair Work Act</i>, contract law and occupational health and safety issues such as bullying # Current processes of legislative revision at federal and state level # The potential for future developments in the field.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Have a sound understanding of the legal principles of Australian equality and discrimination law within the context of work # Be able to critically assess the effectiveness of these legal rules # Be an engaged participant in debate regarding emerging and contemporary issues in the field, such as paid maternity leave, genetic discrimination, tension between work and care responsibilities, pay equity, and race, ethnicity and employment disadvantage # Have an appreciation of the factors and processes driving parliamentary revision of the legal framework # Have an understanding of situations in which issues of equality and discrimination may arise in work relationships and management practices # Have developed an understanding of work-related equality and discrimination legal regimes in an international and human rights context.
Assessment:	<p>Take-home examination (100%) (12 pm 13 September to 5 pm 18 September) or 10,000 word research paper (100%) (29 October) on a topic approved by the subject coordinator</p>
Prescribed Texts:	<p>Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.</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>
Links to further information:	<p>http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5177</p>