

Module Title:	Employment Law 1
Language of Instruction:	English
Credits:	5
NFQ Level:	8
Module Delivered In	2 programme(s)
Teaching & Learning Strategies:	<p>Lectures - communication of knowledge and ideas from the lecturer to the student. Problem Solving Exercises - student will work as part of a team and will work together to resolve various legal scenarios. Class Discussion/Debate - Students will be encouraged to actively participate in the class sessions which will develop their analytical and communication skills. E-Learning - It is envisaged that the module will be supported with on-line learning materials. Self-Direct Independent Learning - the emphasis on independent learning will develop a strong and autonomous work and learning practices.</p>
Module Aim:	<p>The aim of this module is to acquaint participants with a comprehensive knowledge of the leading principles of employment law and to assist the student to develop the analytical skills required to apply their legal knowledge to various scenarios</p>
Learning Outcomes	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Distinguish between employees and independent contractors and different types of employee status, and demonstrate a comprehension of the importance of that distinction.
LO2	Demonstrate a thorough knowledge of the laws which affect the recruitment process and be able to assess and evaluate the impact of these laws upon that process.
LO3	Demonstrate an ability to assess and discuss the impact of employment equality law on the Irish workplace
LO4	Understand and explain the constituent elements of an employment contract and the law relating to same and appreciate the different fora for resolving disputes.
Pre-requisite learning	
Module Recommendations	
<i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i>	
No recommendations listed	
Incompatible Modules	
<i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i>	
No incompatible modules listed	
Co-requisite Modules	
No Co-requisite modules listed	
Requirements	
<i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed.</i>	
No requirements listed	

Module Content & Assessment

Indicative Content

Employees or Independent contractors-Types of Employee

Employee or independent Contractor: Control, Personal Service, Integration tests, mutuality of obligation, boilerplate clauses, umbrella/global contracts• relevance in the precarious Gig economy context • Types of employee: Permanent, Contracts of Indefinite Duration, Fixed term contracts, Hourly paid employees, 'if and when' workers, Part time workers, Agency workers, Migrant workers, Casual workers, Employment of Young Persons, procedures for redress

Recruitment and Pre-contractual processes

Requirement to comply with Anti-Discrimination legislation• Equal Treatment and reasonable accommodation in the process• Forms of Recruitment • Advertising • Application forms • Standardized testing • selection for interview • Interview process• use of questions, process and statistics to determine fair procedures in selection processes • selection for post • references • medicals • background checks and GDPR • Procedures and redress

Equality

EU, Constitution and Legislation: The Discrimination model of Equality: Analysis of the 9 grounds of Discrimination, Equal treatment and Equal Pay, elements required to bring a claim, burden of proof, exclusions, eg, objective justification, Limitations of the Discrimination Equality model, Indirect Discrimination, Sexual Harassment, Positive Discrimination, Redress, role of IHREC, WRC, jurisdiction of the Courts in gender claims, Employer policies on sexual harassment, non-sexual harassment and bullying

Contract of Employment

Formation of Employment Contracts, including express and implied terms, and collective agreements • Oral and Written Contracts • Statutory Requirements – Written Statement of Terms and Conditions of Employment, • Key Clauses in the Contract of Employment • Variation of Contract • Statutory Guarantees of Terms and Conditions of Employment • Workplace Privacy, Data Protection and social media concerns• vicarious liability

Complaint and redress

Role and functions of the Workplace Relations Commission, The Labour Court, Irish Human Rights and Equality Commission and the Courts in resolving workplace disputes

Assessment Breakdown	%
Continuous Assessment	100.00%

Continuous Assessment				
Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Other	Written assessment comprising problem scenario(s) relevant to the course content	1,2,3,4	100.00	n/a

No Project

No Practical

No End of Module Formal Examination

SETU Carlow Campus reserves the right to alter the nature and timings of assessment

Module Workload

Workload: Full Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	12 Weeks per Stage	3.00
Independent Learning	15 Weeks per Stage	5.93
Total Hours		125.00

Workload: Part Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Every Week	1.50
Total Hours		1.50

Module Delivered In

Programme Code	Programme	Semester	Delivery
CW_BBLAW_B	Bachelor of Business (Honours) in Business with Law	5	Mandatory
CW_HHLAW_B OLD	Honours Bachelor of Laws Degree - LLB	3	Elective