



# LAW 457

## Labour Law

S2 Day 2015

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff Unit Convenor Frank Carrigan <a href="mailto:frank.carrigan@mq.edu.au">frank.carrigan@mq.edu.au</a> Contact via <a href="mailto:frank.carrigan@mq.edu.au">frank.carrigan@mq.edu.au</a> W6A 514 Friday 5-6pm
Credit points 3
Prerequisites (6cp in LAW or LAWS units at 300 level) or (39cp including BUSL250 and BUSL301)
Corequisites
Co-badged status Not Co-Badged
Unit description The course explores the common law doctrine that categorizes the employment relationship. The course also examines the social and legislative history of the workplace.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking
- Exhibit an appreciation of the contextualist nature of labour law.

## Assessment Tasks

Name	Weighting	Due
<u>Examination</u>	60%	MQ Formal Exam Period
<u>Class Participation</u>	10%	Continuing
<u>In-Class Exercise</u>	30%	Week 6

### Examination

Due: **MQ Formal Exam Period**

Weighting: **60%**

This will be held in the University's examination period.

On successful completion you will be able to:

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking

### Class Participation

Due: **Continuing**

Weighting: **10%**

Continuing basis.

On successful completion you will be able to:

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking
- Exhibit an appreciation of the contextualist nature of labour law.

### In-Class Exercise

Due: **Week 6**

Weighting: **30%**

Students are given a question based on class readings.

On successful completion you will be able to:

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Evaluate the impact of theoretical modes of thinking

## Delivery and Resources

**Texts:** Two volumes of course materials are available from the Co-Op Bookshop. The other text is 'Understanding the Fair Work Act' Third Edition. Copies are available in Special Reserve in the Library.

**Technologies Required:** Students are expected to have basic computer skills (eg. internet browsing for access to library materials) and skills in word processing.

**Changes Since Last Offering:** Account of legal developments explored.

## Unit Schedule

Please see the unit website for the weekly schedule of classes.

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy [http://mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy [http://mq.edu.au/policy/docs/grievance\\_management/policy.html](http://mq.edu.au/policy/docs/grievance_management/policy.html)

Disruption to Studies Policy [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html) *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student\\_conduct/](https://students.mq.edu.au/support/student_conduct/)

## Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.m](#)

[mq.edu.au](http://mq.edu.au).

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

## IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

## Graduate Capabilities

### Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

### Learning outcomes

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking

- Exhibit an appreciation of the contextualist nature of labour law.

## Assessment tasks

- Examination
- Class Participation
- In-Class Exercise

## Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

## Learning outcomes

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
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## Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

## Learning outcomes

- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking

## Assessment tasks

- Examination
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## Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

## Learning outcomes

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
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## Assessment tasks

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## Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

## Learning outcomes

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.

- Evaluate the impact of theoretical modes of thinking
- Exhibit an appreciation of the contextualist nature of labour law.

## Assessment tasks

- Examination
- Class Participation
- In-Class Exercise

## Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

## Learning outcomes

- Describe and evaluate the key concepts of the law governing the labour market.
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## Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

## Learning outcomes

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.



- Evaluate the impact of theoretical modes of thinking
- Exhibit an appreciation of the contextualist nature of labour law.

## **Assessment tasks**

- Examination
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- In-Class Exercise

## **Engaged and Ethical Local and Global citizens**

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

## **Learning outcomes**

- Describe and evaluate the key concepts of the law governing the labour market.
- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking

## **Assessment tasks**

- Examination
- Class Participation
- In-Class Exercise

## **Socially and Environmentally Active and Responsible**

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

## **Learning outcomes**

- Describe and evaluate the role of wage labour in a market economy.
- Describe and evaluate the evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking

## **Assessment tasks**

- Examination
- Class Participation
- In-Class Exercise