

LAWS70391 Human Rights at Work

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: November, 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:	Melbourne Law Masters Students: None JD Students: 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 Student Equity and Disability Support.
Coordinator:	Prof Keith Ewing
Contact:	Lecturers Professor Keith Ewing (http://www.law.unimelb.edu.au/staff/Keith%20Ewing) (Coordinator) 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:	Human rights law is a subject of growing importance with wide implications, for governments and business. This subject considers how human rights law can be used to regulate private power (the power of the employer) and a private law relationship (the contract of employment) in an era of globalisation and transnational corporations. It examines, in particular, the question

	<p>whether labour rights can be regarded as human rights, and considers the main international instruments designed to regulate the workplace.</p> <p>The main focus will be the four core principles of the International Labour Organisation, concerned with the right to freedom of association, protection from discrimination, the elimination of forced labour, and combating child labour. Consideration will be given to how these and related obligations can be enforced against governments, but also against corporations. Different instruments of corporate accountability are fully explored, and attention is paid to how business can keep on the right side of human rights standards, and the risks of failing to do so, with reference to the law and practice of Australia and other common law jurisdictions.</p> <p>What is the relevance of human rights at work for (a) governments in Australia, and (b) corporations in Australia, whether doing business here or overseas? What are the 'risks' of human rights at work, legal or otherwise? Conversely, how can trade unions mobilise around human rights at work to advance the interests of their members?</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # The nature of protection of labour rights in international and domestic law # The scope and relevance of international labour standards for domestic law # The role of hard and soft law mechanisms and the collapse of the hard/soft law distinction # The application of human rights principles to private law relationships in selected areas.
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 human rights within the context of work, including recent developments in this field of law and practice # Be able to critically examine, analyse, interpret and assess the effectiveness of human rights law in a work context # Be an engaged participant in debate regarding emerging and contemporary issues in the field, such as freedom of association, as well as child labour, forced labour, and discrimination # Have a sophisticated appreciation of the factors and processes driving revision of the human rights framework # Have an advanced understanding of situations in which issues of human rights may arise in work relationships and management practices # Have the cognitive and technical skills to generate critical and creative ideas relating to human rights in the workplace, and to critically evaluate existing legal theories, principles and concepts with creativity and autonomy # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to human rights in the workplace # Have the communication skills to clearly articulate and convey complex information regarding human rights in the workplace to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of human rights law.
Assessment:	<p>Take-home examination (5,000-6,000 words as specified in the subject reading guide) (100%) (20 - 23 January 2017) or 10,000 word research paper (100%) (22 February 2017) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</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/LAWS70391/2016</p>
Related Course(s):	<p>Graduate Diploma in Employment and Labour Relations Law Graduate Diploma in Government Law Graduate Diploma in Human Rights Law Graduate Diploma in International Law Graduate Diploma in Legal Studies Juris Doctor</p>

Master of Commercial Law
Master of Employment and Labour Relations Law
Master of Human Rights Law
Master of Laws
Master of Public Administration
Master of Public Administration (Enhanced)
Master of Public and International Law