

LAW417

Employment Law

School: School of Law and Society

2022 | Semester 2

UniSC Sunshine Coast

BLENDED
LEARNING

Most of your course is on campus but you may be able to do some components of this course online.

Please go to usc.edu.au for up to date information on the teaching sessions and campuses where this course is usually offered.

1. What is this course about?

1.1. Description

This course deals with the law concerning employment. You will consider the very broad range of laws which, together with the awards and agreements made under those laws, provide the terms and conditions under which people engage in paid work for others. You will examine both the law that governs individual employment relationships as well as the complex system of industry awards and enterprise agreements which apply to many people. You will also consider occupational health and safety law, workers compensation, unfair work practices and termination of employment.

1.2. How will this course be delivered?

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
BLENDED LEARNING			
Learning materials – Substantive content will be posted each week on Canvas, through a combination of recordings, activities and readings.	1hr	Not applicable	13 times
Tutorial/Workshop 1 – On campus and/or online tutorial - weeks 2-6 and 8-13.	2hrs	Week 2	11 times

1.3. Course Topics

- The purpose and sources of employment law
- Who is an employee?
- Special types of employment
- Employment relationships
- Employment contracts
- Enterprise Agreements, Awards and Minimum Standards
- Discrimination and Vicimisation
- Termination

2. What level is this course?

400 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

3. What is the unit value of this course?

12 units

4. How does this course contribute to my learning?

COURSE LEARNING OUTCOMES	GRADUATE QUALITIES
On successful completion of this course, you should be able to...	Completing these tasks successfully will contribute to you becoming...
1 Research, evaluate and synthesise relevant factual, legal and policy matters.	Knowledgeable Empowered
2 Apply critical thinking and judgment to generate appropriate responses to legal issues.	Knowledgeable Creative and critical thinker
3 Communicate effectively to different audiences in a required format.	Knowledgeable Empowered
4 Evaluate and critique the law with reference to broader perspectives.	Creative and critical thinker

5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

5.1. Pre-requisites

LAW202 and LAW204 and enrolled in any Law Program

5.2. Co-requisites

Not applicable

5.3. Anti-requisites

LAW306

5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

6. How am I going to be assessed?

6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

6.2. Details of early feedback on progress

In week 2 of this course, you will discuss and review your Submission to Appear (Task 1) in your workshop.

6.3. Assessment tasks

DELIVERY MODE	TASK NO.	ASSESSMENT PRODUCT	INDIVIDUAL OR GROUP	WEIGHTING %	WHAT IS THE DURATION / LENGTH?	WHEN SHOULD I SUBMIT?	WHERE SHOULD I SUBMIT IT?
All	1	Oral	Individual	20%	10 minutes	Week 3	In Class
All	2	Written Piece	Individual	40%	1,500 words	Week 8	Online Assignment Submission with plagiarism check
All	3	Examination - Centrally Scheduled	Individual	40%	4 Hours	Exam Period	Online Assignment Submission with plagiarism check

All - Assessment Task 1: Debate Appearance

GOAL:	To apply your legal research skills to demonstrate your understanding of a key topic in employment law and your ability to analyse and critique the relationship between the law and wider social issues.					
PRODUCT:	Oral					
FORMAT:	An oral presentation of a submission to appear for an issue in employment law provided in class.					
CRITERIA:	No.					Learning Outcome assessed
	1	Research, evaluate and synthesis				1
	2	Application of critical thinking and judgement to generate appropriate responses to legal issues				2
	3	Effective communication and presentation in the required format				3
	4	Evaluate and critique the law with reference to broader perspectives				4

All - Assessment Task 2: Memorandum of Advice

GOAL:	To apply your legal research and writing skills to demonstrate your understanding of a key topic in employment law and your ability to analyse and critique the law utilising a range of primary and secondary sources.					
PRODUCT:	Written Piece					
FORMAT:	Memorandum of advice of 1,500 words (not counting footnotes and bibliography) referenced according to the Australian Guide to Legal Citation.					
CRITERIA:	No.					Learning Outcome assessed
	1	Research, evaluation and synthesis				1
	2	Application of critical thinking and judgement to generate appropriate responses to legal issues				2
	3	Effective written communication and presentation in the required format				3
	4	Evaluate and critique the law with reference to broader perspectives				4

All - Assessment Task 3: Final Examination

GOAL:	To answer unseen questions that demonstrate a thorough understanding of Employment Law.													
PRODUCT:	Examination - Centrally Scheduled													
FORMAT:	This is an individual assessment. There will be a combination of short answer and hypothetical questions. You will have four hours to complete the assessment. You may use any materials to construct an answer to two legal problems drawn from any part of the course.													
CRITERIA:	<table><tr><th>No.</th><th></th><th>Learning Outcome assessed</th></tr><tr><td>1</td><td>Correct identification of the relevant legal issues within a factual scenario</td><td>1</td></tr><tr><td>2</td><td>Appropriate and accurate application of correct principles of law derived from statute and/or case law to the factual scenarios</td><td>2</td></tr><tr><td>3</td><td>Appropriate conclusion of appropriate advice for the fictitious 'client' or other identified candidate</td><td>3 4</td></tr></table>	No.		Learning Outcome assessed	1	Correct identification of the relevant legal issues within a factual scenario	1	2	Appropriate and accurate application of correct principles of law derived from statute and/or case law to the factual scenarios	2	3	Appropriate conclusion of appropriate advice for the fictitious 'client' or other identified candidate	3 4	
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1	Correct identification of the relevant legal issues within a factual scenario	1												
2	Appropriate and accurate application of correct principles of law derived from statute and/or case law to the factual scenarios	2												
3	Appropriate conclusion of appropriate advice for the fictitious 'client' or other identified candidate	3 4												

7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

8.1. Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below. Resources may be required or recommended.

REQUIRED?	AUTHOR	YEAR	TITLE	EDITION	PUBLISHER
Required	Andrew Stewart	2021	Stewart's Guide to Employment Law	7th	Federation Press

8.2. Specific requirements

Not applicable

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

10. What administrative information is relevant to this course?

10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

10.2. Assessment: Additional Requirements

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

The final mark is in the percentage range 47% to 49.4%

The course is graded using the Standard Grading scale

You have not failed an assessment task in the course due to academic misconduct.

10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.

- 10% (of the assessment task's identified value) for the third day - 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.

- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email safe@usc.edu.au.

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email studentwellbeing@usc.edu.au.

10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au.

10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email studentwellbeing@usc.edu.au or call 07 5430 1226.

10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email AccessAbility@usc.edu.au or call 07 5430 2890.

10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Central Examinations
- Deferred Examinations
- Student Conduct
- Students with a Disability

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

10.10.General Enquiries

In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au