

Course Outline

Code: LAW417 Title: Employment Law

School: Law and Criminology
Teaching Session: Semester 1
Year: 2020

Course Coordinator: Mitch Devine
Email: TBA

Course Moderator: Professor Jay Sanderson
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Please go to the USC website 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 Field trips, WIL placements or activities required by professional accreditation

Activity	Details
NA	NA

2. What level is this course?

400 level Graduate - Independent application of graduate knowledge and skills. Meets AQF and professional requirements. May require pre-requisites and developing level knowledge/skills. Normally taken in the 4th 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?

Specific Learning Outcomes On successful completion of this course, you should be able to:	Assessment tasks You will be assessed on the learning outcomes in task/s:	Graduate Qualities or Professional Standards mapping Completing these tasks successfully will contribute to:
Research, evaluate and synthesise relevant factual, legal and policy matters.	1,2, and 3	Empowered Knowledgeable
Apply critical thinking and judgment to generate appropriate responses to legal issues	1,2, and 3	Knowledgeable Creative and critical thinkers
Communicate effectively to different audiences in a required format	1,2, and 3	Knowledgeable Empowered
Evaluate and critique the law with reference to broader perspectives	2 and 3	Creative and critical thinkers

5. Am I eligible to enrol in this course?

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

5.1 Enrolment restrictions

Enrolled in any Law program

5.2 Pre-requisites

LAW202 and LAW204

5.3 Co-requisites

Nil

5.4 Anti-requisites

LAW306

5.5 Specific assumed prior knowledge and skills (where applicable)

Nil

6. How am I going to be assessed?

6.1 Grading scale

Standard – 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

Task No.	Assessment Product	Individual or Group	Weighting %	What is the duration / length?	When should I submit?	Where should I submit it?
1	Debate Appearance	Individual	20%	10 minutes	Week 3	In Class
2	Memorandum of advice	Individual	40%	1,500 words	Friday week 8, 5:00pm	Blackboard (SafeAssign)
3	Examination	Individual	40%	2 Hours, 30 minutes	Central Examination Period	Exam Venue
			100%			

Assessment Task 1: Oral Submission to Appear

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:	Research evaluate and synthesis; application of critical thinking and judgment to generate appropriate responses to legal issues; effective communication and presentation in the required format. Evaluate and critique the law with reference to broader perspectives.

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:	Memorandum of Advice
Format:	Memorandum of advice of 1,500 words (not counting footnotes and bibliography) referenced according to the <i>Australian Guide of Legal Citation</i> .
Criteria:	Research, evaluation and synthesis; application of critical thinking and judgment to generate appropriate responses to legal issues; effective written communication and presentation in the required format. Evaluate and critique the law with reference to broader perspectives.

Assessment Task 3: Open book examination

Goal:	The goal of the examination is to assess your understanding of the legal concepts that have been introduced in this course and your ability to apply that understanding to hypothetical factual situations.
Product:	Written Piece
Format:	This is an individual assessment. There will be a combination of short answer and hypothetical questions. You will have two hours plus 30 minutes' preparation time 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:	Correct identification of the relevant legal issues within a factual scenario; appropriate and accurate application of correct principles of law derived from statute and/or case law to the factual scenarios; appropriate conclusion of appropriate advice for the fictitious 'client' or other identified candidate. Further details will be provided in class and on Blackboard.

7. Directed study hours

The directed study hours listed here are a portion of the workload for this course. 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. Directed study hours may vary by location. Student workload is calculated at 12.5 learning hours per one unit.

Location: Specific Campus(es) or online:	Directed study hours for location:
Sippy Downs	On campus seminar: 3 hours per week (Weeks 1-6, 8-13)

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

Please note that course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Blackboard 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 as they are required:

Author	Year	Title	Publisher
A Stewart	2018, 6 th ed	<i>Stewart's Guide to Employment Law</i>	Federation Press

8.2 Specific requirements

Nil

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low.

It is your responsibility as a student 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. It is also your responsibility to familiarise yourself with the University's general health and safety principles by reviewing the [online Health Safety and Wellbeing training module 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 Blackboard, are electronically checked through SafeAssign. This software allows for text comparisons to be made between your submitted assessment item and all other work that SafeAssign has access to.

10.2 Assessment: Additional requirements

Eligibility for Supplementary Assessment

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

- a) The final mark is in the percentage range 47% to 49.4%
- b) The course is graded using the Standard Grading scale
- c) You have not failed an assessment task in the course due to academic misconduct

10.3 Assessment: Submission penalties

Late submission of assessment tasks will 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 and supply the required documentation to negotiate an outcome.

10.4 Study help

In the first instance, you should contact your tutor, then the Course Coordinator. Additional assistance is provided to all students through Academic Skills Advisers. To book an appointment or find a drop-in session go to [Student Hub](#).

Contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au

10.5 Wellbeing Services

Student Wellbeing Support Staff are available to assist on a wide range of personal, academic, social and psychological matters to foster positive mental health and wellbeing for your success. Student Wellbeing is comprised of professionally qualified staff in counselling, health and disability Services.

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, mental health issue, learning disorder, injury or illness, or you are a primary carer for someone with a disability, [AccessAbility Services](#) can provide assistance, advocacy and reasonable academic adjustments.

To book an appointment with either service go to [Student Hub](#), email studentwellbeing@usc.edu.au or accessability@usc.edu.au or call 07 5430 1226

10.6 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
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability

Visit the USC website:

<http://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

10.7 General Enquiries

In person:

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

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au