

Module 11 Employment Law

Stage		1					
Semester		4					
Module Title		Employment Law					
Module Number		11					
Module Status		Elective					
Module ECTS Credits		5					
Module NFQ level		Level 7					
Pre-Requisite Module Titles		n/a					
Co-Requisite Module Titles		n/a					
Capstone Module?		No					
List of Module Teaching Personnel		John Eardly					
Contact Hours				Non-contact Hours			Total Effort (hours)
21				79			100
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
15		6				79	100
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage Contribution		40		60	100		

Intended Module Learning Outcomes

On successful completion of this module, the learner will be able to:

1. Explain core terms and principles governing the Contract of Employment.
2. Define an employee and an independent contractor.
3. Explain and appraise the importance and application of restrictive covenants.
4. Describe the law on the termination of a contract of employment and identify key redundancy entitlements in Ireland.
5. Explain and discuss the law on health and safety and the law on equality in the workplace.
6. Explain and discuss specific protective legislation.
7. Discuss the law governing trade union activity.
8. Explain the Institutions and Dispute Resolution Structures governing Employment Law in Ireland.

Module Objectives

This module aims to:

- Impart knowledge of the general principles of employment law
- Define the difference between employees and independent contractors.
- Develop an understanding of the employment contract, specifically the rights, duties and obligations that originate from it.
- Apply knowledge of protective employment legislation and its relationship to the employee's contract of employment.
- Promote a basic understanding of the law governing industrial relations.

Module Curriculum

TOPIC	DESCRIPTION
The Employment Contract	Contract of service versus contract for services; office holders versus employees; express and implied contract terms; restraint of trade covenants.
Termination of the Employment Contract; Alternative dispute resolution (ADR)	Minimum Notice and Terms of Employment Act, 1973; wrongful dismissal; the Unfair Dismissals Acts, 1977 to 2007; constructive dismissal; remedies. Overview of role of alternative dispute resolution (ADR) clauses in resolving disputes with regard to contracts of employment
Redundancy	Redundancy Payment Acts; collective redundancies; rights and protection of workers in an insolvency situation.
Equality	The Employment Equality Act 1998-2015; the Equal Status Acts, discrimination grounds; equal pay; bullying and harassment.
Protective Legislation	Safety, health and welfare in the workplace; hours worked; holidays; payment of wages; age limitations – children and youth workers; part-time worker.
Institutions	The Workplace Relations Commission; Adjudication and Mediation; Historical development of employment tribunals in Ireland, including the Labour Relations Commission, joint labour committees, Labour Court, Employment Appeals Tribunal, Equality Officers, Rights Commissioners.

Industrial Relations	The Industrial Relations Act, 1990: strikes, picketing, injunctive relief.
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Reading lists and other learning materials

1. Griffith College Manual, *Employment Law*, (Dublin: Clarus Press, updated annually)
2. Bolger, Bruton & Kimber, *Sex Discrimination Law* (2012, Dublin; Round Hall)
3. Eardly, *Employers: Know Your Rights in Irish Law* (2009, Firstlaw, Dublin)
4. Redmond, *Dismissal law in Ireland* (2007, Dublin; Tottel Publishing)
5. Cox, Corbett & Ryan, *Employment Law in Ireland* (2009, Dublin, Clarus Press)
6. Byrne [et al.], *Employment Law*, (2006, Dublin; Law Society)
7. Barrett, *Redundancy: Law & Practice*, (1988, Dublin; Butterworths)
8. Barrett *Consolidated dismissal, redundancy and employee consultation legislation*(2006, Dublin; Clarus)
9. Byrne, *Safety, Health and Welfare at Work in Ireland: A Guide* (2001, Dublin; NIFAST)
10. Byrne, *Safety, Health and Welfare at Work in Ireland: A Guide* (2008, Dublin; NIFAST)
11. Kilcommins, McLean, McDonagh, Mullally & Whelan, *Extending the Scope of Employment Equality Legislation: Comparative Perspectives on the Prohibited Grounds of Discrimination* (2004, Dublin; Department of Justice, Equality and Law Reform)
12. Meenan, *Working within the Law* (1999, Dublin; Oak Tree Press)
13. Thomson Professional Information *Practical Employment*(1999)

Module Learning Environment

Accommodation

In line with other higher education awards offered by the College, the Special Purpose Diploma in Legal Studies and Practice, will provide reasonably comparable resources and accommodation requirements, all of which can be met by facilities on campus.

At the moment, a base classroom is used for teaching purposes at both the Dublin and Cork campuses. Participants also have access to online teaching resources and Moodle¹ and an e-learning studio. It is not proposed that these arrangements be changed as they are continuing to operate successfully.

In addition, all lectures are recorded and posted on the relevant Moodle page, providing students with the opportunity to watch lectures at a later date if they are unable to attend the lecture or wish to review the lecture.

Library

All learners have access to an extensive range of “actual” and “remote access” library resources. The library monitors and updates its resources on an ongoing basis, in line with the

¹ Moodle is Griffith College’s current Virtual Learning Environment (VLE)

College's Library Acquisition Policy. Lecturers update reading lists for this programme on an annual basis as is the norm with all courses run by Griffith College.

Equipment, Information & Communication Technology

The College is already fully resourced with the necessary teaching equipment – such as a base class room fully equipped with PC, audio and visual presentation facilities and projectors.

Further resources such as video recording equipment are also available for use on the programme. Participants may also use the College's other computer labs, open labs and the e-learning studio. The College's IT Services Department and the Lecturer Support Unit also support this process by continually updating classrooms and PC labs. Proposals for the acquisition of new technologies are made to the IT Services Department and to the Director of Academic Programmes, so that academic and technical issues are considered.

Extensive use is also made of the Moodle VLE for posting lecture notes and other relevant material used for study and revision. With the aid of data projectors, these can form the basis of lecture presentations.

Module Teaching and Learning Strategy

This module will be delivered through a series of lectures and tutorials.

This module comprises of twenty-one contact hours, being fifteen lecture hours, five tutorial hours and one revision/exam preparation class.

Each class will comprise three hours of lectures and a one-hour tutorial.

Tutorials will comprise the review of past exam papers, class discussions, group work sessions and exercises.

Lectures and tutorials will be supplemented by structured web-based resources and reading.

Module Assessment Strategy

Theoretical knowledge will be assessed at the end of the module by examination (60%), the purpose of which is to enable learners to become accustomed to undertaking extended examinations which are a traditional method of assessment commonly used in law-based degrees on the National Framework of Qualifications and in the sphere of professional legal training. The examination will consist of a mixture of essay style questions, which place emphasis on the learners demonstrating academic legal knowledge as well as discursive legal writing skills, and problem style questions which assess the learner's ability to apply the law to practical factual scenarios. Formative assessment will be provided in the form of interactive exercises such as mini quizzes or directed class discussion topics.

The examination will be supplemented by an Assignment worth 40% of the overall grade enabling learners to utilise their learning from class based work and to develop their legal research, problem solving, independent learning, initiative skills and professional analytical

capacity. The Assignment focuses on a matter of practical importance in the field of the Irish Employment Law.

Sample Assessment with Rubrics

See Sample Assessments attached.