

LAWS70053 Workplace Health and Safety

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
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 and critique 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 to 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/
Coordinator:	Mr Peter Rozen
Contact:	For more information: Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>Australian governments publicly committed to implementing nationally uniform laws about workplace health and safety which were to commence in January 2012. This development is bringing to fruition a process that began 30 years ago. However, Victoria is one of two states that have not implemented the agreed national laws. Therefore this subject examines in detail the content of Victorian law, as well as the new national laws.</p> <p>By referring to the existing state, territory and commonwealth body of law, this subject considers the operation of Victorian Occupational Health and Safety (OHS) law in its historical and industrial setting as well as the likely practical operation of the new regulatory regime. The lecturer is a barrister with extensive practical experience in running cases under workplace health and safety laws.</p>

	<p>Principal topics include:</p> <ul style="list-style-type: none"> # The problem of work-related injury and disease # The history of the legal regulation of health and safety at work # Nationally uniform workplace health and safety laws # Standard-setting under the Australian occupational health and safety statutes # State enforcement of the occupational health and safety legislation # Workers' rights under the Australian occupational health and safety statutes # Workers' compensation schemes in Australia # The rehabilitation of injured workers # The role and impact of the common law duty to provide a safe workplace.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of [the legal principles of Australian workplace health and safety law within the context of work, including recent developments in this field of law and practice # Be able to examine critically, analyse, interpret and assess the effectiveness of these legal rules # Be an engaged participant in debate regarding emerging and contemporary issues in the field, such as workplace bullying, discrimination and the scope of workers' compensation law # Have a sophisticated appreciation of the factors and processes driving parliamentary revision of the legal framework # Have an advanced understanding of situations in which issues of safety considerations may arise in work relationships and management practices # Have a detailed understanding of occupational health and safety legal regimes in an international context # Have the cognitive and technical skills to generate critical and creative ideas relating to occupational health and safety laws and to critically evaluate existing legal theories, principles and concepts with creativity and autonomy # Have the cognitive and technical skills to examine independently, research and analyse existing and emerging legal issues relating to occupational health and safety; # Have the communication skills to articulate clearly and convey complex information regarding occupational health and safety to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of occupational health and safety law.
Assessment:	<p>Take-home examination (100%) (1-5 October) or 10,000 word research paper (100%) (4 November) on a topic approved by the subject coordinator; students taking the subject as part of the Master of Health and Medical Law must undertake a topic related to health and medical law, which has also been approved by the Director of Studies A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed material will be made available from Melbourne Law School. B Creighton and P Rozen, Occupational Health and Safety Law in Victoria, (3rd ed, Federation Press, Leichhardt, 2007). R Johnstone, Work Health and Safety Law and Policy: Text and Materials, (3rd Edition, Lawbook Co, Sydney, 2012).</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>www.law.unimelb.edu.au/subject/LAWS70053/2015</p>
Notes:	<p>This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.</p>