

Victoria Management School

## **MMBA 562: Managing Employment Relations**

Trimester One 2009

### **COURSE OUTLINE**

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#### **Contact Details**

##### **COURSE COORDINATOR & LECTURER**

**Dr Stephen Blumenfeld**

Room: RH1010, Rutherford House

Phone: 463 5706

Email: [stephen.blumenfeld@vuw.ac.nz](mailto:stephen.blumenfeld@vuw.ac.nz)

Website: [www.vuw.ac.nz/vms](http://www.vuw.ac.nz/vms)

##### **SENIOR ADMINISTRATOR**

**Linda Walker**

Room: RH 1004, Rutherford House

Phone: 463 5367

Email: [linda.walker@vuw.ac.nz](mailto:linda.walker@vuw.ac.nz)

#### **Class Times and Room Number**

**Lectures:** *Thursdays: 17:40–19:30 (RHG01)*

*This course has a 6-hour contract negotiation workshop, scheduled for Saturday, 23 May 2009.*

**Trimester Dates:** Monday 2 March to Wednesday 1<sup>st</sup> July 2009.

*There is no examination scheduled for this course.*

**Withdrawal dates:** Information available via

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

#### **Introduction**

Employment relations (ER) is a multidisciplinary area that investigates all aspects of the relationship between employers and employees in the public and private sectors. Modern organisations increasingly regard staff as their most valuable asset and chief source of competitive advantage. Consequently, they attach great importance to how they manage people. Successful management of employment relations is vital if employees are to be motivated and organisations are to be successful.

## **Programme and Course-related Learning Objectives**

This course comprises a study of New Zealand's system of employment relations, examining topical themes as well as historical developments. It provides advanced study for persons seeking a career in human resource management or industrial relations or proceeding to honours level. Material covered in this course includes negotiating employment agreements, processing personal grievances and disputes, and critical analysis of issues of contemporary relevance to employment in New Zealand.

## **Overall Course Objectives**

The course has three principal aims:

- to provide an understanding of the ways in which the processes of employment relations are conducted in New Zealand;
- to explore the practical aspects of negotiation and operating under employment agreements in unionised and non-unionised organisations; and
- to place employment relations in its wider legal, economic, and political environments.

## **Course-related Student Learning Objectives**

On successful completion of the course, students should be able:

- to demonstrate an understanding of the major theoretical frameworks and concepts relevant to the study of employment relations;
- to use such frameworks to describe and critically evaluate employment relations practices in the New Zealand context; and
- to offer a reasoned assessment and analysis of changes in the management of employment relationships.

## **Expected Workload**

Students can expect the workload to be approximately 12 hours per week, including both scheduled contact time (i.e., lectures) and outside class. Students will note that required readings amount to an average of approximately fifty (50) pages per week. Also note that the amount of assigned reading diminishes considerably as the trimester draws to a close.

## **Group Work**

While the course has a tradition of study group collaboration, there are important elements in the assessment process that are strictly individual. Collaboration on individual assignments is not allowed beyond general discussion as to how one might interpret the nature of the assignment question. Please do not work together to formulate a response and do not loan out your completed assignments.

## **Readings**

Peter Haynes, Yvonne Oldfield, and Glenda Fryer, *New Zealand Employment Relations*, Third Edition Auckland: Pearson Education, 2006. (Henceforth referred to as *HO&F*.)

Richard Rudman, *Employment Law Guide, 2008* Auckland: CCH New Zealand, 2008 (Henceforth referred to as *Rudman*.)

Students are also expected to have and use their own copy of the *Employment Relations Act 2000*, copies of which are available at the Victoria University Book Centre on the Ground Floor of Rutherford House. The *Employment Relations Act (ERA) 2000*, along with other relevant New Zealand legislation, is also available on the Internet at <http://rangi.knowledge-basket.co.nz/gpacts/actlists.html>.

*A schedule of lectures and assigned readings follows.*

**MMBA 562 Lecture Schedule—1<sup>st</sup> Trimester 2009**

<b>Date</b>	<b>Lecture Topics &amp; Additional Materials</b>	<b>Readings</b>
05 March 2009	Course Introduction and Overview What is Employment Relations?	
12 March 2009	Labour Market Regulation in New Zealand	<i>HO&amp;F</i> —Chapters 1&2 <i>Rudman</i> —Chapter 1
19 March 2009	Employment as a Contractual Relationship	<i>HO&amp;F</i> —Chapter 3 <i>Rudman</i> —Chapters 3&4
<b>Essay Draft Due Thursday 26 March 2009 at the start of lecture</b>		
26 March 2009	Labour Market Flexibility The Individual Employment Relationship	<i>Rudman</i> —Chapter 5
02 April 2009	Employment Institutions in New Zealand	<i>HO&amp;F</i> —pp. 88-89 <i>Rudman</i> —Chapter 2
<b>Completed Essay Assignment Due Thursday 09 April 2009 at the start of lecture</b>		
09 April 2009	Freedom of Association & Trade Unions	<i>HO&amp;F</i> —Chapter 4 <i>Rudman</i> —pp. 89-115
<b>13-27 April 2009—Mid Trimester Break</b>		
30 April 2009	Personal Grievances and Disputes Case: Forbidden Nuptials	<i>HO&amp;F</i> —pp. 72-87 <i>Rudman</i> —Chapter 9
07 May 2009	Human Rights & Equity in Employment Case: Gross Safety Violation	<i>HO&amp;F</i> —pp. 96-107 <i>Rudman</i> —Chapter 12
<b>Rights Dispute Case Due Thursday 14 May 2009 at the start of lecture</b>		
14 May 2009	Negotiating Employment Agreements	<i>Rudman</i> —Chapters 7&8
21 May 2009	Strikes & Lockouts Occupational Health & Safety in New Zealand	<i>Rudman</i> —pp. 115-120 & Chapter 11
<b>Saturday 23 May 2009—Workshop: Employment Contract Negotiation Exercise</b>		
28 May 2009	Redundancy & Restructuring	<i>Rudman</i> —Chapter 10
<b>Thursday 04 June 2009—No class in lieu of Saturday 23 May Workshop</b>		
<b>Personal Grievance Case Due Friday 05 June 2009 no later than 4.30pm</b>		

## Assessment Requirements

Assessment for this course consists of three assignments—an essay worth 40% and a personal grievance case and a rights dispute case, each worth 30% of the total assessment. Although no marks are allocated for this, *regular attendance in lectures and, in particular, during the contract negotiation exercise is required of all students.*

Assignment	Title	% of Marks Available	Due Date
1	<i>Essay Draft</i>	<i>None</i>	<i>26 March 2009</i>
2	<i>Completed Essay Assignment</i>	<i>40</i>	<i>02 April 2009</i>
2	<i>Rights Dispute Case</i>	<i>30</i>	<i>14 May 2009</i>
3	<i>Personal Grievance Case</i>	<i>30</i>	<i>05 June 2009</i>
	<b>TOTAL</b>	<b>100</b>	

## Essay Assignment

*Value:* 40% of the final grade

*Length:* Around 4,000 words (give or take 10%)

*Topic:* Shortly after New Zealand's general election late last year, the Government introduced the *Employment Relations Amendment Bill* to Parliament under urgency. 'Urgency' meant the bill bypassed the parliamentary select committee process, during which the public could have made submissions and changes could have been made to the bill.

This legislation amends the *Employment Relations Act 2000* to implement Government policy on trial employment periods for new employees of businesses with fewer than twenty employees. Specifically, under this legislation, which was enacted by Parliament on December 12th and came into effect on into effect on March 1st of this year, workers in small businesses in New Zealand can be dismissed without written notice within 90 days of starting their jobs.

Minister of Labour Kate Wilkinson said the Government was open to extending coverage of the legislation to all employers, irrespective of size. A nine-page explanatory note attached to the bill stipulated: "Extending the (90-day trial period) initiative to all employers would have a positive effect on labour market efficiency. Consideration could be given to evaluating the outcomes of this legislative change with a view to extending it to cover all employers in future."

What do you think? Should (all, some, or no) employers (in New Zealand or elsewhere) have the right to hire new workers on a probationary basis without the threat of having to defend against an unjust dismissal claim should they decide to discontinue that employment relationship prior to at the end of that trial period? Why or why not? What are the tradeoffs of such a policy? Discuss and support your arguments with evidence derived from your researching of this topic.

**Rights Dispute and Personal Grievance Case Assignments** will be distributed in class.

## Submitting Assignments

Completed MMBA 562 assignments are to be submitted no later than 4.30pm (NZ time) on the due date **to the course coordinator** in hard copy **and electronically via email** ([stephen.blumenfeld@vuw.ac.nz](mailto:stephen.blumenfeld@vuw.ac.nz)). Submitted assignments will be automatically checked for academic integrity by the electronic search engine [www.turnitin.com](http://www.turnitin.com). Turnitin is an online plagiarism prevention tool, which identifies material that may have been copied from other sources including the internet, books, journals, periodicals or other students. Turnitin is used to assist your lecturer in detecting misreferencing, misquotation, and the inclusion of unattributed material, which may be forms of cheating or plagiarism. The decision about whether any copying is plagiarism will be made in the first instance by the lecturer based on the information supplied by Turnitin. You are strongly advised to check with your lecturer 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, access to the full text of submissions will not be made available to any third party.

**All completed essay assignments must have a cover sheet.** The cover sheet is in Annex A of this course outline. Students must also keep an electronic copy of their work archived in case the original assignment goes missing. Failure to do so will jeopardise any claim by you that your work was submitted in the rare cases where your work goes astray.

### **Mandatory Course Requirements**

To meet Mandatory Course Requirements, students are required to:

- a. attend the collective bargaining workshop
- b. submit a draft essay assignment, and
- c. submit the three graded assignments.

Students who fail to satisfy the mandatory requirements for this course but who obtain 50% or more overall, will be awarded a "K" grade.

Standard fail grades (D or E) will be awarded when the student's overall course mark falls below the minimum pass mark, whether or not the mandatory course requirements have been satisfied.

Notice of Failure to meet Mandatory Course Requirements will be posted on Blackboard or on the Mezzanine Floor Notice-board.

### **Penalties for Lateness & Excessive Length of Assignments**

- (i) In fairness to other students, work submitted after any deadline will incur a penalty for lateness. **The penalty is 2 of the marks available** for an assignment submitted after the due time on the due date **for each part day or day late. Saturdays, Sundays and public holidays** will be included when counting the number of days late. Assignments received **more than 7 days after the due date** will not be accepted and the student will **automatically fail the Mandatory Requirements**.
- (ii) Course Outlines provide a signal to student of forthcoming workload, dates of submission etc, and thus student study plans should take account of course requirements across all courses. Consequently, workload issues related to other courses and employment will not be accepted as reason for dispensation from mandatory requirements or waiver of penalties. **Extensions** to submission deadlines for any assigned work will only be granted in **exceptional circumstances**.
- (iii) Students who are unable to comply with any of the mandatory requirements should make a written application for an extension to the due date for submission of assigned work or for waiver of a penalty, **in advance**, to the Course Coordinator, providing documentary evidence of the reasons of their circumstances.

All such applications must be made **before** the deadline and be accompanied by documentary evidence, eg a medical certificate, or counsellor's report that indicates the degree of impairment, and for how long the student has been impaired. Please be sure to ask at the time of consultation for the degree of impairment to be stated in any certificate you provide to support your case.

- (iv) In the event of unusual or unforeseeable circumstances (e.g. serious illness, family bereavement), that precludes an application in advance, students should make contact with the Course Coordinator as soon as possible, and make application for waiver of a penalty as soon as practicable.
- (v) Word limits should be adhered to, especially so when they provide a guide to limiting the student's coverage of a topic. For example the penalty will be proportional to the percentage over the limit - **X% of the grade for an assignment which is X% over the word limit**.

## Victoria MBA Grading Standards are as follows:

### Excellent Category

*A- (75 – 79%) to A (80 – 84%) to A+ (85% and above): The learning is demonstrated to a very high level of proficiency, i.e. it is at a standard that makes it exceptional at Master's level.*

### Very Good Category

*B+ (70 – 74%): The learning is demonstrated at a high standard. Students have reached a level that clearly exceeds "competency".*

### Good Category

*B (65 – 69%): The learning is clearly demonstrated without being exceptional in any way. Students can be thought of as fully competent.*

### Satisfactory Category

*B- (60 – 64%): The learning is demonstrated without being exceptional in any way. Students can be thought of as competent.*

### Marginal Category

*C (50 – 54%) to C+ (55 – 59%): The learning is demonstrated to a minimally acceptable level. There may be flaws but these are not serious enough to "fail" the student.*

### Unsatisfactory / Failure Category

*E (0 – 39%) to D (40 – 49%): The learning is absent or performed to a very low level, or the performance is seriously flawed.*

## Policy on Remarking

Every attempt is made to ensure that the marking is consistent and fair to students. Students may ask for their written work to be remarked. A different academic staff member will do the remarking and provide comments. The original marking sheet is removed to ensure the process is independent. If the mark differs by 10% or less the two marks are averaged. If it exceeds 10% then it is independently marked by a third marker and the average of the two closest marks is taken. Experience from previous years is that almost all remarks are within 10% and where there is a change in mark, half the assignments go up and half go down. Occasionally there is a significant shift in the mark.

Application for remarks must be made within 5 days after the marks are available. To apply for a remark, complete the request for re-examination of assessed work form (Annex B) stating which sections (criteria listed in the mark sheet) you wish re-examined. Write on why you think the mark does not, in your view, fairly reflect the quality of your work. Hand this with your assignment at Reception Level 10. Allow for up to 5 days for remarks to be completed.

## Referencing

There are many different styles of referencing and the Faculty of Commerce & Administration at VUW has decided to make APA (American Psychological Association) referencing style the common standard across the Faculty. The Commerce and Central Libraries hold the APA Style Guide. You can also access the information from the online VUW library site (<http://www.vuw.ac.nz/library/research/reference/referencingguides.aspx>).

## Communication

Information on course-related matters will be announced at class and posted on the **Blackboard** website at <http://blackboard.vuw.ac.nz/>. It will be crucial for you to regularly check Blackboard for messages, announcements and materials.

## Email Contact

Students wishing to contact staff by email should adhere to the following instructions:

Include the **Course Code**, your **Name**, your **Student ID** and the **Topic** in the subject area of the email,

e.g., MBA562\_Smith\_Pauline\_3000223344\_Ass1 Query

All students must use their VUW SCS email account and ID. Otherwise, email will be classified as Spam and will be dumped without being read. All emails with attachments will be dumped, unless requested by staff.

## **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 - it includes the ground floor reception desk (EA005) and offices 125a to 131 (Level 1). The office is available for the following:

- 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.

## **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.vuw.ac.nz/policy](http://www.vuw.ac.nz/policy).

For information on the following topics, go to the Faculty's website [www.vuw.ac.nz/fca](http://www.vuw.ac.nz/fca) under Important Information for Students:

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

## **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](mailto:manaaki-pihipihinga-programme@vuw.ac.nz) or phone (04) 463 5233 ext. 8977. To contact the Pacific Support Coordinator, email [pacific-support-coord@vuw.ac.nz](mailto:pacific-support-coord@vuw.ac.nz) or phone (04) 463 5842.

ANNEX A



**Victoria Management School**

**MMBA 562 Individual Assignment Cover Sheet**

Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

Course Coordinator's Name: \_\_\_\_\_

Date Due: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

*I have read and understood the university policy on Academic Integrity and Plagiarism.  
I declare this assignment is free from plagiarism.*

Signed: \_\_\_\_\_

Extension of the due date (*if applicable*)

**Please attach a copy of the note authorising your extension.**

Date extension applied for: \_\_\_\_\_

Extension granted until: \_\_\_\_\_

Extension granted by: \_\_\_\_\_



ANNEX B



Victoria Management School

MMBA 562

Request for re-examination of assessed work

	Assessment affected <i>e.g. Individual Assignment, In-class Test</i>
Student ID	Name <i>As it appears in your enrolment</i>
Contact Details	Phone _____ Email _____

*Specify which section (criteria specified in the mark sheet) you wish to be re-examined*

*Note: requests to re-examine "all" criteria will not be considered.*

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**Clearly state why you believe each of these sections should be re-examined:**

Note: "I think it is worth more," is insufficient.

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In requesting a re-examination of my submitted work, I understand that the result may be an increase OR decrease in the mark obtained.

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Signature

.....  
Date