

Liverpool John Moores University

Title: CRIMINAL LAW
Status: Definitive
Code: **5509CP** (103551)
Version Start Date: 01-08-2013

Owning School/Faculty: Arts, Professional and Social Studies
Teaching School/Faculty: Dublin Business School

Team	Leader
Alistair Beere	Y

Academic Level: FHEQ5
Credit Value: 24.00
Total Delivered Hours: 77.00
Total Learning Hours: 240
Private Study: 163

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	50.000
Tutorial	25.000

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	AS1	Group Project 1	25.0	
Exam	AS3	Examination	50.0	2.00
Essay	AS2	Group Project 2	25.0	

Aims

To build in learners an awareness of the relevance and significance of knowledge of employment law in the workplace in order to be able to recognise potential problems and seek appropriate advice.

To provide learners with a critical understanding of employment law and dispute resolution.

To enable learners to facilitate the management and resolution of workplace

disputes.

To assist learners to appreciate on-going reform and the challenges the law creates for the business environment.

To enable learners to apply relevant employment law principles, rules, case law and legislation to relevant work-place scenarios.

Learning Outcomes

After completing the module the student should be able to:

- 1 Evaluate the key elements of Irish employment law, from both a contractual and statutory perspective.
- 2 Discuss the difference between contracts of employment and contracts for services and the various associated express or implied terms.
- 3 Assess the different regulatory means by which an employee can enforce their statutory and common law rights.
- 4 Appraise the role of alternative dispute resolution mechanisms in resolving employment and industrial conflict.
- 5 Apply analytical, management and interactive skills in relation to employment relations.

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

GROUP PROJECT 1	1	2	5	
EXAM	2	3	4	5
GROUP PROJECT 2	1	3	4	5

Outline Syllabus

1. *Institutions of Industrial and Employment Relations, Labour Court: structure, aims and objectives, referral procedures, activity/usage in recent years Labour Relations Commission: structure, aims and objectives, conciliation service, advisory service, codes of practice, activity/usage in recent years; Work Relations Commission: its introduction, historical evolution, and practice. Joint Labour Committees and Joint Industrial Councils: structure, aims and objectives, activity/usage in recent years*
2. *The Employment Relationship - The contract of employment, the status of a worker, types of employment contracts. Duties of the employer, duties of the employee. Confidentiality issues, restraint of trade clauses, data protection, employment permits. Information and consultation*
3. *The protection of atypical employment Fixed term, part time, agency*
4. *Working Time and Statutory Leave Organisation of Working Time, Maternity Protection, Parental Leave, Force Majeure Leave, Adoptive Leave and Carers Leave*
5. *Payment of Wages Payment of Wages Act 1991 Modes of payment of wages Regulations Complaints in relation to contravention of section 5 Remedies*
6. *Employment Equality Employment Equality Acts 1998-2008, direct and indirect*

discrimination, positive discrimination, redress and remedies, role of the Equality Authority, activity/usage in recent years Bullying, harassment and sexual harassment in the workplace, obligations upon the employer, vicarious liability, redress and remedies, anti-harassment policies

7. Employers Liability Common law liability Vicarious liability Safety, Health and Welfare at Work Act 2005 Duties of the employer, employees, designers, manufacturers, constructors of places of work, occupational stress, Health and Safety Authority

8. Termination of the Employment Contract Notice requirements Dismissal: Unfair dismissal, constructive dismissal, wrongful dismissal, redress and remedies

9. Redundancy and Transfer of Undertakings Statutory obligations, calculable and reckonable service, collective redundancies, dispute resolution Transfer of undertakings

10. Alternative Dispute Resolution Role of the courts in encouraging parties to agree solutions Access to ADR Distinguishing between mediation and conciliation – statutory definitions Private Workplace ADR and Dispute System design

Learning Activities

Lectures and tutorials.

References

Course Material	Book
Author	Daly, B. And Doherty, M.
Publishing Year	2010
Title	Principles of Irish Employment Law
Subtitle	
Edition	
Publisher	Clarus Press
ISBN	

Course Material	Book
Author	Regan, M. (ed.)
Publishing Year	2009
Title	Employment Law
Subtitle	
Edition	
Publisher	Tottel
ISBN	

Course Material	Book
Author	Faulkner, M.
Publishing Year	2007
Title	Essentials of Irish Labour Law
Subtitle	

Edition	
Publisher	Gill & Macmillan
ISBN	

Course Material	Book
Author	Jane Moffatt (ed.)
Publishing Year	2011
Title	Employment Law – Law Society of Ireland manual
Subtitle	
Edition	
Publisher	Oxford University Press
ISBN	

Course Material	Book
Author	Cox, N., Corbett, V. and Ryan, D.
Publishing Year	2009
Title	Employment Law in Ireland
Subtitle	
Edition	
Publisher	Clarus Press
ISBN	

Course Material	Book
Author	Forde, M. and A.P. Byrne
Publishing Year	2009
Title	Employment Law
Subtitle	
Edition	3rd
Publisher	Thomson Round Hall
ISBN	

Course Material	Book
Author	Bolger, M. and Kimber, C.
Publishing Year	2000
Title	Sex Discrimination Law
Subtitle	
Edition	
Publisher	Round Hall
ISBN	

Course Material	Book
Author	Eardly, J.
Publishing Year	2004
Title	Sex Discrimination at Work
Subtitle	A practical guide to the law in Ireland
Edition	
Publisher	First Law

ISBN	
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Course Material	Book
Author	Redmond, M.
Publishing Year	2007
Title	Dismissal Law in Ireland
Subtitle	
Edition	2nd
Publisher	Tottel Publishing
ISBN	

Course Material	Book
Author	Stewart, E. And Dunleavy, N.
Publishing Year	2007
Title	Compensation on Dismissal
Subtitle	Employment Law and Practice
Edition	
Publisher	First Law
ISBN	

Course Material	Book
Author	Purdy, A.
Publishing Year	2011
Title	Termination of Employment
Subtitle	A Practical Guide for Employers
Edition	2nd
Publisher	Bloomsbury Professional
ISBN	

Course Material	Book
Author	Eardly, J.
Publishing Year	2008
Title	Bullying and Stress in the Workplace
Subtitle	Employers and Employees – A Guide
Edition	2nd
Publisher	First Law
ISBN	

Course Material	Book
Author	Kinsella, J.
Publishing Year	2012
Title	Health, Safety and Welfare Law in Ireland
Subtitle	
Edition	2nd
Publisher	Gill & Macmillan
ISBN	

Course Material	Book
Author	Shannon, G.
Publishing Year	2007
Title	Health and Safety
Subtitle	Law and Practice
Edition	2nd
Publisher	Round Hall
ISBN	

Course Material	Book
Author	Kerr, T.
Publishing Year	2005
Title	Employment Equality Legislation
Subtitle	
Edition	2nd
Publisher	Thomson Round Hall
ISBN	

Course Material	Book
Author	Arthur Cox Employment Law Dept.
Publishing Year	2011
Title	Arthur Cox Employment Law Yearbook 2011
Subtitle	
Edition	
Publisher	Bloomsbury Professional
ISBN	

Notes

This module is designed to provide learners with the fundamental principles applicable to the employment relationship, the influence of EU law and will further go on to examine principal legislative enactments affecting both parties. The regulatory for a relevant to the resolution of disputes will be investigated and the role of Alternate Dispute Resolution (ADR) for those parties seeing an alternative resolution.