

## BL3379 – EMPLOYMENT LAW 2

**Module Number:** BL3379  
**Module Title:** Employment Law 2 (for LLB)  
**Number of Aston Credits:** 10  
**Total Number of ECTS Credits:** 5  
(European Credit Transfer)

### Staff Member Responsible for this Module:

**Mr Robert Goddard**  
Aston Law

ABS Building, Room 402, Extension 3108  
E-mail: [r.j.goddard@aston.ac.uk](mailto:r.j.goddard@aston.ac.uk)

Availability: Please see office hours on door or contact group administrator, Basia Nowakowska, ABS 428, Extension 3185

### Staff Member Teaching this Module:

**Mr Roger McDermott**  
Aston Law

ABS Building, Room 406, Extension 3476  
E-mail: [r.mcdermott2@aston.ac.uk](mailto:r.mcdermott2@aston.ac.uk)

Availability: Please see office hours on door or contact group administrator, Basia Nowakowska, ABS 428, Extension 3185

**Other Staff Contributing to the Module:** None

**Pre-Requisite(s) for the Module:** BL1173 – Contract Law  
BL3316 – Employment Law 1

### Module Learning Outcomes:

Employment law Part 2 builds upon the introduction to the central aspects of employment law provided in Part 1. Just as in Part 1 this second module deals with a large and complex body of law equally fast moving and dynamic particularly that relating to discrimination in employment.

On successful completion of the module students will be able to:

- (a) Understand further the structure and functions of employment law, its content and development with particular emphasis on discrimination and equal opportunities.

## BL3379 – EMPLOYMENT LAW 2

- (b) Critically evaluate the operation of those aspects of employment law explored during the module.
- (c) Apply the law to answer problem style questions, demonstrating skills of analysis, synthesis and evaluation.
- (d) Think critically about the purpose ascribed to employment law, the values and policies it endorses
- (e) Reflect upon the significance of employment law in the context of managerial decision making, industrial relations and human resource management.

### **Module Content:**

1. The law relating to equal terms. The Equal Treatment Directive. Equality Act legislation. Methods of bringing an equal/terms pay claim and defences.
2. Discrimination in employment and the European dimension. Discrimination legislation. Prohibited grounds of discrimination e.g. protected characteristics of sex, race, disability discrimination. Harassment. Victimisation. Discrimination on the grounds of age, sexual orientation, gender re-assignment, religion and belief, civil partnerships etc
3. Liability of employers. Principle of vicarious liability of employers and primary liability of employers for employees, visitors and independent contractors. The protection of employees at common law (negligence). Employers Statutory responsibilities and Breach of Statutory Duty. Health and Safety at Work. Working Time Regulations. National Minimum Wage.
4. Duties on employees. The express or implied duty of fidelity. Contracts in restraint of trade and business. Garden leave.
5. The privacy and confidentiality of information including Human Rights aspects and data protection. Public Interest Disclosures.

### **International Dimensions:**

International thought and jurisprudence (European and beyond) continues to play an important role in the development of UK Employment law. This role, and the issues arising from it is considered throughout the course. Indeed, the most significant influence on employment law in the past 30 years has been the UK's membership of the European Union and the obligations this continues to impose. In Employment Law 2 this is particularly evident in regard to the development of the law of unlawful discrimination in employment.

## BL3379 – EMPLOYMENT LAW 2

### Corporate Connections:

As with Part 1, Employment Law 2 draws upon a wide range of real world examples. The nature of the subject is such that business practice vis-à-vis employers and employees continues to be explored and considered.

### Links with Research:

This module draws on the latest developments in legislation and case law.

### Learning and Teaching Rationale and Methods:

Contact & Directed Learning:

Method of Teaching - A two-hour lecture is delivered each week in conjunction with detailed work books which are provided on Blackboard. This provides the means by which a great deal of complex and detailed material can be assimilated by the students and enables lectures to be interactive, providing students with the opportunity to raise questions and promote discussion. There will be one hour long tutorial held every other week. Tutorials are designed to allow students to develop independent research skills, identify legal issues and develop an ability to apply their knowledge in practical situations

Lectures	24 hours
Tutorials	5 hours
Directed reading, revision and case study preparation	68 hours
Examination	3 hours

**Total** **100 hours**

### Ethical Approval:

This module does not require any primary research and no ethical approval will be necessary.

### Assessment and Feedback Rationale and Methods:

#### *Assessment*

As with Employment Law 1 the module is assessed by a three-hour closed book examination 40% of which will be based on a practical case study provided to students in week 11 of the term. In the final examination a compulsory question (40%) will be asked based on the case study. The case study question(s) assess the student's ability to apply their knowledge to given facts and evaluate the relevant outcomes. The compulsory section will be followed by three further optional questions each carrying 20% of the total marks. A choice of questions will be provided from which the three optional questions will be selected by the student. The optional questions are an

## BL3379 – EMPLOYMENT LAW 2

opportunity to demonstrate the students ability to analyse and critically asses the topic under discussion.

### *Feedback*

Examples of practical type employment related legal issues will be provided throughout the module and discussed during the interactive sessions. This will enable students to familiarise themselves with what will be expected of them in the end of year examination and assess how close they are to achieving the module outcomes as well as understanding of how employment law works in practice.

Feedback will be given throughout the year on FAQ on Blackboard and students will be encouraged to utilise lecturer office hours to obtain more detailed feedback and advice.