COURSE OUTLINE

MGMT 5711
Employment and Industrial Law

School of Organisation and Management
## Administrative Details

**Lecturer**  
**Diane Fieldes**  
Room 4.091, Level 4, Rupert Myers Building,  
Telephone: 9385 7140  
Mobile: 0413 003 148 (9am-9pm Mon. to Fri. ONLY)

**Consultation Times**  
Wed. 5 - 6pm  
Thurs. 3 - 4pm

**Lectures & Tutorials**  
**Lecture:** WED 6 pm – 8pm QUAD 1027 (Macauley Theatre)  
**Tutorial:** WED 8pm – 9pm Quad G035

**Tutor**  
**Donna Wilcox**  
c/- IROB office  
9385 7155

**School Website:** [http://www.irob.unsw.edu.au](http://www.irob.unsw.edu.au)

## COURSE DESCRIPTION

The aim of this course is to introduce students of industrial relations and human resource management to the common law and legislative regime which constitutes the regulatory framework of the employment relationship in Australia.

The course will explore the sources of laws which are of major practical significance to the employer-employee relationship, with particular reference to legal rights and obligations and associated legal remedies and liabilities. Specific legislation governing workplace relations, discrimination, and occupational health and safety will be covered.

The subject is not designed to equip students to practice labour law, but rather aims at providing a good working knowledge of the history, theory and practice that govern labour relations at both Federal and State level.

Prior knowledge of law or the legal system is neither required nor expected.

## TEACHING

The subject involves one 2 hour lecture/seminar and a one hour tutorial each week. The lectures will provide an introduction to each topic while the following
week’s tutorials will concentrate on discussion, exploration and examination of issues and specific judgments and legislation.

**ASSESSMENT**

For a pass or better in this course you are required to complete various types of assessment.

1. Tutorial paper (1,000 words maximum)  20%
2. Mid-session essay (3,000 words maximum)  40%
3. Written Exam  40%

1. **Tutorial Paper and Presentation**

Each student is required to make one tutorial presentation during session. Tutorial presentations will be allocated in the first tutorial class (Week 2).

Students must select one of the tutorial topics and present a discussion paper to the tutorial which addresses a significant aspect of the topic.

The paper and the tutorial presentation should identify and discuss salient issues relative to the given topic in a manner that promotes class discussion. Students should address issues by developing an analytical argument and expressing a considered personal view or assessment. Analyses and conclusions should be supported by reference to some relevant statute or case law or to an actual case study. Papers which merely narrate factual matters will achieve poor marks.

The paper must be handed in for assessment within 2 weeks of the tutorial at which it is presented.

Length:  15-20 minutes; 1,000 words.
Due Date:  Written paper - within 2 weeks of the presentation.
Value:  20%

Before each tutorial, students must familiarise themselves with the relevant material in the prescribed texts and any other readings which may be prescribed.
2. Essay

Length: 2500 words maximum
Due Date: Week 10 - Wednesday 12 May 2004
Value: 40%

The essay question will be handed out separately in week 3 (Wednesday 17 March).

Essays are to be submitted to the lecturer via the School office or the essay box in the lift lobby, 4th floor, Rupert Myers Building. No essays are to be put under doors. It is the responsibility of the student to use a School cover sheet for their essay and receive a signed receipt. Cover sheets can be downloaded from the School’s website. If you do not have a receipt, as far as the School is concerned your essay has not been submitted. The receipts are the tear-off strips at the bottom of the School's essay cover sheet. If you hand your essay in to your lecturer or tutor or to the staff of the School office, they will sign, date and tear-off the receipt for you there and then. The only other way to submit your essay is to put it in the School office essay box if the office is closed. If you do this, IT IS YOUR RESPONSIBILITY to come back during office hours and get the receipt. It is in your interests to do this as soon as possible. Students whose essays cannot be found, and who do not have receipts for them, will be deemed not to have submitted the essay and will not be allowed to submit late copies.

Extensions, of up to one week only, will be granted for the essay only to students who approach the lecturer BEFORE the due date. Late essays are penalised one mark for each day they are late. To avoid asking for an extension, note the dates of due work in your diary, start thinking about essays and tutorial presentations early, and plan your work for the session. If you are having difficulties meeting the requirements of the course, please see the lecturer as soon as possible.

3. Exam

The written exam will be a take home exam, due at the beginning of the study vacation at 6pm Tuesday 15 June. It will count for 40% of the total mark for this course. Further details will be advised towards the end of the semester.

STUDENT REQUIREMENTS AND ACCOUNTABILITIES

Lecture participation
This is a crucial element of the learning process in this subject. Lectures provide students with the conceptual orientation necessary for coming to terms with the themes and issues dealt with in each weekly topic. Marks are not awarded for
attendance but non-attendance quickly begins to negatively affect your final mark. **STUDENTS ARE EXPECTED TO ATTEND LECTURES. THEY ARE NOT TAPED.**

Before beginning the subject, make sure that you have enough time in your schedule to attend lectures and tutorials regularly. It is estimated that successful completion of this subject will involve the expenditure of **approximately 10-12 hours per week** to attend classes, complete the required readings and prepare written assignments. While the lecturers understand that occasional work/family commitments will clash with classes, these should not create permanent barriers to attendance.

**Tutorial participation**
The tutorial is intended as a forum for the exchange of ideas, argument and opinion on the themes and issues canvassed by the subject. You are expected to make an informed and considered contribution to discussion and debate. Effective verbal communication skills are basic tools of trade for professional employment and the tutorial offers you an opportunity to refine these skills in a supportive peer group context. Tutorial topics relate to the preceding week’s lecture, providing students with an opportunity to think about the issues raised in lectures and to do the required reading before the tutorial. To prepare for each tutorial, you are advised to read **at least two** of the recommended readings.

If you have any questions about the subject, please consult the lecturer and do not leave questions until the last minute. Failure to resolve issues may impair your progress in the subject and lead to unnecessary problems. Whilst the lecturer welcomes phone about specific issues and problems, students requiring detailed advice on essay preparation should consult their tutor or the lecturer in person rather than by e-mail or telephone. **TO PASS THE SUBJECT, STUDENTS MUST ATTEND 80 PER CENT OF TUTORIALS**

**Obligation to “keep informed”**
You are required to maintain contact with the course, and to be aware of any notices, advice or materials provided. Every enrolled student has a UNSW e-mail address (zID@student.unsw.edu.au) and, from time to time, the lecturer may issue individual or whole-class notices using this e-mail system. Checking your e-mail regularly will ensure that you are up to date with unexpected illnesses, room changes and other important information.

If you have any questions about the subject, please consult with the lecturer or tutor. Try not to leave questions until the last minute. Failure to resolve issues may impair your progress in the subject and lead to unnecessary problems.