



UNSW Course Outline

MGMT3701 Regulating Work and Employment - 2024

Published on the 25 Aug 2024

General Course Information

Course Code : MGMT3701

Year : 2024

Term : Term 3

Teaching Period : T3

Is a multi-term course? : No

Faculty : UNSW Business School

Academic Unit : School of Management and Governance

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Undergraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

This course will explore the institutional and regulatory framework that influences the employer/employee relationship in Australia. We will examine the legal dimensions of different modes of employment, remuneration, industrial action, health and safety regulation, termination of

employment, as well as equity and discrimination law. The subject is not designed to equip students to practice labour law; nor is prior legal knowledge required or expected. It is, however, intended to help you acquire a good historical, theoretical and practical working knowledge of the Australian legal system pertaining to labour relations. Crucially, through this course, you can learn about your rights and obligations as an employer/practitioner/employee under current Australian legislation.

Course Aims

The aim of this course is to introduce students of industrial relations and human resource management to the common law and legislative regime which constitutes the regulatory framework of the employment relationship in Australia.

The subject is not designed to equip students to practice labour law, but rather aims at providing a good working knowledge of the history, theory and practice that govern labour relations. Prior knowledge of law or the legal system is neither required nor expected.

Every workplace operates in a legal framework, so this course adds to the background knowledge necessary for any specialisation in human resource management or industrial relations. Although the material focuses on the Australian legal environment, the issues raised recur in all workplace legal systems to some degree. The course introduces a number of issues which can be taken up in further study, e.g. occupational health and safety, international regulation.

Relationship to Other Courses

The aim of this course is to introduce human resource management students to the common law and legislative regime that constitutes the regulatory framework in which the employment relationship operates in Australia. The subject is principally designed to equip students to practice lawful, sustainable and ethical employment practices as HR practitioners, but anyone in, or planning to join, a workplace may gain valuable knowledge from the subject matter we discuss. Although the material focuses on the Australian legal environment, the issues raised recur in all industrial legal systems to some degree - because of this, a good working knowledge of the Australian system provides a useful comparator and may form the basis of further study. Studied with MGMT2705, MGMT3701 provides students with industrial relations expertise that they can employ throughout their working lives.

Course Learning Outcomes

| Course Learning Outcomes | Program learning outcomes |
|--|---|
| CLO1 : Analyse the dynamic legal context in which employment relationships are enacted | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving |
| CLO2 : Apply aspects of employment law to real workplace situations | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving |
| CLO3 : Develop critically informed analysis of management and union strategies | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving |
| CLO4 : Critically evaluate emerging trends in employment law | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving |
| CLO5 : Communicate ideas in an effective manner by leading informed class discussion | <ul style="list-style-type: none">• PLO3 : Business Communication |
| CLO6 : Consider the ethical, equity and sustainability implications of current and emerging labour regulation | <ul style="list-style-type: none">• PLO5 : Responsible Business Practice |
| CLO7 : Examine global supply chain regulation in the Australian context | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving• PLO5 : Responsible Business Practice• PLO6 : Global and Cultural Competence |
| CLO8 : Build capacity to lead the construction of lawful, ethical and sustainable employment strategies in an organisational setting | <ul style="list-style-type: none">• PLO5 : Responsible Business Practice• PLO7 : Leadership Development |

| Course Learning Outcomes | Assessment Item |
|--|---|
| CLO1 : Analyse the dynamic legal context in which employment relationships are enacted | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |
| CLO2 : Apply aspects of employment law to real workplace situations | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |
| CLO3 : Develop critically informed analysis of management and union strategies | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |
| CLO4 : Critically evaluate emerging trends in employment law | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |
| CLO5 : Communicate ideas in an effective manner by leading informed class discussion | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |
| CLO6 : Consider the ethical, equity and sustainability implications of current and emerging labour regulation | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |
| CLO7 : Examine global supply chain regulation in the Australian context | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |
| CLO8 : Build capacity to lead the construction of lawful, ethical and sustainable employment strategies in an organisational setting | <ul style="list-style-type: none"> • Short Answer Question • Class Participation • Critical Article Review |

Learning and Teaching Technologies

Moodle - Learning Management System | Echo 360

Learning and Teaching in this course

Learning and teaching in this course will be based upon interactive online lecture delivery, absorption of suggested reading material and both face-to-face and online discussion work. Lectures critically evaluate the core concepts and theories in the discipline. The discussion work you do in tutorials reflects a learning philosophy that puts debate over sometimes quite contentious issues at the heart of our learning.

Other Professional Outcomes

This course will better equip you to enter any workplace in any capacity with an enhanced understanding of how industrial regulation shapes our lives.

Additional Course Information

Please see the Moodle page for this course for complete information on classes, readings, assessments, news etc. Keeping in touch with the course on a regular basis will be important for successful completion.

Assessments

Assessment Structure

| Assessment Item | Weight | Relevant Dates | Program learning outcomes |
|--|--------|--|---|
| Short Answer Question Assessment Format: Individual | 50% | Start Date: 09/09/2024 08:00 AM Due Date: 01/11/2024 04:00 PM Post Date: 17/11/2023 08:00 AM | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving• PLO5 : Responsible Business Practice• PLO6 : Global and Cultural Competence• PLO7 : Leadership Development |
| Class Participation Assessment Format: Individual | 20% | Start Date: 09/09/2024 08:00 AM Due Date: Not Applicable | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving• PLO3 : Business Communication• PLO5 : Responsible Business Practice• PLO6 : Global and Cultural Competence• PLO7 : Leadership Development |
| Critical Article Review Assessment Format: Individual | 30% | Start Date: 09/09/2024 08:00 AM Due Date: Post slides to Turnitin before you present. | <ul style="list-style-type: none">• PLO1 : Business Knowledge• PLO2 : Problem Solving• PLO5 : Responsible Business Practice• PLO3 : Business Communication• PLO6 : Global and Cultural Competence• PLO7 : Leadership Development |

Assessment Details

Short Answer Question

Assessment Overview

A choice of SAQs to answer from topics across the course builds breadth of knowledge of workplace regulation.

BCom students: myBCom course points for PL05

Assesses: PL01, PL02, PL05, PL06

Course Learning Outcomes

- CLO1 : Analyse the dynamic legal context in which employment relationships are enacted
- CLO2 : Apply aspects of employment law to real workplace situations
- CLO3 : Develop critically informed analysis of management and union strategies
- CLO4 : Critically evaluate emerging trends in employment law
- CLO5 : Communicate ideas in an effective manner by leading informed class discussion
- CLO6 : Consider the ethical, equity and sustainability implications of current and emerging labour regulation
- CLO7 : Examine global supply chain regulation in the Australian context
- CLO8 : Build capacity to lead the construction of lawful, ethical and sustainable employment strategies in an organisational setting

Detailed Assessment Description

SAQs: worth 50%, due Friday 1st November at 4pm

With ten questions from which to choose, this assignment asks you to prepare answers of approximately 450 words each to your choice of five questions. The aim of this assessment is to encourage regular weekly work on a broad range of course materials in order to develop knowledgeable, well supported and reflective answers.

- Your answers should be in short-essay format, including very brief introductions and conclusions. They should respond to the set question and be clearly and consistently referenced.
- Each answer may be supported by a variety of materials, including media and internet sources, but you are expected to reference **a minimum** of 2-3 academic sources in each answer (you can use a source to answer more than one question).
- Sources that support each question must be recommended course readings (see Moodle and your course guides); students who choose obscure sources or sources from other courses typically do not do well.
- You are encouraged to draft answers to the questions you choose in the week we discuss them, because the ideas will be fresh in your mind. Building on these drafts throughout the term will give you the best chance of crafting insightful and well supported answers.
- The list of questions and further advice on how to approach this particular task can be found on Moodle.

Assessment Length

450 words x 5

Submission notes

Turnitin

Assessment information

Please see our Assessment Guide on Moodle for all additional information on this assessment task.

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Generative AI Permission Level

Simple Editing Assistance

In completing this assessment, you are permitted to use standard editing and referencing functions in the software you use to complete your assessment. These functions are described below. You must not use any functions that generate or paraphrase passages of text or other media, whether based on your own work or not.

If your Convenor has concerns that your submission contains passages of AI-generated text or media, you may be asked to account for your work. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

For more information on Generative AI and permitted use please see [here](#).

Class Participation

Assessment Overview

Class participation is encouraged to help students learn course content in a collaborative manner

Assesses: PL01, PL02, PL03, PL05, PL06

Course Learning Outcomes

- CLO1 : Analyse the dynamic legal context in which employment relationships are enacted
- CLO2 : Apply aspects of employment law to real workplace situations
- CLO3 : Develop critically informed analysis of management and union strategies
- CLO4 : Critically evaluate emerging trends in employment law
- CLO5 : Communicate ideas in an effective manner by leading informed class discussion
- CLO6 : Consider the ethical, equity and sustainability implications of current and emerging labour regulation
- CLO7 : Examine global supply chain regulation in the Australian context
- CLO8 : Build capacity to lead the construction of lawful, ethical and sustainable employment strategies in an organisational setting

Detailed Assessment Description

Your participation will be assessed on the quality and regularity of your tutorial contributions throughout the term and your overall mark will reflect the level and regularity of reading effort and insight you were able to demonstrate in your tutorials. Friendly, collegial debate will contribute to a pleasant and engaging learning experience for us all.

- Every week, students are expected to read a minimum of one (1) of the presentation readings and some of the short class discussion readings.
- Through reading and discussion with your tutor and your classmates in tutorials, you will develop your understanding of the weekly topics.
- Students should demonstrate that they have read an article by raising some new ideas/ material from it.

Assessment Length

N/A

Submission notes

A composite mark will be posted on Moodle after the term has been completed.

Assessment information

Please see our Assessment Guide on Moodle for further advice about this component of the course.

Assignment submission Turnitin type

Not Applicable

Generative AI Permission Level

No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see [here](#).

Critical Article Review

Assessment Overview

Students share a critical summary of a key article to the rest of the class to facilitate understanding of course content.

BCom students: myBCom course points for PLO2 & PLO6

Assesses PLO1, PLO2, PL03, PL05, PLO6

Course Learning Outcomes

- CLO1 : Analyse the dynamic legal context in which employment relationships are enacted
- CLO2 : Apply aspects of employment law to real workplace situations
- CLO3 : Develop critically informed analysis of management and union strategies
- CLO4 : Critically evaluate emerging trends in employment law
- CLO5 : Communicate ideas in an effective manner by leading informed class discussion
- CLO6 : Consider the ethical, equity and sustainability implications of current and emerging labour regulation
- CLO7 : Examine global supply chain regulation in the Australian context
- CLO8 : Build capacity to lead the construction of lawful, ethical and sustainable employment strategies in an organisational setting

Detailed Assessment Description

This presentation should take approximately 5 minutes - there is a 5-Powerpoint slide maximum: To make our discussions student-led, every student will introduce and critically evaluate an article from the presentation readings listed for each week in your Tutorial Guide. In Week 1, students will choose an article and sign up to do a presentation on it (see the sign-on sheets for each tutorial on Moodle). How you arrange your material and what you include is up to you, but your presentation should:

- summarise for other students in your class what the article argues
- demonstrate how the work relates to other academic discussion on the topic (a **minimum** of three relevant academic sources must be used to contextualise/ augment the case made about your presentation article)
- summarise the key points of interest in the article
- contain one (1) question to pose to the class to encourage class debate – the presenter's participation in debate is assessed as part of their participation mark.
- The five-minute limit does not include discussion time.
- The five-slide limit is non-negotiable for equity reasons.

Assessment Length

5 minutes and 5 Powerpoint slides

Submission notes

Please don't pay any attention to the post date for this assignment. Your slides are simply due in the Week when you present.

Assessment information

Please see our Assessment Guide on Moodle for further information on this assessment task.

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Generative AI Permission Level

Simple Editing Assistance

In completing this assessment, you are permitted to use standard editing and referencing functions in the software you use to complete your assessment. These functions are described below. You must not use any functions that generate or paraphrase passages of text or other media, whether based on your own work or not.

If your Convenor has concerns that your submission contains passages of AI-generated text or media, you may be asked to account for your work. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

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General Assessment Information

Grading Basis

Standard

Requirements to pass course

Although obviously desirable, it is not necessary to pass all assessment elements to pass the course – a composite mark of 50% is sufficient.

Course Schedule

| Teaching Week/Module | Activity Type | Content |
|--------------------------------------|---------------|---|
| Week 1 : 9 September - 15 September | Lecture | Australian labour law and the employment relationship |
| | Tutorial | Australian labour law and the employment relationship Introduction to course, administration and discussion of readings. Every student will nominate one 'class presentation reading' from the Tutorial Guide to review for their class. Those not presenting should read at least one of these readings so that they can participate in class discussion. Further details are in the Tutorial Guide and Assessment Guide on Moodle.. Presentations will begin in Week 2. |
| Week 2 : 16 September - 22 September | Lecture | Setting minimum labour standards |
| | Tutorial | Setting minimum labour standards |
| Week 3 : 23 September - 29 September | Lecture | Making enterprise agreements |
| | Tutorial | Making enterprise agreements |
| Week 4 : 30 September - 6 October | Lecture | Freedom of association and the right to strike |
| | Tutorial | Freedom of association and the right to strike |
| Week 5 : 7 October - 13 October | Lecture | Regulating pay and hours of work Because of the public holiday, this lecture will be recorded and posted on Moodle for access during the week. |
| | Tutorial | Regulating pay and hours of work Because of the public holiday, Monday's tutorials will be run as asynchronous forums on Moodle. All other tutorials will operate as usual. See Moodle for further instructions and forum links. |
| Week 6 : 14 October - 20 October | Homework | Flexiweek this week - please use this week to work on your assessment tasks and to ask any questions that may be forming roadblocks to successful completion of the SAQs. While independent study practices are important for you to develop your skills, please use the Q&A forum on Moodle to ask questions during this week if you are doing assignment preparation work and get stuck. This forum will be monitored by staff as usual but, remember, there is no substitute for careful reading of course content related to your chosen questions. |
| Week 7 : 21 October - 27 October | Lecture | Regulating equal opportunity |
| | Tutorial | Regulating equal opportunity |
| Week 8 : 28 October - 3 November | Lecture | Employee privacy and the law: drug screening, bullying and social media |
| | Tutorial | Employee privacy and the law: drug screening, bullying and social media SAQs due 1st November by 4pm. |
| Week 9 : 4 November - 10 November | Lecture | Dispute resolution and termination of employment |
| | Tutorial | Dispute resolution and termination of employment |
| Week 10 : 11 November - 17 November | Lecture | Regulating supply chains, human rights, and the global labour market |
| | Tutorial | Regulating supply chains, human rights, and the global labour market |

Attendance Requirements

Students are strongly encouraged to attend all classes and review lecture recordings.

General Schedule Information

The classes for this course are scheduled as follows:

Course Resources

Prescribed Resources

The website for this course is on [Moodle](#). Please refer to the class Moodle site for readings, textbook details, etc.

Recommended Resources

Please see your Tutorial Guide on Moodle for additional recommended resources. There is also a Supplementary Reading Guide on Moodle that you will find useful for assignment preparation.

Additional Costs

None.

Course Evaluation and Development

Feedback from students is regularly sought in class, in particular their impressions of new readings and whether they sparked interest. At the end of the course, you will be asked to participate in the MyExperience survey - while every student is different, by offering a broad range of materials and activities, it is hoped that all students will find lots to stimulate their interests. Past surveys tell us that our continuing search for new research and case studies to highlight emerging themes are greatly appreciated, especially when new legal decisions and dispute outcomes arise almost daily, so we'll stay on the hunt! There is also a section on Moodle dedicated to materials that arise during the term so you can keep up to date with IR developments in real time.

Staff Details

| Position | Name | Email | Location | Phone | Availability | Equitable Learning Services Contact | Primary Contact |
|----------|---------------|-------|----------------------|------------|--|-------------------------------------|-----------------|
| Convenor | Sarah Gregson | | 505, Business School | Use email. | Anytime, set up appointment via email. | Yes | Yes |

Other Useful Information

Academic Information

COURSE POLICIES AND SUPPORT

The Business School expects that you are familiar with the contents of this course outline and the UNSW and Business School learning expectations, rules, policies and support services as listed below:

- Program Learning Outcomes
- Academic Integrity and Plagiarism
- Student Responsibilities and Conduct
- Special Consideration
- Protocol for Viewing Final Exam Scripts
- Student Learning Support Services

Further information is provided on the [Policies and Guidelines](#) page.

Students may not circulate or post online any course materials such as handouts, exams, syllabi or similar resources from their courses without the written permission of their instructor.

STUDENT LEARNING OUTCOMES

The Course Learning Outcomes (CLOs) – under the Outcomes tab – are what you should be able to demonstrate by the end of this course, if you participate fully in learning activities and successfully complete the assessment items.

CLOs also contribute to your achievement of the Program Learning Outcomes (PLOs), which are developed across the duration of a program. PLOs are, in turn, directly linked to [UNSW graduate capabilities](#). More information on Coursework PLOs is available on the [Policies and Guidelines](#) page. For PG Research PLOs, including MPDBS, please refer to [UNSW HDR learning outcomes](#).

Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Code of Conduct](#) with respect to academic integrity, the University may take disciplinary action. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Code of Conduct, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

Submission of Assessment Tasks

SHORT EXTENSIONS

Short Extension is a new process that allows you to apply for an extended deadline on your assessment without the need to provide supporting documentation, offering immediate approval during brief, life-disrupting events. Requests are automatically approved once submitted.

Short extensions are ONLY available for some assessments. Check your course outline or Moodle to see if this is offered for your assessments. Where a short extension exists, all students enrolled in that course in that term are eligible to apply. Further details are available the UNSW [Current Students](#) page.

SPECIAL CONSIDERATION

You can apply for special consideration when illness or other circumstances beyond your control interfere with your performance in a specific assessment task or tasks, including online exams. Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable.

Applications can only be made online and will NOT be accepted by teaching staff. Applications will be assessed centrally by the Case Review Team, who will update the online application with the outcome and add any relevant comments. The change to the status of the application immediately sends an email to the student and to the assessor with the outcome of the application. The majority of applications will be processed within 3-5 working days.

For further information, and to apply, see Special Consideration on the UNSW [Current Students](#) page.

LATE SUBMISSION PENALTIES

LATE SUBMISSION PENALTIES

For assessments other than examinations, late submission will incur a penalty of 5% per day or part thereof (including weekends) from the due date and time. An assessment will not be accepted after 5 days (120 hours) of the original deadline unless special consideration has been approved. In the case of an approved Equitable Learning Plan (ELP) provision, special consideration or short extension, the late penalty applies from the date of approved time

extension. After five days from the extended deadline, the assessment cannot be submitted.

An assessment is considered late if the requested format, such as hard copy or electronic copy, has not been submitted on time or where the 'wrong' assessment has been submitted.

For assessments which account for 10% or less of the overall course grade, and where answers are immediately discussed or debriefed, the LIC may stipulate a different penalty. Details of such late penalties will be available on the course Moodle page.

FEEDBACK ON YOUR ASSESSMENT TASK PERFORMANCE

Feedback on student performance from formative and summative assessment tasks will be provided to students in a timely manner. Assessment tasks completed within the teaching period of a course, other than a final assessment, will be assessed and students provided with feedback, with or without a provisional result, within 10 working days of submission, under normal circumstances. Feedback on continuous assessment tasks (e.g. laboratory and studio-based, workplace-based, weekly quizzes) will be provided prior to the midpoint of the course.

Faculty-specific Information

PROTOCOL FOR VIEWING FINAL EXAM SCRIPTS

UNSW students have the right to view their final exam scripts, subject to a small number of very specific exemptions. The UNSW Business School has set a [protocol](#) under which students may view their final exam script. Individual schools within the Faculty may also set up additional local processes for viewing final exam scripts, so it is important that you check with your School.

If you are completing courses from the following schools, please note the additional school-specific information:

- Students in the **School of Accounting, Auditing & Taxation** who wish to view their final examination script should also refer to [this page](#).
- Students in the **School of Banking & Finance** should also refer to [this page](#).
- Students in the **School of Information Systems & Technology Management** should also refer to [this page](#).

COURSE EVALUATION AND DEVELOPMENT

Feedback is regularly sought from students and continual improvements are made based on this feedback. At the end of this course, you will be asked to complete the [myExperience survey](#),

which provides a key source of student evaluative feedback. Your input into this quality enhancement process is extremely valuable in assisting us to meet the needs of our students and provide an effective and enriching learning experience. The results of all surveys are carefully considered and do lead to action towards enhancing educational quality.

QUALITY ASSURANCE

The Business School is actively monitoring student learning and quality of the student experience in all its programs. A random selection of completed assessment tasks may be used for quality assurance, such as to determine the extent to which program learning goals are being achieved. The information is required for accreditation purposes, and aggregated findings will be used to inform changes aimed at improving the quality of Business School programs. All material used for such processes will be treated as confidential.

TEACHING TIMES AND LOCATIONS

Please note that teaching times and locations are subject to change. Students are strongly advised to refer to the [Class Timetable website](#) for the most up-to-date teaching times and locations.