# HRM 333
## International Human Resources Law
### D2 2012

*Marketing and Management*

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General Information

Unit convenor and teaching staff
Tutor
Vera Babicheva
vera.babicheva@mq.edu.au
Contact via vera.babicheva@mq.edu.au
Room 528 Building E4A
Tuesdays at 2pm-3pm or by appointment

Unit Convenor
Julie Zetler
julie.zetler@mq.edu.au
Contact via julie.zetler@mq.edu.au
Monday 1-2pm; Tuesday 5-6pm

Credit points
3

Prerequisites
BUSL222 or BUSL250 or HRM222

Corequisites

Co-badged status

Unit description
This unit provides an understanding of the fundamental principles of International Human Resources Law. The unit is designed to emphasise international issues that emerge in human resource law. As human labour becomes more mobile, the implementation and jurisdictional rights of national laws regulating human resources law is challenged. Climate change, migration and expansion of capitalism into countries such as China, Saudi Arabia, South Pacific Islands and India has had an impact on current labour law protection. Corporations and businesses now have the technology and freedom to hire their workforce from many different countries. This is problematic because there is often a disparity between the development of labour law protection, cultural sensitivity and human rights in some of these countries. An example of this is the laws regulating child labour, workplace safety standards and practices can vary enormously between different countries. This unit is designed to provide an international perspective about many legal and ethical issues emerging in labour law and its impact on our society.
Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at [https://students.mq.edu.au/important-dates](https://students.mq.edu.au/important-dates)

Learning Outcomes

1. The role of labour law in Australia and globally.
2. How human resources law is developed and enforced both locally and internationally.
3. The role of international legal obligations for Australia
4. The role of international treaties and charters on labour law
5. The ethical debate surrounding this area
6. The role of ‘human rights' within the labour community
7. The role of State sovereignty in human resources law

Assessment Tasks

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mid-semester Presentation</td>
<td>20%</td>
<td>In allocated tutorials</td>
</tr>
<tr>
<td>Proposal and Contract</td>
<td>10%</td>
<td>Week 4 tutorial</td>
</tr>
<tr>
<td>Essay (a)</td>
<td>40%</td>
<td>Week 8 tutorial</td>
</tr>
<tr>
<td>Essay (b)</td>
<td>30%</td>
<td>University Examination Period</td>
</tr>
</tbody>
</table>

Mid-semester Presentation

Due: In allocated tutorials
Weighting: 20%

Submission

Present in allocated tutorial

Extension

No extension will be granted, without documentary evidence eg Medical certificate

What is required to complete the unit satisfactorily

Students must pass all assessment tasks to pass this unit

This Assessment Task relates to the following Learning Outcomes:

- The role of labour law in Australia and globally.
- How human resources law is developed and enforced both locally and internationally.
Proposal and Contract

Due: **Week 4 tutorial**
Weighting: **10%**

**Submission**
In tutorial

**Extension**
Extension will be considered with documentary evidence eg medical certificate

**Penalties**
Up to 24 hours (50 % penalty of assessment)

*What is required to complete the unit satisfactorily*

All assessments must achieve a pass to be awarded a pass in this unit

This Assessment Task relates to the following Learning Outcomes:

- The role of labour law in Australia and globally.
- How human resources law is developed and enforced both locally and internationally.
- The role of international legal obligations for Australia
- The role of international treaties and charters on labour law
- The ethical debate surrounding this area
- The role of ‘human rights’ within the labour community
- The role of State sovereignty in human resources law

Essay (a)

Due: **Week 8 tutorial**
Weighting: **40%**

**Submission**
The essay will be submitted in Week 8 tutorial

*What is required to complete the unit satisfactorily*

All assessment tasks must achieve a pass to in order to pass this unit
This Assessment Task relates to the following Learning Outcomes:

- The role of labour law in Australia and globally.
- How human resources law is developed and enforced both locally and internationally.
- The role of international legal obligations for Australia
- The role of international treaties and charters on labour law
- The ethical debate surrounding this area
- The role of ‘human rights’ within the labour community
- The role of State sovereignty in human resources law

**Essay (b)**

**Due: University Examination Period**

**Weighting: 30%**

**Submission**

The essay will be submitted in the formal examination period

**What is required to complete the unit satisfactorily**

All assessment tasks must achieve a pass to in order to pass this unit

**Delivery and Resources**

**Classes**

- Number and length of classes: 3 hours face-to-face teaching per week, consisting of 1 x 2 hour lecture and 1 x 1 hour tutorial.
- The timetable for classes can be found on the University web site at: http://www.timetables.mq.edu.au/

**Prizes**

None
Required and Recommended Texts and/or Materials

Prescribed text:
There is no prescribed text for this unit.

References:

• Internet: Australasian Legal Information Institute at http://www.austlii.edu.au

• Week-by-week list of topics – refer attached lecture schedule

Technology Used and Required

• Students are required to learn how to use power point, word processing and iLearn.
• ilecture available for this subject

Unit Web Page

• The web page for this unit can be found at: iLearn http://ilearn.mq.edu.au

Unit Schedule

<table>
<thead>
<tr>
<th>Week</th>
<th>Topics</th>
<th>Readings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction: The Law of Work in the Global Era: ILO - Introduction to Course</td>
<td>Chapters 1 and 2 Owens (Chapter 1 – IL)</td>
</tr>
<tr>
<td>2</td>
<td>Introduction to International Law, labour Market Operations</td>
<td>Read: Part 1, Chapter 1 – Cassese, Part 2 – Chapter 6 – Cassese (IL), Issacs Chapter 1 (IL)</td>
</tr>
</tbody>
</table>
# Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](http://www.mq.edu.au/policy/docs). Students should be aware of the following policies in particular with regard to Learning and Teaching:


**Special Consideration Policy** [http://www.mq.edu.au/policy/docs/special_consideration/policy.html](http://www.mq.edu.au/policy/docs/special_consideration/policy.html)

In addition, a number of other policies can be found in the [Learning and Teaching Category](http://www.mq.edu.au/policy/docs) of Policy Central.

## Academic Honesty

The nature of scholarly endeavour, dependent as it is on the work of others, binds all members of the University community to abide by the principles of academic honesty. Its fundamental principle is that all staff and students act with integrity in the creation, development, application and use of ideas and information. This means that:

- all academic work claimed as original is the work of the author making the claim
- all academic collaborations are acknowledged
- academic work is not falsified in any way

### Table

<table>
<thead>
<tr>
<th>Week</th>
<th>Topic</th>
<th>Readings</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>International Human Resources Management – Cultural and Ethical Considerations</td>
<td>Read: Chapter 4 Briscoe (available on Ilearn (IL)), Chapter 1 Harris (IL) Read and critique article for session 3 available on Ilearn</td>
</tr>
<tr>
<td>4</td>
<td>Collective Bargaining International Law</td>
<td>Read and critique article for session 4 available on Ilearn</td>
</tr>
<tr>
<td>5</td>
<td>Standards and Rights – Human Rights Law, Freedom of Association</td>
<td>Read: Chapter 10, Owens, Chapters 1 and 2 Haas (IL)</td>
</tr>
<tr>
<td>6</td>
<td>Equal Opportunity and Anti-discrimination</td>
<td>Read: Chapter 8, Owens, Chapter 4 Ronald (IL)</td>
</tr>
<tr>
<td>7</td>
<td>Security at Work, Human Rights in the Digital Age (Privacy, Social Media, Surveillance, Biometrics)</td>
<td>Read Chapter 9, Owens,</td>
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<tr>
<td>8</td>
<td>Mid Semester Break</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Workplace Conduct (including criminal conduct)</td>
<td>Readings available on Ilearn</td>
</tr>
<tr>
<td>10</td>
<td>Child Labour, the Dispossessed and Slavery</td>
<td>Readings available on Ilearn</td>
</tr>
<tr>
<td>11</td>
<td>Climate, Change, Migration and Movement</td>
<td>Readings available on Ilearn, Read Chapter 1 and 2 Castle and Miller</td>
</tr>
<tr>
<td>12</td>
<td>Workplace Safety</td>
<td>Readings available on Ilearn</td>
</tr>
<tr>
<td>13</td>
<td>Review and revise for final examination</td>
<td></td>
</tr>
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</table>
when the ideas of others are used, these ideas are acknowledged appropriately.

Further information on the academic honesty can be found in the Macquarie University Academic Honesty Policy at http://www.mq.edu.au/policy/docs/academic_honesty/policy.html

Grades

Macquarie University uses the following grades in coursework units of study:

- HD - High Distinction
- D - Distinction
- CR - Credit
- P - Pass
- F - Fail

Grade descriptors and other information concerning grading are contained in the Macquarie University Grading Policy which is available at:


Grading Appeals and Final Examination Script Viewing

If, at the conclusion of the unit, you have performed below expectations, and are considering lodging an appeal of grade and/or viewing your final exam script please refer to the following website which provides information about these processes and the cut off dates in the first instance. Please read the instructions provided concerning what constitutes a valid grounds for appeal before appealing your grade.

http://www.businessandeconomics.mq.edu.au/new_and_current_students/undergraduate_current_students/how_do_i/grade_appeals/

Special Consideration Policy

The University is committed to equity and fairness in all aspects of its learning and teaching. In stating this commitment, the University recognises that there may be circumstances where a student is prevented by unavoidable disruption from performing in accordance with their ability. A special consideration policy exists to support students who experience serious and unavoidable disruption such that they do not reach their usual demonstrated performance level. The policy is available at:

http://www.mq.edu.au/policy/docs/special_consideration/policy.html

Student Support

Macquarie University provides a range of Academic Student Support Services. Details of these services can be accessed at: http://students.mq.edu.au/support/

UniWISE provides:

- Online learning resources and academic skills workshops http://www.mq.edu.au/learnin
Student Enquiry Service
Details of these services can be accessed at http://www.student.mq.edu.au/ses/.

Equity Support
Students with a disability are encouraged to contact the Disability Support Unit who can provide appropriate help with any issues that arise during their studies.

IT Help
If you wish to receive IT help, we would be glad to assist you at http://informatics.mq.edu.au/help/.

When using the university's IT, you must adhere to the Acceptable Use Policy. The policy applies to all who connect to the MQ network including students and it outlines what can be done.

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 outcome
- The ethical debate surrounding this area

Assessment tasks
- Mid-semester Presentation
- Proposal and Contract
- Essay (a)
- Essay (b)

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:

**Assessment task**

- Essay (b)

**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**

- The role of labour law in Australia and globally.
- How human resources law is developed and enforced both locally and internationally.
- The role of international legal obligations for Australia
- The role of international treaties and charters on labour law
- The ethical debate surrounding this area
- The role of ‘human rights’ within the labour community

**Assessment tasks**

- Mid-semester Presentation
- Essay (a)
- Essay (b)

**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**

- The role of labour law in Australia and globally.
- How human resources law is developed and enforced both locally and internationally.
- The role of international legal obligations for Australia
- The role of international treaties and charters on labour law
• The ethical debate surrounding this area
• The role of ‘human rights’ within the labour community
• The role of State sovereignty in human resources law

Assessment tasks
• Mid-semester Presentation
• Proposal and Contract
• Essay (a)
• Essay (b)

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 outcome
• The ethical debate surrounding this area

Assessment tasks
• Mid-semester Presentation
• Proposal and Contract
• Essay (a)
• Essay (b)

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
• How human resources law is developed and enforced both locally and internationally.
• The role of international legal obligations for Australia
• The role of international treaties and charters on labour law
• The role of ‘human rights’ within the labour community
Assessment task

- Mid-semester Presentation

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

- The role of labour law in Australia and globally.
- How human resources law is developed and enforced both locally and internationally.
- The role of international legal obligations for Australia
- The role of international treaties and charters on labour law
- The ethical debate surrounding this area
- The role of ‘human rights’ within the labour community
- The role of State sovereignty in human resources law

Assessment tasks

- Mid-semester Presentation
- Proposal and Contract
- Essay (a)
- Essay (b)

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

- The role of labour law in Australia and globally.
- How human resources law is developed and enforced both locally and internationally.
• The role of international legal obligations for Australia
• The role of international treaties and charters on labour law
• The role of ‘human rights’ within the labour community
• The role of State sovereignty in human resources law

Assessment tasks
• Mid-semester Presentation
• Proposal and Contract
• Essay (a)
• Essay (b)

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
• The role of labour law in Australia and globally.
• How human resources law is developed and enforced both locally and internationally.
• The role of international legal obligations for Australia
• The role of international treaties and charters on labour law
• The ethical debate surrounding this area
• The role of ‘human rights’ within the labour community
• The role of State sovereignty in human resources law

Assessment tasks
• Mid-semester Presentation
• Proposal and Contract
• Essay (a)
• Essay (b)

Research and Practice
• This unit uses research by Julie Zetler:
• Julie Zetler, ‘E-Health: The Legal and Ethical Implications of Electronic Patient Recordson Confidentiality and Privacy in Health’ (ongoing Doctorate), Faculty of Law, Sydney University.
• This unit uses research from the following journals:
  1. Journal of Business Law
  2. Journal of Labour Law
  3. Journal of Human Resources
  4. Journal of International Labour Law
  5. Journal of Human Rights
  6. Journal of International Law
  7. Journal of Forensic Science
• This unit gives you practice in applying research findings in your assignments
• This unit gives you opportunities to conduct your own research.