

Unit Outline (Higher Education)

Institute / School: Institute of Innovation, Science & Sustainability

Unit Title: Employment Practice

Unit ID: BUMGT3107

Credit Points: 15.00

Prerequisite(s): (BEHAV2003)

Co-requisite(s): Nil

Exclusion(s): (BUHRM3706)

ASCED: 080303

Description of the Unit:

The unit focusses on employment relationships by reference to the legal and regulatory environment in which they take place. The unit highlights the rights and obligations of employers, employees, and independent contractors. Hence, contemporary employment practices, including the 'gig economy' are considered by reference to the underpinning law of employment. The regulatory environment is explained by regard to the relevant Federal and State legislation alongside common law principles. While the legislative coverage is framed on the operation of 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, notably with respect to workplace injury involving occupational health and safety laws. The common law that underpins employment relationships both in the context of common law duties and contract, is reviewed with the common law contract explored for what it offers as a legal basis of rights and obligations. In the context of termination of employment, unfair and unlawful termination features after a discussion of reasonable notice and summary dismissal. In reviewing the employment relationship in this way, the legal and regulatory environment can be understood to inform the boundaries related to contemporary employment practices.

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

Work Experience:

No work experience: Student is not undertaking work experience in industry.

Placement Component: No

Supplementary Assessment: Yes

Where supplementary assessment is available a student must have failed overall in the Unit but gained a final mark of 45 per cent or above, has completed all major assessment tasks (including all sub-components where a

task has multiple parts) as specified in the Unit Description and is not eligible for any other form of supplementary assessment

Course Level:

Level of Unit in Course	AQF Level of Course					
	5	6	7	8	9	10
Introductory	■	■	■	■	■	■
Intermediate	■	■	■	■	■	■
Advanced	■	■	✓	■	■	■

Learning Outcomes:
Knowledge:

- K1.** Describe the substantive law relevant to employment relationships
- K2.** Identify the features of employment contracts that establish rights and obligations
- K3.** Interpret relevant substantive law to identify the common law and statutory rights and obligations of employers and employees
- K4.** 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 the context of 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

Unit Content:

Topics may include:

- Introduction to employment practice
- Understanding the 'gig' worker in the 'gig' economy
- Vicarious liability and the tests for employment
- Employment contracts as a source of rights
- Statutory regulation of employment
- Discrimination law in employment
- Common law duties in employment
- Ending employment and remedies (unfair and unlawful termination)

Learning Task and Assessment:

Learning Outcomes Assessed	Assessment Tasks	Assessment Type	Weighting
K1,S2	Individual assessment focussed on a practical employment practice case scenario	Case Study	10-20%
K1,K2,K3,S1,S2,S3,A1,A2,A3	Individual written assessment task focussed on contemporary employment practice issues	Assignment	20-40%

Learning Outcomes Assessed	Assessment Tasks	Assessment Type	Weighting
K1,K2,K3,K4,S1,S2,S3,A1,A2,A3	Comprehensive review of topics/final examination	Final summative assessment	40-60%

Adopted Reference Style:

APA

Refer to the [library website](#) for more informationFed Cite - [referencing tool](#)