
SCHOOL OF ACCOUNTING & COMMERCIAL LAW

Telephone 463 5383, Facsimile 495 5076. E-mail: sacl@vuw.ac.nz

COML 302 THE LAW OF WORK

Trimester One 2009

COURSE OUTLINE

Names and Contact Details

Contact Details

<u>Academic:</u>	<i>Course Co-ordinator & Lecturer</i>	<i>Room</i>	<i>Phone</i>
	Amanda Reilly	RH 720	463-6958
	E-mail address: Amanda.Reilly@vuw.ac.nz		
	Office hours: TBA		
	<i>Lecturer</i>		
	Trish Keeper		
	E-mail address: Trish.Keeper@vuw.ac.nz	RH 721	463-5203
	Office hours: Tuesday 1-3pm		

Administrative Co-ordinator: Danielle Van Resseghem RH 708, Pipitea Campus, 7th floor, Rutherford House, email Danielle.VanResseghem@vuw.ac.nz, telephone 463 7465.

Office Hours: Monday – Friday, 8.30 am – 5 pm. (Note: Office closed 10.30am-10.45am and 3.30pm-3.45pm).

The administrative co-ordinator should be contacted for assistance relating to tutorial sign ups, collection of marked assessment and other inquiries of an administrative nature.

Trimester Dates

Lectures are held from Monday 2 March 2009

Mid-Trimester break begins: 13 April 2009

Lectures resume: 27 April 2009

University study and examination period: 12 June to 1 July 2009

Class Times and Room Numbers

Lecture times: Monday, 14.40 – 15.30 Thursday 14.40 – 16.30pm in GBLT 1

Tutorials: Times and room numbers to be advised on Blackboard

Tutorials

There will be two tutorials in Week 6 and Week 9 respectively. Attendance is optional but highly recommended as the tutorials are aimed at preparing you for the test and essay respectively.

<u>Tutorial No</u>	<u>Weeks Beginning</u>	Lecture Material By
1	16 March	Amanda Reilly
2	18 May	Trish Keeper

Tutorial Sign-up

Tutorial sign-up should be done during the first week of term. The instructions for signing up are attached as page 8 of this Course Outline and will also be posted on the Announcements section of **Course COML 302** on Blackboard.

The completed tutorial lists will be posted on the Commercial Law notice board on the Mezzanine Floor of Rutherford House and on Blackboard.

Key Dates

Lectures are held from Monday 2 March 2009

Mid-Trimester break begins: 13 April 2009

Lectures resume: 27 April 2009

University study and examination period: 12 June to 1 July 2009

Withdrawal dates: Information available via

<http://www.victoria.ac.nz/home/admisenrol/payments/withdrawlsrefunds.aspx>

Course Content

Course Content 2009 (NB. Provisional only. There may be some variance in the timing of lectures)	Date	Lecturer	Topic
Week 1	2 March (1 hour) 5 March (2 hours)	AR AR	Introduction Legal framework of the Law of Work
Week 2	9 March (1 hour) 12 March (2 hours)	AR AR	The Contract of Employment Who is an Employee?
Week 3 (First Tutorial)	16 March (1 hour) 19 March (2 hours)	AR AR	Who is an Employee ? Implied Terms (Common law)
Week 4	23 March (1 hour) 26 March (2 hours)	AR	Implied Terms Implied Terms/Questions answered re test
Week 5	30 March (1 hours) 2 April (2 hours)	AR	TEST Implied terms (Statutory)
Week 6	6 April (1 hour) 9 April (2 hours)	AR AR	Implied Terms Implied Terms
	BREAK		
Week 7	27 April (1 hour) 30 April (2 hours)	TK TK	Personal Grievances Personal Grievances
Week 8	4 May (1 hour) 7 May (2 hours)	TK TK	Personal Grievances Personal Grievance
Week 9	11 May (1 hour) 14 May (2 hours)	TK TK	Personal Grievances Business failure and employee rights
Week 10 (Second Tutorial)	18 May (1 hour) 21 May (2 hours)	TK TK	Business failure and employee rights Collective Approaches
Week 11 (Essay due 28 May)	25 May (1 hour) 28 May (2 hours)	TK TK	Collective Approaches Collective Approaches
Week 12	1 June (1 hour) 4 June (2 hours)	TK	Queens Birthday (no lecture) Collective Approaches

Course Learning Objectives

By the end of this course, students should be able to:

- 1 describe the context of the law pertaining to the employment relationship and the nature of the factors affecting the development and possible future direction of the law;
- 2 state the legal principles governing the employment relationship both at the individual and the collective level;
- 3 apply selected areas of the law to individual fact situations;
- 4 relate issues arising out of practical employment issues to the broader themes of the course;
- 5 critically evaluate the legal principles and institutions governing the employment relationship at both an individual and collective level and, if appropriate, formulate ideas for law reform.

The test, the assignment and the exam will consist of a mix of problem and essay type questions. The problem questions will give students the opportunity to show they have reached the required standard in terms of mastering and being able to apply relevant legal principles. Essay type questions will give students the opportunity to demonstrate their understanding and critical engagement with the underlying context of the law and the broader themes of the course.

Expected Workload

For 300-level 24 points one trimester courses, 18 hours per week are recommended. An average student should spend 15 hours per week for preparation, reading, and writing in addition to attendance at lectures and tutorials.

Readings

Required:

- Coml 302 *Course Materials* (2009) purchased through Student Notes

There is no charge for class handouts, and limited spare copies of these will be placed in the COML 302 pigeonholes on the 7th floor of Rutherford House.

Research Materials

The Law Library, located in the Old Government Building, contains additional resources that may be used for completing the Research Essay. The Law Library is a University resource and is open to students of all Faculties. Library staff will assist with reasonable research requests, however students should be prepared to find most of the materials they need without assistance. Note that the Law Library is a reference library only and no journals may be removed from the premises. However, photocopying cards may be purchased.

The Commerce Library also has items available for loan.

Materials permitted in Test and Examination

The Terms Test and Final Exam are both open book and you may bring whatever materials you like into the exam room. Be aware that lecturers do not have spare copies of the course materials book available for loan and it is your responsibility to make sure you have a copy of anything you may wish to refer to during the test and final exam.

Assessment Requirements

Terms Test (<i>open book</i>)	25%	Monday 30 March (In normal class time).
1500-word Assignment	25%	28 May, 12 noon.
Final Exam (<i>open book</i>)	50%	June (TBA)

Terms Test

The terms test will examine topics to be advised in lectures. The terms test is open book. You are advised to arrive early so that you are seated and ready to begin the test on time.

Assignment

The assignment is due by 28 May 2009, 12 noon. Completed assignments should be placed in the COML 302 Assignment Box (on the Mezzanine Floor, Rutherford House).

Examinations

Students who enrol in courses with examinations are obliged to attend an examination at the University at any time during the formal examination period (Friday, 12 June to Wednesday 1 July 2009 inclusive).

Penalties

Assignments handed in after the deadline will be subject to an automatic 5% deduction per day unless prior permission has been granted or unless proof of exceptional circumstances can be produced

Mandatory Course Requirements

All items of assessment must be completed.

Communication of Additional Information

Notices will be posted on **Blackboard** to which all students have access. **Urgent notices** will be circulated by email.

Faculty of Commerce and Administration Offices

Railway West Wing (RWW) - FCA Student and Academic Services Office

The Faculty's Student and Academic Services Office is located on the ground and first floors of the Railway West Wing. The ground floor counter is the first point of contact for general enquiries and FCA forms. Student Administration Advisers are available to discuss course status and give further advice about FCA qualifications. To check for opening hours call the Student and Academic Services Office on (04) 463 5376.

Easterfield (EA) - FCA/Education/Law Kelburn Office

The Kelburn Campus Office for the Faculties of Commerce and Administration, Education and Law is situated in the Easterfield Building on the ground floor (EA005). This counter is the first point of contact for:

- Duty tutors for student contact and advice.
- Information concerning administrative and academic matters.
- Forms for FCA Student and Academic Services (e.g. application for academic transcripts, requests for degree audit, COP requests).
- Examinations-related information during the examination period.

To check for opening hours call the Student and Academic Services Office on (04) 463 5376.

Use of Turnitin

Student work provided for assessment in this course may be checked for academic integrity by the electronic search engine <<http://www.turnitin.com>>. Turnitin is an on-line plagiarism prevention tool which identifies material that may have been copied from other sources including the Internet, books, journals, periodicals or the work of other students. Turnitin is used to assist academic staff in detecting mis-referencing, misquotation, and the inclusion of unattributed material, which may be forms of cheating or plagiarism. *At the discretion of the Head of School, handwritten work may be copy-typed by the School and subject to checking by Turnitin.* You are strongly advised to check with your tutor or the course coordinator if you are uncertain about how to use and cite material from other sources. Turnitin will retain a copy of submitted materials on behalf of the University for detection of future plagiarism, but access to the full text of submissions will not be made available to any other party.

General University Policies and Statutes

Students should familiarise themselves with the University's policies and statutes, particularly the Assessment Statute, the Personal Courses of Study Statute, the Statute on Student Conduct and any statutes relating to the particular qualifications being studied; see the Victoria University Calendar or go to www.victoria.ac.nz/home/about/policy/students.aspx

For information on the following topics, go to the Faculty's website www.victoria.ac.nz/fca under Important Information for Students:

- Academic Grievances
- Student and Staff Conduct
- Meeting the Needs of Students with Impairments
- Student Support

Academic Integrity and Plagiarism

Academic integrity is about honesty – put simply it means *no cheating*. All members of the University community are responsible for upholding academic integrity, which means staff and students are expected to behave honestly, fairly and with respect for others at all times.

Plagiarism is a form of cheating which undermines academic integrity. The University defines plagiarism as follows:

The presentation of the work of another person or other persons as if it were one's own, whether intended or not. This includes published or unpublished work, material on the Internet and the work of other students or staff.

It is still plagiarism even if you re-structure the material or present it in your own style or words.

Note: including the work of others will not be considered plagiarism as long as the work is acknowledged by appropriate referencing.

Plagiarism is prohibited at Victoria and is not worth the risk. Any enrolled student found guilty of plagiarism will be subject to disciplinary procedures under the Statute on Student Conduct and may be penalised severely. Consequences of being found guilty of plagiarism can include:

- an oral or written warning
- cancellation of your mark for an assessment or a fail grade for the course
- suspension from the course or the University.

Find out more about plagiarism, and how to avoid it, on the University's website:

www.victoria.ac.nz/home/studying/plagiarism.html

Manaaki Pihipihinga Programme

Manaaki Pihipihinga is an academic mentoring programme for undergraduate Māori and Pacific students in the Faculties of Commerce and Administration, and Humanities and Social Sciences. Sessions are held at the Kelburn and Pipitea Campuses in the Mentoring Rooms, 14 Kelburn Parade (back courtyard), Room 109D, and Room 210, Level 2, Railway West Wing. There is also a Pacific Support Coordinator who assists Pacific students by linking them to the services and support they need while studying at Victoria. Another feature of the programme is a support network for Postgraduate students with links to Postgraduate workshops and activities around Campus.

For further information, or to register with the programme, email manaaki-pihipihinga-programme@vuw.ac.nz or phone (04) 463 6015. To contact the Pacific Support Coordinator, email pacific-support-coord@vuw.ac.nz or phone (04) 463 5842.

Detailed Tutorial Signup Instructions

1. Go to the signup website at: <https://signups.vuw.ac.nz>
2. Enter your SCS username and password to login the system.
3. The “Signup Home” page opens. It displays all courses you are enrolled for and that use the S-Cubed Tutorial & Workshop Signup system. Click on the course you wish to sign up for.
4. The selected course page opens. It will show the course contact and brief details of the signup instructions. A “key” is provided at the bottom that explains all buttons and what they do.
5. The schedule of tutorials includes the day/time, location, maximum group size, and spaces left in the tutorial sessions.
6. If there are spaces left in a particular session, you will see the “ENROL” button next to it. You can click this button to enrol yourself into that tutorial session.
7. If there are NO more spaces left in a particular session, you will see the “JOIN WAITLIST” button, if available. You can click this button to join the waitlist for that tutorial session. Please note that you will be removed from any other waitlist you may have joined earlier. If somebody withdraws from this session, you will automatically be moved up the waitlist or enrolled into the session. In this case you are enrolled in the session; an email will be sent to you if you are enrolled into the session from a waitlist.
8. You can only “JOIN WAITLIST” if you have already enrolled in one of the other available sessions. In other words, “ENROL” in one session and then you can choose to join the waitlist for another preferred session.
9. You can choose to “WITHDRAW” from a session you have already enrolled for. You can also choose to “CANCEL WAITLIST” to remove yourself from a particular waitlist.
10. A “FULL” button indicates all seats and waitlist are full for that tutorial session. You must choose another session.
11. More details on the various buttons are available in the “Key” section at the bottom of the signup page.
12. You should “ENROL” in only ONE tutorial session and may “JOIN WAITLIST” for only ONE other tutorial session.
13. You can login and signup (or change your signup) anytime before the **closing date of the tutorial signup. You will NOT be able to sign up or change your choice after the tutorial signups have closed.**
14. You can view/confirm details of the sessions you are enrolled and waitlisted for, such as day/time and location by clicking on “My Signups” on the left hand menu.
15. Click on “Support” on the left hand menu if you are having problems.

This online signup system is available around the clock over the internet. Any requests after this date will need to be manually handled by the course administrator. You will need to submit a written application stating the reason why you were not able to sign up on time using the online system, along with other relevant documentation such as medical certificate etc.

Finally, **you must always attend the tutorial sessions that you have signed up for.** If you attend a different session, your attendance may not be recorded.