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MODULE DESCRIPTOR

Module Title

Employment Practice

Reference	BSM647	Version	3
Created	February 2017	SCQF Level	SCQF 11
Approved	March 2013	SCQF Points	15
Amended	July 2017	ECTS Points	7.5

Aims of Module

To develop professional and advocacy skills in relation to contentious and non contentious employment cases and to develop knowledge and understanding of employment tribunal procedures

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Advise a client on the key differences between employment and self-employment and draft a standard employment contract and an employment contract for a senior employee
- 2 Understand the key principles of the employment law including Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)
- 3 Advise a client in relation to termination of employment of an employee
- 4 Understand how to make an application for an interdict to enforce post termination of employment restrictive covenants (i.e. non competition, non solicitation and confidentiality)
- 5 Conduct and defend an unfair dismissal claim in the employment tribunal

Indicative Module Content

The principles of employment and self employment, determining the existence of employment and self-employment, formation of the employment relationship, contracts of employment, consultancy agreements, drafting principles, the key principles of statutory and common law employment protection including unfair dismissal, redundancy, wrongful dismissal and Transfer of Undertakings, procedural fairness, negotiated exits - the use of compromise agreements, court and employment tribunal procedure jurisdiction and choice of forum outline of sheriff court and employment tribunal procedure (including document drafting, interdict and other interlocutory hearings, advocacy in a mock tribunal hearing, remedies, damages and compensation.

Module Delivery

Seminars, problem solving activities, case studies, drafting exercises and multiple choice test, portfolio building and role play.

Indicative Student Workload	Full Time	Part Time
Contact Hours	34	34
Non-Contact Hours	116	116
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	150	150
<i>Actual Placement hours for professional, statutory or regulatory body</i>		

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

Type: Coursework Weighting: 30% Outcomes Assessed: 1
 Description: Written coursework exercise

Component 2

Type: Examination Weighting: 20% Outcomes Assessed: 2, 3, 4
 Description: Multiple choice test

Component 3

Type: Coursework Weighting: 50% Outcomes Assessed: 5
 Description:

MODULE PERFORMANCE DESCRIPTOR

Explanatory Text

The Module is assessed by three components: C1 - Coursework - 30% weighting. C2 - Coursework - 20% weighting. C3 - Practical exercise - 50% weighting. Module Pass Mark = Grade D (40%)

Module Grade	Minimum Requirements to achieve Module Grade:
A	At least 70% on weighted aggregate and at least 40% in each component
B	At least 60% on weighted aggregate and at least 40% in each component
C	At least 50% on weighted aggregate and at least 40% in each component
D	At least 40% on weighted aggregate and at least 40% in each component
E	At least 35% on weighted aggregate
F	Less than 35% on weighted aggregate
NS	Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module	None in addition to SCQF 11 entry requirement or equivalent.
Corequisites for module	None.
Precluded Modules	None.

ADDITIONAL NOTES

In addition to the texts in the indicative bibliography, the student will be required to purchase the course materials.

INDICATIVE BIBLIOGRAPHY

- 1 HARVEY, R.J.S., 2017. *Harvey on industrial relations and employment law*. London: LexisNexis.
- 2 INCOME DATA SERVICES, 2013. *IDS employment law handbooks*. Andover: Sweet and Maxwell.
(Available on WESTLAW)
- 3 SELWYN N.M., 2016. *Selwyn's law of employment*. 19th ed. Oxford: Oxford University Press.