

School of Accounting and Commercial Law

## COML 302 THE LAW OF WORK

Trimester Two 2012

### COURSE OUTLINE

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Names and Contact Details		Office	Telephone
<i>Course Coordinator &amp; Lecturer</i>	Amanda Reilly <a href="mailto:amanda.reilly@vuw.ac.nz">amanda.reilly@vuw.ac.nz</a> Office Hours: TBA	RH 723	463 6958
<i>Course Administrator</i>	Lucy May <a href="mailto:lucy.may@vuw.ac.nz">lucy.may@vuw.ac.nz</a> Office hours: Monday-Friday, 8.30am-5pm (Note: Office closed 10.30am-10.45am and 3.30pm-3.45pm)	RH 708	463 5775

#### Trimester Dates

Teaching Period: Monday 16 July – Friday 19 October

Study Period: Monday 22 October – Thursday 25 October (Monday 22 October is a public holiday, Labour Day)

Examination Period: Friday 26 October – Saturday 17 November (inclusive)

#### Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 27 July 2012.
2. The standard last date for withdrawal from this course is Friday 28 September 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.

The application form is available from either of the Faculty's Student Customer Service Desks.

#### Class Times and Room Numbers

##### Lectures

**Monday:** 9.30 – 11.20am

**Venue:** LT3, Government Buildings, Pipitea Campus

## Tutorials

There will be two tutorials in Week 3 and Week 6 respectively. Attendance is optional but highly recommended as the tutorials are aimed at preparing you for the test and the assignment respectively.

## Tutorial Sign-up

Tutorial sign-up should be done during the second week of trimester. The instructions for signing up are attached as page 7 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 Blackboard.

## Course Content

<b>Course Content 2012 (NB. Provisional only. There may be some variance)</b>	<b>Date</b>	<b>Background Readings in CMB</b>	<b>Topic</b>
<b>Week 1</b>	Monday 16 July	P 1-62	The Legal framework of the Law of Work
<b>Week 2</b>	Monday 23 July	P63- 95	The Contract of Employment Who is an Employee?
<b>Week 3 Tutorial 1</b>	Monday 30 July		Who is an Employee?
<b>Week 4</b> Test Wednesday 8 August 5.40-6.30	Monday 6 August	P63-111	Implied Terms
<b>Week 5</b>	Monday 13 August	P112-142	Implied Terms
<b>Week 6 Tutorial 2</b>	Monday 20 August		Implied Terms
	BREAK		
<b>Week 7</b> Assignment due 2 pm Monday 10 September	Monday 10 September		Personal Grievances
<b>Week 8</b>	Monday 17 September	P143-281	Personal Grievances
<b>Week 9</b>	Monday 24 September		Personal Grievances

<b>Week 10</b>	Monday 1 October		Personal Grievances
<b>Week 11</b>	Monday 8 October	P282-318	Collective Approaches
<b>Week 12</b>	Monday 15 October		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.

### **Course Delivery**

Lectures are an important delivery mechanism for material in this course but it is expected that students will complement these with careful reading of the required readings. Exercises and questions for reflection and discussion presented during lectures are designed to assist the learning process and students are expected to fully engage with these. Powerpoint slides utilised during lectures will be posted on Blackboard however they are likely to be brief and are not a substitute for attendance at lectures.

Tutorials are not compulsory but they are recommended as they are specifically focused on assisting student in preparation for assessment. Students who do attend tutorials are expected to participate fully in them.

### **Expected Workload**

For 300-level 15 points trimester courses an average student should expect to spend 10 hours per week. This includes attendance at lectures and tutorials as well as preparation, reading and writing.

### **Materials and Equipment**

**Required:** COML 302 *Course Materials* (2012) 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 7<sup>th</sup> floor of Rutherford House.

The Law Library, located in the Old Government Building, contains additional resources that may be used for completing the Assignment. 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 Test and Exam are both open book and you may bring whatever materials you like into the exam room. Be aware that the lecturer does 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 Exam.

### **Assessment Requirements**

Test 20% (open book) Wednesday 8 August 5.40-6.30  
(50 minutes)

Assignment 30% to be handed in on 2 pm Monday 10 September (word limit 1000 words)

Exam 50% (open book) Date TBA (2 hours)

The Test will be a problem question which will require students to state, and to apply legal principles (Learning Objective 2 and 3). Note the Test is open book. You are advised to arrive early so that you are seated and ready to begin the test on time.

The Assignment will require students to critically evaluate the law taking into account the underlying context of the law. (Learning Objective 1, 4, 5)

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. (Learning Objectives 1, 2, 3, 4, 5)

*Note: assignments are to be placed in boxes labelled "COML 302 on the Mezzanine floor of Rutherford House.*

*Grades are awarded as follows:*

A+ 85% and over

A 80-84%

A- 75-79%

B+ 70-74%

B 65-69%

B- 60-64%

C+ 55-59%

C 50-54%

D 40-49% }Fail

E Below 40% }

### Quality Assurance 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 FCom programmes.

All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

### **Penalties**

If the assignment is submitted late, without prior permission from the Course Coordinator, 5% of the mark will be deducted for each additional day. Extensions will only be allowed in exceptional circumstances such as illness or bereavement. Please note: it will be necessary to provide supporting documentation such as a medical certificate in support of any application for an extension.

The assignment word limit must be adhered to and, if it is exceeded, any excess words will not be marked.

### **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.

The final examination for this course will be scheduled at some time during the period from **Friday 26 October – Saturday 17 November (inclusive)**.

### **Mandatory Course Requirements**

To pass the course it will be necessary to sit both the test and the exam, to complete the assignment, and to obtain an overall course mark of 50 or better.

### **Class Representative**

A class representative will be elected in the first class, and that person's name and contact details made 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.

### **Communication of Additional Information**

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

### **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 compares submitted work with a very large database of existing material. 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.

**For the following important information follow the links provided:**

**Academic Integrity and Plagiarism**

<http://www.victoria.ac.nz/home/study/plagiarism.aspx>

**General University Policies and Statutes**

Find key dates, explanations of grades and other useful information

at [www.victoria.ac.nz/home/study](http://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](http://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](http://www.victoria.ac.nz/home/about_victoria/avcacademic/default.aspx)

**AVC (Academic) Website: information including: Conduct, Academic Grievances, Students with Impairments, Student Support**

[http://www.victoria.ac.nz/home/about\\_victoria/avcacademic/Publications.aspx](http://www.victoria.ac.nz/home/about_victoria/avcacademic/Publications.aspx)

**Faculty of Commerce Office**

<http://www.victoria.ac.nz/vbs/studenthelp>

**Te Putahi Atawhai**

**Maori and Pacific Mentoring Programme**

<http://www.victoria.ac.nz/tpa/>

## Detailed Tutorial Signup Instructions

1. Go to the signup website at: <https://signups.victoria.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.