



LAWS5007

Employment and Labour Law

Session 2, Weekday attendance, North Ryde 2021

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.

Session 2 Learning and Teaching Update

The decision has been made to conduct study online for the remainder of Session 2 for all units WITHOUT mandatory on-campus learning activities. Exams for Session 2 will also be online where possible to do so.

This is due to the extension of the lockdown orders and to provide certainty around arrangements for the remainder of Session 2. We hope to return to campus beyond Session 2 as soon as it is safe and appropriate to do so.

Some classes/teaching activities cannot be moved online and must be taught on campus. You should already know if you are in one of these classes/teaching activities and your unit convenor will provide you with more information via iLearn. If you want to confirm, see the list of [units with mandatory on-campus classes/teaching activities](#).

Visit the [MQ COVID-19 information page](#) for more detail.

General Information

Unit convenor and teaching staff Erin Lynch erin.m.lynch@mq.edu.au
Credit points 10
Prerequisites 130cp in LAW or LAWS units
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.

General Assessment Information

Unless a Special Consideration request has been submitted and approved,

(a) a penalty for lateness will apply – 10 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and

(b) no assignment will be accepted seven days (incl. weekends) after the original submission deadline.

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 [Learning Skills Unit](#) for academic skills support.

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

Assessment Tasks

Name	Weighting	Hurdle	Due
Participation	10%	No	Ongoing
Take-home Examination	50%	No	22:00 11/11/2021
Essay	40%	No	17:00 10/09/2021

Participation

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 0 hours

Due: **Ongoing**

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.

Take-home Examination

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 2 hours

Due: **22:00 11/11/2021**

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.

Essay

Assessment Type ¹: Essay

Indicative Time on Task ²: 40 hours

Due: **17:00 10/09/2021**

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

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://policies.s.mq.edu.au) (<https://policies.s.mq.edu.au>). 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](#)

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

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/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.