



# LAWS5007

## Employment and Labour Law

Session 2, In person-scheduled-weekday, North Ryde 2024

*Macquarie Law School*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff Erin Lynch <a href="mailto:erin.m.lynch@mq.edu.au">erin.m.lynch@mq.edu.au</a>
Credit points 10
Prerequisites 130cp in LAW or LAWS units
Corequisites
Co-badged status
Unit description This unit explores the rights and duties of individual employers and employees. It begins by examining the common law doctrines and then expands to consider the legislative framework. Current employment law issues and their significance are 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

All written assessments submitted electronically must be submitted through the link provided in iLearn. This unit will utilise Turnitin plagiarism detection software. Students should carefully check that they submit the correct file for an assessment, as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

The design, moderation and feedback of all assessments is in accordance with the Macquarie University Assessment Procedure (link provided under 'Policies and Procedures' below).

## Late Submission Policy

A maximum penalty of five (5) percentage points of the total possible marks will be applied per day to late submissions, for up to a maximum of seven calendar days. Tasks that have not been submitted within the maximum number of additional late days will receive a mark of zero. This provision does not apply to online exams or other assessment with a time limit of less than 24 hours.

Penalties for late submission will be applied consistently and equitably to all students enrolled in the unit. Where short-term, serious and unavoidable circumstances have affected their ability to submit an assessment task, a student must submit a formal application for Special Consideration as per the Special Consideration Policy. Students should not request an informal arrangement from their tutor, lecturer or Unit Convenor.

Where an application for Special Consideration is approved, and the outcome is an extension to the due date of a task, submissions that are received after the new due date will be subject to late penalties that are calculated from the new due date. This only applies where the outcome is an extension to the due date – see the Special Consideration Policy for a schedule of all possible outcomes.

## Special Consideration

Students should submit applications for Special Consideration electronically via [ask.mq.edu.au](http://ask.mq.edu.au), along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration Policy (link provided under 'Policies and Procedures' below).

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Take-home Examination</a>	50%	No	3pm-6pm 07/11/2024
<a href="#">Blog post</a>	40%	No	11.55pm 11 September 2024
<a href="#">Participation</a>	10%	No	Weeks 2-13

## Take-home Examination

Assessment Type <sup>1</sup>: Quiz/Test

Indicative Time on Task <sup>2</sup>: 2 hours

Due: **3pm-6pm 07/11/2024**

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.

## Blog post

Assessment Type <sup>1</sup>: Professional writing

Indicative Time on Task <sup>2</sup>: 28 hours

Due: **11.55pm 11 September 2024**

Weighting: **40%**

Students are required to write a blog post on a current employment law issue or case.

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.

## Participation

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 0 hours

Due: **Weeks 2-13**

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.

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<sup>1</sup> 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.

<sup>2</sup> 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 pre-recorded 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.

All of the readings for this unit will be available online via iLearn, which includes presentation slides from the pre-recorded lectures. The pre-recorded lectures will be available for access via the Echo360 EchoCenter page in iLearn.

## 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. Revision

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](https://policies.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](#)
- [Assessment Procedure](#)
- [Complaints Resolution 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](https://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

## Student Support

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

## The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)

- [Upload an assignment to Studiosity](#)
- [Complete the 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

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

## Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

## 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.

## Changes since First Published

Date	Description
19/07/2024	I have now joined the other subject listing

Unit information based on version 2024.01 of the [Handbook](#)