

LAWS 5001 LAW OF EMPLOYMENT

Credit Points 10

Coordinator Sandy Noakes ([https://directory.westernsydney.edu.au/search/name/Sandy Noakes/](https://directory.westernsydney.edu.au/search/name/Sandy%20Noakes/))

Description This subject focuses on the law that regulates individual aspects of employment relationships including the contract of employment. It aims to place an examination of the development, nature and scope of relevant legal principles in the context of the key features of the contemporary Australian labour market. Students will further develop essential problem solving and professional communication skills to enhance high level professional practice, including the experience of First Nations peoples.

School Law

Discipline Business and Commercial Law

Student Contribution Band HECS Band 4 10cp

Check your fees via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Postgraduate Coursework Level 5 subject

Pre-requisite(s) LAWS 7047 Contracts or LAWS 7078 Principles of Private Law

Incompatible Subjects LAWS 3046 Law of Employment

Restrictions

Must be enrolled in a postgraduate law program.

Learning Outcomes

After successful completion of this subject, students will be able to:

1. Examine the institutional and regulatory framework that govern the employment relationship in Australia.
2. Critically analyse the law of employment from contemporary and historical perspectives within an economic and social context, including the specific experience of First Nations workers.
3. Identify and negotiate solutions to legal employment problems.
4. Develop critically informed analysis of employment related management strategies.

Subject Content

1. The way law governs individual relationships in the labour market, including the specific experience of First Nations workers
2. The different forms of employment relationships and how to distinguish them
3. The content of the contract of employment including the duties implied at common law
4. Termination and remedies at common law
5. Termination and remedies under statute, including unfair dismissal
6. Some selected aspects of statutory regulation of employment

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are

regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/ Group Task
Quiz	Weekly across semester-online, plus one in-class quiz of 30 minutes duration	40	N	Individual
Presentation	2 hours (expert panel presentation in seminar)	20	N	Individual
Final Exam	3000 words	40	N	Individual

Prescribed Texts

- Carolyn Sappideen, Paul O'Grady and Joellen Riley, Macken's Law of Employment (9th ed, Thomson Reuters, 2022).
- E-reader resources: selected readings and resources compiled for the unit, which will be available via Readings and Resources on vUWS.