



# LAWS507

## Labour Law

S2 Day 2016

*Dept of Law*

### Contents

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|   |   |
|---|---|
| <a href="#"><u>General Information</u></a>            | 2 |
| <a href="#"><u>Learning Outcomes</u></a>              | 2 |
| <a href="#"><u>General Assessment Information</u></a> | 2 |
| <a href="#"><u>Assessment Tasks</u></a>               | 3 |
| <a href="#"><u>Delivery and Resources</u></a>         | 3 |
| <a href="#"><u>Unit Schedule</u></a>                  | 4 |
| <a href="#"><u>Policies and Procedures</u></a>        | 4 |
| <a href="#"><u>Graduate Capabilities</u></a>          | 5 |

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff  
Unit Convenor  
Frank Carrigan  
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Contact via [frank.carrigan@mq.edu.au](mailto:frank.carrigan@mq.edu.au)  
W6A 514  
Friday 5-6pm

Credit points  
3

Prerequisites  
24cp in LAW or LAWS units 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.

## General Assessment Information

Please see the Delivery and Resources panel for assessment information.

## Assessment Tasks

| Name                              | Weighting | Due                   |
|-----------------------------------|-----------|-----------------------|
| <u>Examination</u>                | 60%       | MQ Formal Exam Period |
| <u>In-Class Research Exercise</u> | 40%       | 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
- Exhibit an appreciation of the contextualist nature of labour law.

### In-Class Research Exercise

Due: **Week 6**

Weighting: **40%**

An Exercise To Evaluate Student's Independent Research Capacity.

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

## 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.

Tutorials are not compulsory. Albeit attendance is required in Week Six to complete the

independent research exercise and externals must attend day two to complete their independent research exercise

Please note in the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for a Disruption to Studies are made electronically via [ask.mq.edu.au](http://ask.mq.edu.au) and should be accompanied by supporting documentation. Students should refer to the Disruption to Studies policy for complete details of the policy and a description of the supporting documentation required.

A detailed rubric/marketing guideline will be available on iLearn.

All the weekly readings undertaken in this course will be posted on iLearn on the first day of semester. The lectures will follow the readings. The document posted on iLearn on the first day of the semester will canvass important aspects of the course.

Full details of the Independent Research Exercise will be available in the document posted on iLearn on the first day of semester.

The Exam will be closed book. Information on the exam will be posted on iLearn.

Every student must secure a mark of fifty and above to successfully complete the course.

## 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)

**New Assessment Policy in effect from Session 2 2016** [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html). For more information visit [http://students.mq.edu.au/events/2016/07/19/new\\_assessment\\_policy\\_in\\_place\\_from\\_session\\_2/](http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/)

Assessment Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/grading/policy.html>

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

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.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.mq.edu.au](http://ask.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://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources 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
- In-Class Research 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.
- 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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## 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
- In-Class Research Exercise

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

## Assessment tasks

- Examination
- In-Class Research Exercise

## 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
- In-Class Research 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.
- 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
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## Assessment tasks

- Examination
- In-Class Research Exercise

## 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
- In-Class Research 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
- In-Class Research 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

- In-Class Research Exercise