



LAWS5007

Labour Law

Session 2, Special circumstance 2020

Macquarie Law School

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Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

Notice

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group learning activities on campus for the second half-year, while keeping an online version available for those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face and online activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

General Information

Unit convenor and teaching staff

Erin Lynch

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Credit points

10

Prerequisites

(80cp in LAW or LAWS units) or (130cp including (BUSL250 and BUSL301) or BUSL251 or ACCG2051)

Corequisites

Co-badged status

Unit description

The course will explore the way law governs the labour market. The course begins by exploring the nature of wage-labour in a market economy. Then the common law doctrines that categorize the employment relationship will be examined. The course then fans out to examine major topics that highlight the interplay between labour law and the social structure. The constitutional framework of labour law is surveyed. The extant workplace relations system is also examined.

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:

ULO1: Describe and evaluate the key concepts of the law governing the labour market.

ULO2: Describe and evaluate the evolution of the constitutional framework of labour law.

ULO3: Evaluate the impact of theoretical modes of thinking in the field of labour law.

ULO4: Describe and evaluate the role of wage labour in a market economy.

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Take-home Examination</u>	50%	No	13/11/2020
<u>Participation</u>	10%	No	8/11/2020
<u>Essay</u>	40%	No	11/09/2020

Take-home Examination

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 2 hours

Due: **13/11/2020**

Weighting: **50%**

A time limited take home exam requiring students to exhibit knowledge of key concepts covered in the course.

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 evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking in the field of labour law.

Participation

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 0 hours

Due: **8/11/2020**

Weighting: **10%**

Students will engage in an in-class discussion about the key ideas and themes in each of the set 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 evolution of the constitutional framework of labour law.
- Evaluate the impact of theoretical modes of thinking in the field of labour law.
- Describe and evaluate the role of wage labour in a market economy.

Essay

Assessment Type ¹: Essay

Indicative Time on Task ²: 40 hours

Due: **11/09/2020**

Weighting: **40%**

Students are required to write a reflective piece on a set topic requiring the exhibition of critical analysis.

On successful completion you will be able to:

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

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

1. There will be a one hour lecture and one hour tutorial each week.
2. Lectures will commence in Week 1.
3. Tutorials will commence in Week 2 (based on Week 1 topic).
4. Lectures will end in Week 12.
5. Tutorials will end in Week 13.

Unit Schedule

1. Introduction; Sources of Employment Law
2. The Employment Relationship
3. The Employment Contract: Formation & Content
4. Employee Duties
5. Employer and Mutual Duties
6. Termination of the Employment Contract (incl Dismissal at Common Law)
7. Remedies for Breach of the Employment Contract
8. Statutory Regulation of Employment
9. Unfair Dismissal Legislation
10. Industrial Action: Statutory Protections and Sanctions
11. Freedom of Association and Trade Union Regulation
12. Re-cap

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.*)

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 published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA student contact globalmba.support@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 help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

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

If you are a Global MBA student contact globalmba.support@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.