

School of Management

MMBA562 Managing Employment Relations

Trimester 1, 2014

COURSE OUTLINE

Names and Contact Details

COURSE COORDINATOR/LECTURER

Dr Stephen Blumenfeld

Room: RH1010, Rutherford House

Phone: 463 5706

Email: stephen.blumenfeld@vuw.ac.nz

Website: www.vuw.ac.nz/vms

PROGRAMME ADMINISTRATOR

Amanda Cunningham

Room: RH 1004, Rutherford House

Phone: 463 5367

Email: amanda.cunningham@vuw.ac.nz

Trimester Dates

TEACHING PERIOD: Monday 3rd March – Friday 6th June

STUDY PERIOD: Monday 9th June – Thursday 12th June

EXAMINATION PERIOD: Friday 13th June – Wednesday 2nd July (inclusive)

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 14th March 2014.
2. The standard last date for withdrawal from this course is Friday 16th May. 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 Number

Lectures: Mondays: 17:40–19:30 (RH G01)

Final Exam: During final exam week: 13 June – 02 July 2014

Course Delivery

This course consists of 11 two-hour and twenty-minute weekly class sessions, comprised of a combination of teacher-led lectures, student analysis of case studies or examples, and class discussion.

Group Work

There is no group work required in this course.

Expected Workload

Students can expect the workload to be approximately 10 hours per week, including both scheduled contact time (i.e., lectures). Students will note that required readings amount to an average of approximately 30-40 pages per week.

Course Learning 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, social, political and ethical contexts.

COURSE-RELATED STUDENT LEARNING OBJECTIVES

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

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

Course Content

The term 'employment relations' refers to a multidisciplinary field of study that considers all aspects of the relationship between employers and employees in the public and private sectors. This course provides advanced study of the regulation (or governance) of employment relations in New Zealand. It is intended primarily for post-experience students currently pursuing or seeking a career in human resource management and/or industrial relations. 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.

Readings - Required

Richard Rudman, *Employment Law Guide, 2014* Auckland: CCH New Zealand, 2014 (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—1st Trimester 2014

Date	Lecture Topics & Additional Materials	Required Reading
03 March 2014	What is Employment Relations?	
10 March 2014	Labour Market Regulation, Deregulation & Re-regulation	<i>Rudman</i> —Chapter 1
17 March 2014	Employment as a Contractual Relationship	<i>Rudman</i> —Chapters 2 & 3
Essay Draft Due Monday 24 March 2014, at the start of lecture		
24 March 2014	Individualisation, Labour Market Flexibility & Productivity	<i>Rudman</i> —Chapter 5
31 March 2014	The Institutional Framework	<i>Rudman</i> —Chapter 4
07 April 2014	Unions, Collective Bargaining, Strikes & Lockouts	<i>Rudman</i> —Chapter 6
Individual Essay Due Monday 14 April 2014, at the start of lecture		
14 April 2014	Terms & Conditions of Employment	<i>Rudman</i> —Chapters 7 & 8
18 April – 04 May 2014—Mid-trimester Break		
05 May 2014	Personal Grievances & Rights Disputes	<i>Rudman</i> —Chapter 10
12 May 2014	Discrimination, Equity and Privacy in Employment	<i>Rudman</i> —Chapters 12 & 13
19 May 2014	Occupational Health & Safety and Training & Development	<i>Rudman</i> —Chapters 11 & 14
26 May 2014	Ending the Employment Relationship	<i>Rudman</i> —Chapter 9
No classes on Monday, June 2nd—Queen’s Birthday Holiday		
Personal Grievance / Rights Dispute Case Due Friday 06 June 2014, no later than 5:00pm		
Final Examination —13 June – 02 July 2014		

Assessment Requirements

Assessment for this course consists of four items of assessment—an individual essay (see below) and a personal grievance/rights dispute case (to be distributed in class) each worth 25% of the total assessment, an exam worth 40% of the overall mark in the course, and a class participation mark worth 10 percent of the total assessment.

Assignment	Title	% of Marks Available	Due Date
1	<i>Essay Draft</i>	<i>None</i>	<i>24 March 2014</i>
2	<i>Individual Essay</i>	<i>25</i>	<i>14 April 2014</i>
3	<i>Individual PG/Rights Case</i>	<i>25</i>	<i>26 May 2014</i>
4	<i>Class Participation</i>	<i>10</i>	<i>Throughout the term</i>

5	Examination	40	During final exam week	
	TOTAL	100		100

Regular attendance in lectures is required of all students.

From Trimester 1, 2014, a revised Assessment Handbook will apply to all VUW courses: see <http://www.victoria.ac.nz/documents/policy/staff-policy/assessment-handbook.pdf>.

In particular, there will be a new grade scheme, in which the A+ range will be 90-100% and 50-54% will be a C-.

<i>Pass/Fail</i>	<i>Grade</i>	<i>Normal Range</i>	<i>Indicative Characterisation</i>
Pass	A+	90%-100%	Outstanding performance
	A	85%-89%	Excellent performance
	A-	80%-84%	Excellent performance in most respects
	B+	75%-79%	Very good performance
	B	70%-74%	Good performance
	B-	65%-69%	Good performance overall, but some weaknesses
	C+	60%-64%	Satisfactory to good performance
	C	55%-59%	Satisfactory performance
Fail	C-	50%-54%	Adequate evidence of learning
	D	40%-49%	Poor performance overall, some evidence of learning
	E	0-39%	Well below the standard required

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 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**.
- (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.**

POLICY ON REMARKING

- (i) 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.
- (ii) 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 A) 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.

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 submitted to Turnitin. A copy of submitted materials will be retained 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.

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 following period: Friday 13th June – Wednesday 2nd July (inclusive).

Mandatory Course Requirements

To meet Mandatory Course Requirements, students are required to:

- a. submit a draft essay assignment no later than 7 days after its due date;
- b. submit an electronic copy of the two graded individual assignments (i.e., the essay and the case decision) no later than 7 days after the due date;
- c. submit the required 2-hour examination during or at the end of the scheduled time during the examination period.

INDIVIDUAL ESSAY ASSIGNMENT

Value: 25% of the final grade

Length: 3,000 words maximum

Due: 14 April 2014, at the start of lecture

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.

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.” To that end, 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 repealed Section 67A(4) of the *ERA 2000*, went into effect three years ago, on 01 April 2011.

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. 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. American employers have long enjoyed the right to discharge their employees ‘at will’, for any reason. This applies to any employee not protected by express employment contracts stipulating that they may be fired only for good reason or ‘for cause’. Some have suggested such a law would benefit New Zealand as well.

What do you think? Should (all, some, or no) employers in New Zealand have the right to hire and fire (all, some, or no) workers without the threat of having to defend against an unjust dismissal claim should they decide to discontinue that employment relationship? Why or why not? What are the tradeoffs for New Zealanders (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 (i.e., not simply by regurgitating lecture notes) of this topic.

PG/RIGHTS DISPUTE CASE ASSIGNMENT

To be posted on Blackboard for MMBA 562 following the mid-trimester break.

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>).

SUBMITTING ASSIGNMENTS

Completed MMBA 562 essay assignments are to be submitted no later than specified time on the due date **to the course coordinator** in hard copy **and electronically via email** (stephen.blumenfeld@vuw.ac.nz).

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

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.

Student Feedback

Student feedback on University courses may be found at
www.cad.vuw.ac.nz/feedback/feedback_display.php

Link to general information

For general information about course-related matters, go to
<http://www.victoria.ac.nz/vbs/studenthelp/general-course-information>

Note to Students

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 academic audit. The findings may be used to inform changes aimed at improving the quality of VBS programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

ANNEX A

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



School of Management

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.

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