

Course Outline (Higher Education)

School: Federation Business School

Course Title: EMPLOYMENT PRACTICE

Course ID: BUHRM3706

Credit Points: 15.00

Prerequisite(s): (BULAW1502)

Co-requisite(s): Nil

Exclusion(s): Nil

ASCED: 080303

Description of the Course:

Employment relationships take place within the broader context of the political, economic, legal and social environments. This course focusses on these relationships by reference to the legal and regulatory environment in which they take place. The course highlights the rights and obligations of employers, employees and independent contractors with regard to their employment/engagement in and by organisations. Hence, contemporary employment practices, including the 'gig economy' are considered by reference to the underpinning law of employment. The regulatory environment is explained by reference to the relevant Federal and State legislation alongside common law principles. While the legislative coverage is squarely on the Fair Work Act 2009 (Cth), other statutes dealing with employment are considered, inclusive of anti-discrimination legislation. In addition, State legislation remains tangentially covered in areas of workplace injury involving occupational health and safety laws. The common law that underpins employment relationships both in the context of common law duties and contracts are reviewed. In addition, the common law related to negligence and vicarious liability are explored in the context of liability arising from injury from employment. As employment remains predicated upon agreement, the common law contract is explored insofar as the outcomes it offers as a legal basis of rights. This discussion of contract law leads to other related contract discussions pertaining to unfair contractual terms, unfair employment practices and the termination of employment. Lastly, in the context of termination of employment, unfair and unlawful termination feature after a discussion of reasonable notice and summary dismissal.

Grade Scheme: Graded (HD, D, C, P, MF, F, XF)

Placement Component: No

Supplementary Assessment: Yes

Where supplementary assessment is available a student must have failed overall in the course but gained a final mark of 45 per cent or above and submitted all major assessment tasks.

Program Level:

Level of course in Program	AQF Level of Program					
	5	6	7	8	9	10
Introductory	■	■	■	■	■	■
Intermediate	■	■	■	■	■	■
Advanced	■	■	✓	■	■	■

Learning Outcomes:
Knowledge:

- K1.** Describe the substantive law relevant to employment relationships
- K2.** Identify the key features of employment contracts
- K3.** Interpret relevant substantive law to identify the rights and obligations of employers and employees
- K4.** Be able to draw linkages between legal obligations and ethics

Skills:

- S1.** Critique employment law scenarios to identify legal issues
- S2.** Describe and justify the role of the law in employment contexts
- S3.** Examine, analyse and problem solve legal issues in employment.

Application of knowledge and skills:

- A1.** Apply critical thinking to identify legal issues.
- A2.** Interpret and apply the law to resolve legal issues
- A3.** Recognise the importance of ethics in managing people as a resource

Course Content:

The regulation of employment, workplace rights and obligations liability in employment, optimising human resources

Values:

- V1.** Appreciate how the law is an instrument of broader social, economic and political influences.
- V2.** Assess how the law affects business decision making and practice
- V3.** Critique the law in the management of humans as a business resource

Graduate Attributes

The Federation University FedUni graduate attributes (GA) are entrenched in the [Higher Education Graduate Attributes Policy](#) (LT1228). FedUni graduates develop these graduate attributes through their engagement in explicit learning and teaching and assessment tasks that are embedded in all FedUni programs. Graduate attribute attainment typically follows an incremental development process mapped through program progression. **One or more graduate attributes must be evident in the specified learning outcomes and assessment for each FedUni course, and all attributes must be directly assessed in each program**

Graduate attribute and descriptor		Development and acquisition of GAs in the course	
		Learning Outcomes (KSA)	Assessment task (AT#)
GA 1 Thinkers	Our graduates are curious, reflective and critical. Able to analyse the world in a way that generates valued insights, they are change makers seeking and creating new solutions.	K1, K3	AT2, AT3
GA 2 Innovators	Our graduates have ideas and are able to realise their dreams. They think and act creatively to achieve and inspire positive change.	K2, K4	AT1, AT3
GA 3 Citizens	Our graduates engage in socially and culturally appropriate ways to advance individual, community and global well-being. They are socially and environmentally aware, acting ethically, equitably and compassionately.	K3, A3	AT2, AT3
GA 4 Communicators	Our graduates create, exchange, impart and convey information, ideas, and concepts effectively. They are respectful, inclusive and empathetic towards their audience, and express thoughts, feelings and information in ways that help others to understand.	Not applicable	Not applicable
GA 5 Leaders	Our graduates display and promote positive behaviours, and aspire to make a difference. They act with integrity, are receptive to alternatives and foster sustainable and resilient practices.	K2	AT2

Learning Task and Assessment:

Learning Outcomes Assessed	Learning Tasks	Assessment Type	Weighting
K1,S2	Case Study	Essay	10-20%
K1,K3,S1,S2,S3,A1,A2,A3	Assignment	Essay	30-40%
K4,S2,S3,A1,A2,A3	Final Test/Assessment	Final Summative Assessment	40-60%

Adopted Reference Style:

APA

Refer to the [library website](#) for more information

Fed Cite - [referencing tool](#)