

## School of Accounting and Commercial Law

# COML 302 LAW OF WORK

Trimester 1, 2016

## COURSE OUTLINE

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### Prescription

The law governing the relationship between employees and employers; collective bargaining and organisations of workers in New Zealand; and selected areas of international and comparative Labour Law.

### 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 Content	Dates	Topic (provisional)
<b>Week 1</b>	2 March 4 March	Legal framework of Work Law
<b>Week 2</b>	9 March 11 March	Employment Contracts Who is an Employee?
<b>Week 3 (Tutorial 1)</b>	16 March 18 March	Who is an Employee?
<b>Week 4</b>	23 March	Test (TBC)
<b>Easter Break</b>	24-30 March (Inclusive)	
<b>Week 5</b>	1 April	Implied Terms
<b>Week 6</b>	6 April 8 April	Implied Terms
<b>Week 7 (Tutorial 2)</b>	13 April 15 April	Implied Terms
<b>Week 8 Assignment due 22 April</b>	20 April 22 April	Personal Grievances
<b>Mid-Trimester Break</b>	25-29 April (Inclusive)	

<b>Week 9 (Tutorial 3)</b>	4 May 6 May	Personal Grievances
<b>Week 10</b>	11 May 13 May	Personal Grievances
<b>Week 11 (Tutorial 4)</b>	18 May 20 May	Collective Approaches
<b>Week 12</b>	25 May 27 May	Collective Approaches
<b>Week 13 (Tutorial 5)</b>	1 June 3 June	Collective Approaches

### Trimester Dates

Teaching Period: Monday 29<sup>th</sup> February – Friday 3<sup>rd</sup> June

Study Period: Monday 6<sup>th</sup> June – Thursday 9<sup>th</sup> June

Examination Period: Friday 10<sup>th</sup> June – Wednesday 29<sup>th</sup> June (inclusive)

### Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 11<sup>th</sup> March 2016.
2. The standard last date for withdrawal from this course is Friday 13<sup>th</sup>. 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 or [online](#).

### Names and Contact Details

*Course Coordinator & Lecturer*      Amanda Reilly      RH 723      463 6958  
[amanda.reilly@vuw.ac.nz](mailto:amanda.reilly@vuw.ac.nz)  
Office Hours: TBA

*Course Administrator*      Lee Vassiliadis      RH 708      463 5383  
[lee.vassiliadis@vuw.ac.nz](mailto:lee.vassiliadis@vuw.ac.nz)  
Office hours: Monday-Friday, 8.30am-5pm  
(Note: Office closed 10.30am-10.45am and 3.30pm-3.45pm)

### Class Times and Room Numbers

Tuesday 10.30-11.20 GBLT1

Wednesday 3.40-4.30pm RHLT2

Tutorials will be held in Weeks 3, 7, 9, 11, 13

### 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 discussion questions presented during lectures are designed to assist the learning process and students are expected to fully engage with these. PowerPoint slides referred to 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.

### **Readings**

The required text for this course is Richard Rudman *New Zealand Employment Law Guide*, CCH New Zealand Ltd, Auckland, 2016. This should be purchased. Additional required reading material will also be available on Blackboard.

### **Mandatory Course Requirements**

In addition to obtaining an overall course mark of 50 or better, students must sit the test and submit the assignment unless exemption from these requirements has been obtained from the course co-ordinator which will only be granted in exceptional circumstances.

If you cannot complete an assignment or sit a test or examination, refer to [www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat](http://www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat)

### **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.

### **Assessment**

The Assessment Handbook will apply to all VUW courses: see <http://www.victoria.ac.nz/documents/policy/staff-policy/assessment-handbook.pdf>.

*Test 20% (open book) in Week Four (details to be confirmed)  
(50 minutes)*

*Assignment 30% to be handed in on 2 pm Friday 22 April (word limit 1500 words all references inclusive)*

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)

*Note: assignments are to be placed in boxes labelled "COML 302 on the first floor of the Railway station.*

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)

## **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 10<sup>th</sup> June – Wednesday 29<sup>th</sup> July (inclusive)

## **Penalties**

If the assignment is submitted late, without prior permission from the Course Coordinator, 5 marks per day will be deducted. 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.

## **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.

## **Materials and Equipment**

The Test and Exam are both open book and you may bring whatever materials you like into the exam room. Be aware that computers and electronic devices may not be used during the test or exam so it is your responsibility to print out anything you may wish to refer to in advance.

## **Student feedback**

Student feedback on University courses may be found at [www.cad.vuw.ac.nz/feedback/feedback\\_display.php](http://www.cad.vuw.ac.nz/feedback/feedback_display.php)

## **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.

## **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.

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