

Victoria Management School

HRIR 302: Managing Employment Agreements

Trimester One 2012

COURSE OUTLINE

COURSE COORDINATOR/LECTURER

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COURSE TUTOR

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ADMINISTRATOR

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TUTORIAL COORDINATOR

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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., *HRIR 302_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.

CLASS REPRESENTATIVE

A class representative will be elected in the first class, and that person's name and contact details will be available to VUWSA, the Course Coordinator and the class. The class representative provides a communication channel to liaise with the Course Coordinator on behalf of students.

CLASS TIMES AND ROOM NUMBERS

Lectures:	Begin Monday, March 6 th
	Tuesdays 11:30 – 13:20 (GB LT 4)
Tutorials:	Begin the week of April 23 rd
Group A	Mondays 16:40-17:30 (RWW 127)
Group B	Mondays 17:40-18:30 (RWW 127)
Group C	Tuesdays 16:40-17:30 (RWW 126)
Group D	Tuesdays 17:40-18:30 (RWW 126)

This course also has an 8-hour bargaining workshop, attendance at which is a course requirement. Workshops are scheduled to take place from 9am to 5pm on Saturday, April 28th and Saturday, May 5th. **Students must attend only one of these workshops.**

See **TUTORIAL & WORKSHOP SIGNUP** below.

This course also has a 2-hour final examination, to be scheduled during the exam period, which runs from June 15th through July 4th.

COURSE DELIVERY

This course consists of twelve two-hour weekly lectures, 4 tutorial sessions, and participation in an 8-hour workshop.

COURSE CONTENT

This course provides advanced study of the regulation (or governance) of employment relations in New Zealand. It is intended for students seeking a career in human resource management or industrial relations or proceeding to honours level. Material covered in this course pertains to the negotiation and administration of employment agreements, the institutions and processes set up in New Zealand for resolving employment relations problems, the role of trade unions in those processes, and critical analysis of issues of contemporary relevance to employment and employment relations 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:

- demonstrate an applicable understanding of the major theoretical frameworks and concepts relevant to the study of employment relations; (*assessed by essay, case analysis, group activity; debate & examination*)
- apply such frameworks to describe and critically evaluate employment relations practices in the New Zealand context; (*assessed by essay, case analysis, & examination*)and
- present a reasoned assessment and analysis of changes in the management of employment relationships (*assessed by essay, case analysis & examination*).

EXPECTED WORKLOAD

One point should equate to 10 hours of work, which means a total of 150 hours for a 15-point course, which will typically be spread over a 15 week period (the 12 teaching weeks, mid-trimester break, study week and the examination period). Note, however, that time spent on work outside class has to be an estimate for an average student. Therefore, students can expect the workload to be approximately 10 hours per week, including both scheduled contact time (i.e., lectures and tutorials) and outside class. Students will note that required readings amount to an average of approximately fifty (50) printed pages per week.

GROUP WORK

The time commitment required of each student in group work beyond the scheduled class time is roughly 8 hours. Students are assessed on a bargaining team report following conclusion of the collective bargaining workshop the student attends. Students are expected to participate on their bargaining team in the moot bargaining exercise and writing of the bargaining team report submitted for assessment at the end of the workshop. All members of the bargaining team will be assessed the same grade, which is worth 10% of the overall grade in this course. The assessment criteria for this report will be based on a valuation and costing of the outcomes negotiated by each team in the collective bargaining workshop, not on the individual contributions from students.

In addition, while the course has a tradition of study group collaboration, there are important elements in the assessment process that are strictly individual. Students are encouraged to work in groups on in-term cases and individual items of assessment; however, individually assessed items must be individual submissions. Collaboration on individual assignments is not allowed beyond general discussion as to how one might interpret the nature of the assignment question.

TUTORIAL & WORKSHOP SIGNUP

HRIR 302 tutorials start the week following the Mid-trimester Break. Tutorial sign up will be done via S-CUBED Tutorial & Workshop Signup System at <https://signups.victoria.ac.nz/>. Students will be sent an email advising them when and how to sign up. Note that this system is only signing up for tutorials and workshops and not for enrolling into courses. Placement into a tutorial will be strictly on a first-come-first-served basis and will close on March 15th @ 23.59hrs. If you have not been able to sign yourself into a tutorial by this time then please contact the Tutorial Coordinator by email ASAP. Confirmation of your tutorial group will be posted on Blackboard by 16th March @ 23.59hrs.

READINGS

Students are expected to have and use their own copy of Erling Rasmussen (Editor), *Employment Relationships: Workers, Unions and Employers in New Zealand* (Auckland: Auckland University Press, 2010) and the *Employment Relations Act 2000*. Both are available at the Victoria University Book Centre on the Ground Level of Rutherford House. The *Employment Relations Act (ERA) 2000*, along with other relevant New Zealand legislation, is also available on the Internet at <http://legislation.knowledge-basket.co.nz/gpacts/actlists.html>.

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.

ASSESSMENT REQUIREMENTS

Assessment for this course consists of three items—an essay and a personal grievance/rights dispute case, each worth 25% of the total assessment, a group bargaining report, and a two-hour final examination, which is worth 40% of the total assessment and will take place during the examination period following the end of the trimester. Although no marks are allocated for this, **regular attendance in lectures and tutorials and, in particular, during the collective bargaining workshop is expected of all students.**

Assignment	Title	% of Marks Available	Due Date
1	Essay	25	05 April 2012
2	PG/Rights Dispute Case	25	08 June 2012
3	Team Bargaining Report	10	End of Saturday workshop attended
4	Examination	40	TBA
	TOTAL	100	

MANDATORY COURSE REQUIREMENTS

To meet Mandatory Course Requirements, students are required to:

- attend at least 3 out of the 4 tutorials (or submit alternative coursework, to be prearranged with the instructor, in lieu of attendance);
- submit a hardcopy of the two graded individual assignments (i.e., the essay and the case decision) no later than 7 days after the due date;
- submit an electronic copy of the one essay assignment through Blackboard no later than 7 days after the due date;
- attend one of the two Saturday collective bargaining workshops;
- submit, along with other members of the team, a hardcopy of the team bargaining report at the end of the bargaining workshop attended; and
- obtain at least 40 percent (i.e. 16 marks out of 40) of the marks available on the examination.

SUBMITTING ASSIGNMENTS FOR ASSESSMENT

Completed HRIR 302 assignments (i.e., both essay and case assignments) are to be submitted no later than 12.30pm (NZ time) on the due date **to the HRIR 302 Box (#14)** on the Mezzanine Floor of Rutherford House **in hard copy**. Essay assignments (i.e., not case assignments) must also be submitted **electronically through Blackboard** within 48 hours of the due date and time.

Submitted essay assignments will be automatically checked for academic integrity by the electronic search engine www.turnitin.com. Turnitin is an on-line plagiarism prevention tool which compares submitted work with a very large database of existing material. In addition, at the discretion of the Head of School, handwritten work may be copy-typed by the School and subject to checking by Turnitin. 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

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. Students are strongly advised to check with their lecturer if 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 hard-copy (i.e., not electronic or 'soft' copy) submissions of assignment 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.

Note: Your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning objectives as required for accreditation and audit purposes. The findings may be used to inform changes aimed at improving the quality of FCA programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

GRADING GUIDELINES

The following broad indicative characterisations of grade will apply in grading assignments and the exam:

- A+ excellent performance in all respects at this level
- A excellent performance in almost all respects at this level
- A- excellent performance in many respects at this level
- B+ very good, some aspects excellent
- B, B- good but not excellent performance at this level
- C+, C work satisfactory overall but inadequate in some respects
- D poor performance overall, some aspects adequate
- E well below the required standard
- K failure to achieve mandatory course requirements and have achieved at least an average "C" over all the assessment. Note this is a failing grade.

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.

Teaching Period: Monday 5 March – Friday 8 June 2012
Study Period: Monday 11 June – Thursday 14 June 2012
Examination Period: Friday 15 June – Wednesday 4 July 2012 (inclusive)

HRIR 302 LECTURE SCHEDULE—1ST TRIMESTER 2012

Date	Lecture Topics & Additional Materials	Assigned Reading
05 March 2012	What is Employment Relations?	(<i>Rasmussen</i> —Chapters 1 & 2)
12 March 2012	Regulation (and Deregulation) of New Zealand's Labour Market	<i>Rasmussen</i> —Chapter 3; pp. 232-248
19 March 2012	Employment as a Contractual Relationship	<i>Rasmussen</i> —pp. 75-91; pp. 102-106; pp. 358-371
26 March 2012	Individualisation, Labour Market Flexibility and Productivity	<i>Rasmussen</i> —pp. 123-128; pp. 314-323; pp. 438-456
02 April 2012	Freedom of Association and Trade Unions	<i>Rasmussen</i> —pp. 91-101; pp. 107-115; pp. 136-139; pp. 337-353; pp. 431-438
Completed Essay Assignment Due Thursday 05 April 2012, no later than 12:30pm		
06 April – 22 April 2012—Mid-trimester Break		
23 April 2012	Collective Bargaining and Bargaining Outcomes	<i>Rasmussen</i> —pp.128-136; pp. 139-154; pp. 376-412
Saturday 28 April (9am to 5pm)—Collective Bargaining Workshop I* Team Collective Bargaining Report Due at the End of the Workshop		
30 April 2012	Strikes and Lockouts	<i>Rasmussen</i> —pp. 116-117; pp. 412-422
Saturday 05 May 2012 (9am to 5pm)—Collective Bargaining Workshop II* Team Collective Bargaining Report Due at the End of the Workshop		
07 May 2012	Employment Institutions and Workplace Disputes	<i>Rasmussen</i> — pp. 96-101; pp. 117-122; pp. 154-167
14 May 2012	Human Rights, Equity and Privacy in Employment	<i>Rasmussen</i> —Chapter 8
21 May 2012	Occupational Health and Safety & Training and Development	<i>Rasmussen</i> —Chapter 7; pp. 248-263
28 May 2012	Discipline and Dismissal & Redundancy and Restructuring	<i>Rasmussen</i> —pp. 371-376
Personal Grievance / Rights Dispute Case Due Friday 08 June 2012, no later than 12:30pm		
*Participation by each student in <u>one</u> of the two collective bargaining workshops and submission by each team of a bargaining report at the completion of that workshop are course requirements.		

ESSAY ASSIGNMENT

Value: 25% of the final grade

Length: 2,500-3,000 words

Topic: Shortly after New Zealand's general election in November 2008, the newly-elected Government amended the *Employment Relations Act 2000* to implement the National Party's policy on trial employment periods for new employees of businesses with fewer than 20 employees. Under this legislation, which came into effect on March 1st 2009, employees of small and medium sized employers in New Zealand can, within 90 days of starting their jobs, be dismissed without written notice and without the employer having to provide any reason for the dismissal.

Following enactment of this amendment, Minister of Labour Kate Wilkinson said the Government was open to extending coverage of the legislation to all employers, irrespective of size. To that end, a 9-page explanatory note attached to the bill as tabled in Parliament late in 2008 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."

A number of changes to the *Employment Relations Act 2000* were passed by Parliament late in 2010. The *Employment Relations Amendment Act 2010* introduced a wide range of legislative amendments, including extending trial periods to all employers. That change, which effectively repeals Section 67A(4) of the *ERA 2000*, went into effect on 01 April 2011.

It's important to note in this regard that the aim of the 'grievance-free' period is to allow employers to take a chance on employing someone who will help grow their business and afford new job opportunities to people looking for work. Given that the majority of workers in New Zealand ultimately find work with larger employers, it seems this objective of the legislation could be better met by extending the coverage of this act to all (potential) employers. This, though, must be weighed against the potential negative consequences of what is effectively a form of 'employment-at-will', whereby an employee can be dismissed for a good reason, a bad reason, or no reason at all.

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 (e.g., in terms of employment rights and management flexibility) of such a policy? Discuss and support your arguments with evidence derived from your researching of this topic.

PG/RIGHTS DISPUTE CASE ASSIGNMENT

To be posted on Blackboard for HRIR 302 following the mid-trimester break.

BARGAINING REPORT

To be assigned in tutorials prior to the Saturday collective bargaining workshops.

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 website at <http://library.victoria.ac.nz/library/resources/guides/referencing.html>.

PENALTIES FOR LATENESS & EXCESSIVE LENGTH OF ASSIGNMENTS

In fairness to other students, work submitted after any deadline will incur a penalty for lateness. **The penalty is 5 percent 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**.

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**.

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 Tutorial 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.

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 Tutorial Coordinator as soon as possible, and make application for waiver of a penalty as soon as practicable.

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**.

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.

WITHDRAWAL FROM COURSES

1. Your fees will be refunded if you withdraw from this course on or before Friday 16 March 2012.
2. The standard last date for withdrawal from this course is Friday 18 May 2012. After this date, students forced to withdraw by circumstances beyond their control must apply for permission on an '*Application for Associate Dean's Permission to Withdraw Late*' including supporting documentation, available from either of the Faculty's Student Customer Service Desks.

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 <http://www.victoria.ac.nz/home/about/policy>.

Find key dates, explanations of grades and other useful information at www.victoria.ac.nz/home/study.

Find out about academic progress and restricted enrolment at <http://www.victoria.ac.nz/home/study/academic-progress.aspx>.

The University's statutes and policies are available at www.victoria.ac.nz/home/about/policy, except qualification statutes, which are available via the Calendar webpage at <http://www.victoria.ac.nz/home/study/calendar.aspx> (See Section C).

Further information about the University's academic processes can be found on the website of the Assistant Vice-Chancellor (Academic) at www.victoria.ac.nz/home/about_victoria/avcacademic/default.aspx.

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: It is however, perfectly acceptable to include the work of others as long as that 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 penalized 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: <http://www.victoria.ac.nz/home/study/plagiarism.aspx>.

MANAAKI PIHIPIHINGA PROGRAMME

Manaaki Pihipihinga is an academic mentoring programme for undergraduate Māori and Pacific students in the Faculties of Commerce & Administration, and Humanities & 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 Manaaki Pihipihinga Programme, go to http://www.victoria.ac.nz/st_services/mentoring/

FACULTY OF COMMERCE AND ADMINISTRATION (FCA) OFFICES

Student enquiries should initially be directed to the counter located on the Ground Floor of Rutherford House at the Pipitea Campus. An office for the Faculties of Commerce and Administration, Education, and Law, dealing with administration for students taking courses taught at the Kelburn campus, is located on the Ground Floor of the Easterfield Building on Kelburn Parade. Opening hours are listed at <http://www.victoria.ac.nz/fca/studenthelp/counter.aspx>.

For information on the following topics, go to the FCA Student and Academic Services website at <http://www.victoria.ac.nz/fca/studenthelp/>:

- Course Advice
- Academic Transcripts
- Change of Course
- Examination Rules
- Degree Audits
- Transfer of Credits
- Certificate of Proficiency Enrolment (COP)
- Thesis Enrolment and Examination
- PhD Registration
- Conferment of Qualifications
- General Enquiries

ANNEX A



Victoria Management School

HRIR 302 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

HRIR 302

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	<i>Phone</i> _____ <i>Email</i> _____

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.

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

Note: “I think it is worth more,” is insufficient.

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

.....
Signature

.....
Date