

LAWS70371 Principles of Employment Law

Credit Points:	12.5						
Level:	7 (Graduate/Postgraduate)						
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus. August, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.						
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours 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:	<p>Melbourne Law Masters Students: None</p> <p>JD Students: Successful completion of the below subject:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50029 Contracts	Semester 2	12.5
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LAWS50029 Contracts	Semester 2	12.5					
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:	<p>Students who have completed any of the below subjects are not permitted to take LAWS70371 Principles of Employment Law:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50064 Employment Law</td> <td>February, Semester 1</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50064 Employment Law	February, Semester 1	12.5
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LAWS50064 Employment Law	February, Semester 1	12.5					
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 Student Equity and Disability Support.						
Coordinator:	Assoc Prof Anna Chapman						
Contact:	Lecturer						

	<p>Associate Professor Anna Chapman (http://www.law.unimelb.edu.au/staff/Anna%20Chapman)</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au)</p> <p>Phone: +61 3 8344 6190</p> <p>Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)</p>
<p>Subject Overview:</p>	<p>Paid work is central to the lives of most adults. It not only provides an income but also is constitutive of their identities. For society at large, the organisation of paid work relationships is crucial because of the need to produce goods and services and to protect those engaged in production. Regulation of these work relationships by law is, therefore, important.</p> <p>This subject provides a thematic 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. A major focus of the subject is the <i>Fair Work Act 2009</i> (Cth), which sets minimum employment conditions, regulates modern awards and workplace agreement-making, provides redress in relation to adverse action and also provides processes to deal with issues of bullying at work. Anti-discrimination law will also be examined.</p> <p>This subject is designed to be of particular assistance to students without previous (or recent) legal study in this area. <i>Principles of Employment Law</i> is compulsory for students who do not have a law degree from a common law jurisdiction, and it is strongly recommended that this subject be taken before any other employment and labour relations law subjects. <i>Principles of Employment Law</i> is also recommended for students who have not studied an equivalent subject in their law degree, or who have not done so recently. <i>Principles of Employment Law</i> is ideal for students undertaking a Masters in another specialisation, or a Master of Laws, who wish to study one subject in the field of employment and labour relations law.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # The constitutional framework for Australian employment law # Statutory standards under the <i>Fair Work Act 2009</i> (Cth) including unfair dismissal, minimum wage rates, hours of work, leave, adverse action and right to request regimes # The regulation of employment rights and working conditions by modern awards and enterprise agreements under the <i>Fair Work Act 2009</i> (Cth) # Various aspects of the common law contract of employment # Anti-discrimination and equal opportunity law # The enforcement of Australian employment law.
<p>Learning Outcomes:</p>	<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 employment law # Be able to critically examine, analyse, interpret and assess the effectiveness of these legal principles # Be an engaged participant in debate regarding emerging and contemporary issues in the field, such as the legal effect of employer policies and investigations, bullying, performance appraisal, and work and life collision # Have a sophisticated appreciation of the factors and processes driving parliamentary revision of the legal framework of the industrial system # Have an advanced understanding of the complex range of situations in which legal issues and disputes may arise in work relationships and management practices # Have the cognitive and technical skills to generate critical and creative ideas relating to the field, and to critically evaluate existing legal explanations, principles and concepts with creativity and autonomy. # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues in the field. # Have the communication skills to clearly articulate and convey complex information regarding employment law to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of employment law.
<p>Assessment:</p>	<p>Problem exercise, 2,000 words (20%) Semester 1: 11 April Semester 2: 29 August and Take-home examination (5,000-6,000 words as specified in the subject reading guide) (80%) Semester 1: 12 - 16 May Semester 2: 22 - 26 September or 10,000 word research paper</p>

	(100%) on a topic approved by the subject coordinator Semester 1: 22 June Semester 2: 2 November A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.
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
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70371/2016
Related Course(s):	Graduate Diploma in Employment and Labour Relations Law Graduate Diploma in Legal Studies Juris Doctor Master of Commercial Law Master of Employment and Labour Relations Law Master of Laws