



LAWS507

Labour Law

S2 External 2018

Dept of Law

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General Information

Unit convenor and teaching staff

Unit Convenor

Frank Carrigan

frank.carrigan@mq.edu.au

Contact via frank.carrigan@mq.edu.au

W3A 516

Tuesday 5-6pm

Credit points

3

Prerequisites

24cp in LAW or LAWS units or (39cp at 100 level or above including (BUSL250 and BUSL301) or BUSL251)

Corequisites

Co-badged status

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

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments

submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

Detailed marking rubrics will be made available on iLearn.

Work over the word limit will not be marked.

Assessment Tasks

Name	Weighting	Hurdle	Due
Essay	40%	No	Monday, 3 September 23:59 pm
Research Paper	60%	No	Monday, 29 October 23:59

Essay

Due: **Monday, 3 September 23:59 pm**

Weighting: **40%**

Essay Assignment

1000 words

The essay question will be released on the first day of the course on iLearn.

This assignment is an exercise in critical analysis.

Submit via Turnitin

On successful completion you will be able to:

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

Research Paper

Due: **Monday, 29 October 23:59**

Weighting: **60%**

Research Assignment

On the first day of the semester on iLearn the specific research task will be noted.

The hallmark of this exercise will be depth of research and quality of analytical skills.

4000 words

Submit via Turnitin

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.
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Delivery and Resources

Texts: The course readings will be available on Leganto. 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.

Applications for a Special Consideration request are made electronically via ask.mq.edu.au and must be accompanied by supporting documentation. Students should refer to the Special Consideration policy for complete details of the policy and a description of the supporting documentation required.

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.

Full details of the Take Home Essay Assignment and Research Exercise will be available on iLearn on the first day of semester.

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

Unit Schedule

Weekly Topics:

1. The Employment Relationship.
2. Legal Rules For Work Contracts.
3. The Work Obligations.
4. Termination Procedures.
5. Breaches of Contract.
6. Duties of Employer and Employee.
7. The Workplace Scenario.
8. Law and Order in the Workplace.
9. The Federal Arbitration System.
10. Fair Work Act.

11. Regulation and Workplace.
12. Enterprise Bargaining.

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Undergraduate students seeking more policy resources can visit the [Student Policy Gateway \(https://students.mq.edu.au/support/study/student-policy-gateway\)](https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/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.

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) 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

IT Help

For help with University computer systems and technology, visit 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

- Essay
- Research Paper

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

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

- Essay
- Research Paper

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.
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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.
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- Evaluate the impact of theoretical modes of thinking
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Assessment tasks

- Essay
- Research Paper

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

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

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
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Assessment tasks

- Essay
- Research Paper

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

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

Changes since First Published

Date	Description
23/07/2018	This external has been merged with the internal version