

School of Accounting and Commercial Law

## **COML 404 ST: CURRENT ISSUES IN LABOUR AND EMPLOYMENT LAW**

Trimester 2, 2016

### **COURSE OUTLINE**

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#### **Prescription**

An exploration of current issues in labour and employment law, including the law surrounding individual employment relationships and collective bargaining.

#### **Course Learning Objectives**

Students completing the course should be able to:

1. Explain the conceptual foundations for labour and employment laws.
2. State the legal principles governing the employment relationship both at the individual and the collective levels.
3. Research and write a seminar (in essay form) on a selected aspect of labour and employment law and present this material to other students.
4. Comment critically but constructively on the ideas and arguments put forward by others.
5. Undertake independent study incorporating critical analysis of a chosen topic and
  - a. Present a summary of findings and a conclusion to the class and defend them in class discussion.
  - b. Produce a well-constructed, well-reasoned research essay.

#### **Course Content**

The course will focus on topical current issues in labour and employment law. There will be some flexibility as to topics covered depending on student interests.

#### **Trimester Dates:**

From Monday 11<sup>th</sup> July to Tuesday 11<sup>th</sup> October (inclusive)

#### **Withdrawal from Course**

1. Your fees will be refunded if you withdraw from this course on or before Friday 22<sup>nd</sup> July 2016.
2. The standard last date for withdrawal from this course is Friday 23<sup>rd</sup> September 2016. 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 716 463 6958  
[amanda.reilly@vuw.ac.nz](mailto:amanda.reilly@vuw.ac.nz)

*Course Administrator* Rachel Qi RH 708 463 7465  
[rachel.qi@vuw.ac.nz](mailto:rachel.qi@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 09:30 - 12:20 Railway West Wing RWW128

## Course Delivery

There will be some flexibility surrounding the topics and the timing of their presentation depending on student preferences however broadly the course will be delivered as follows:

Week 1, 2, 3, 4 will be led by the lecturer and will include advice on research methods. The following topics are likely to be covered in these sessions:

- 1) The legal framework of work relationships
- 2) Transnational enforcement of labour standards
- 3) The law surrounding work and family in New Zealand

Week 5 and 6 selected topical issues will be outlined and reviewed through a series of half hour student-led seminars. For each topic it will be necessary to review legislation, case authorities (where relevant) and relevant literature. The lecturer will provide guidance on materials for each selected topic but students will also be expected to undertake independent research for their essay and presentation. This presentation will provide feedback for the first piece of formal assessment, the short essay.

Week 7, during the break and week 7 students will work on their major research essays and will be able to consult with the lecturer by appointment or during scheduled lecture hours.

Weeks 8, 9 and 10 classes will be led by students who will present on the topic of their research essay and obtain feedback from the class and lecturer.

Week 11 will consist of a revision session.

Week 12 there will be an in-class test.

## Readings

The Lexis Nexus employment guide (edited by Gordon Anderson and others) provides good text book coverage of the subject area as does the CCH New Zealand Employment Law Guide (author Richard Rudman). Copies of both of these have been placed on course reserve for COML404 students. Other assigned readings will be available on Blackboard.

The following websites contain useful information:

The International Labour Organisation <http://www.ilo.org/global/lang--en/index.htm>

The Ministry of Business, Innovation and Employment <http://www.mbie.govt.nz/info-services/employment-skills>

Further readings will be given out in class but students are also expected to search for suitable articles and cases. The Law Library, located in the Old Government Building, contains some resources students might find of use. 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.

The in-class test will be open book. All materials will be permissible apart from cell phones and computers.

### **Mandatory Course Requirements**

Students must complete all three items of assessment and participate satisfactorily in class discussion and in other students' seminars and presentations.

If you believe that exceptional circumstances may prevent you from meeting the mandatory course requirements, contact the Course Coordinator for advice as soon as possible.

If you cannot complete an assignment or sit a test, 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**

The expected workload for the course is 150 hours, spread over the 12 teaching weeks and the mid-trimester break.

### **Assessment**

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

- 2500-word research essay and questions and seminar presentation 20%
- 5000-word research essay and seminar presentation.  
(Final submission date Monday 10 October) 40%
- Participation in other students' seminars and presentations 10%
- One hour in class test Tuesday 11 October 30%

#### ***1. Short essay and seminar presentation***

Students will present and lead discussion based on a short (2,500 word) essay and related questions, to be prepared in advance. To ensure adequate coverage of current topical issues students will have to select a topic from a list to be provided by the lecturer. A draft should be distributed to other members of the class and to the lecturer on or before the Monday before the relevant class.

The short essay is to be handed in for assessment one week after the seminar presentation (this will allow time for incorporation of suggestions and comments made by the lecturer and other students at the seminar presentation).

Essays should be no longer than 2,500 words **including questions for class discussion (not including footnotes, which should be limited to referencing and citations)**. Please provide adequate page margins for comments. Each essay should be typed with 1.5 line spacing and appropriately formatted.

Students should ensure that each page of their essay is numbered and that it is carefully proofread before final submission.

The essay presentations are scheduled to take place in week 5 and week 6 of the course. Some readings will be provided by the course lecturer, but students will also be expected to undertake independent research for their essay and presentation.

## **2. Research Essay**

Each student is required to complete a 5000-word research essay. This is a major project, focusing on some area of topical interest in labour and employment law. The essay should be no longer than 5,000 words, excluding footnotes and headings. Each essay should be typed with 1.5 line spacing and appropriately formatted. Students should ensure that each page of their essay is numbered and that it is carefully proofread before final submission.

For the second presentation/essay students may choose a topic in consultation with the lecturer which could develop or explore in more depth a theme covered in the first six weeks provided it is not overly repetitive of material already covered.

Students will present a draft of their research essay to the class, along with relevant questions for discussion. This should be distributed to other members of the class and to the lecturer on or before the Monday immediately preceding the relevant class. These presentations will take in the latter part of the course, approximately weeks 8, 9 and 10 of the trimester. The due date for the final (completed) essay is at the beginning of week 12 Monday 10 October.

## **3. The Test**

The test will give students the opportunity to demonstrate knowledge of legal principles and the conceptual underpinnings of labour and employment law and will reflect the topics focused on over the course. It will be open book and one hour long.

### **Penalties**

Any extension on essay due dates must be approved by the lecturer. In the absence of such approval in fairness to other students, any assignment submitted after the deadline will be subject to a penalty of 5% of the total marks available for every day or part of a day (including Saturdays and Sundays) that the assignment is submitted late. For example, an assignment marked out of 100 due by 2pm on Monday 1 January but submitted at 1pm on Wednesday 3 January, would be marked out of 100 and then have 10 marks deducted from the marks awarded. No marks will be awarded to any assignment submitted after the assignment has been discussed in class or marked and returned to other students or after 10 days have elapsed, whichever occurs first. Also note that if essays exceed the word limit by more than 10% the excess 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.

**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**

Additional information will be communicated by email and posted on Blackboard. Please provide your preferred email address to Amanda Reilly.

**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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