

# Diploma in Employment Law

(Dip.Empl.Law)



# Diploma in Employment Law



## About the Course

The Diploma in Employment Law examines every facet of the employment relationship from its formation to its termination. In the current economic climate, it is vital that HR Managers, Managers and executives involved in managing people are fully up to date with all aspects of employment law. The course is open to anyone with an interest in law who wishes to use this programme as a stepping stone to further study in law.

This module is designed to equip participants with knowledge of every aspect of employment law and to learn how employment law, principles works in practice. In addition, candidates who successfully complete this programme will develop an in-depth understanding of the statutory frameworks which regulate the employer/employee relationship.

## Course Aims & Objectives

The Diploma programme will provide you with a comprehensive knowledge and analysis of Employment Law. It includes the formation of a contract of employment, employment rights and duties, dismissal, employment equality, industrial action, workplace privacy, bullying, stress at work and freedom of association.

Areas which are covered include the Labour Court, the Labour Relations Commission, the Equality Tribunal and the Employment Appeals Tribunal as well as the ordinary civil courts.

## Diploma in Employment Law - Core Areas

There are 12 key subject areas:

1. Law of Contract
2. Employment Common Law
3. Statutory Duties
4. Duties of Employee
5. The Law relating to Dismissal
6. Equality
7. Discrimination
8. Equal Pay
9. Employment re-organisation
10. Employee Relations
11. Industrial Action
12. Employee Rights

## Course Overview

### The Contract of Employment

Identifying a contract of employment; the formation of a contract of employment; the content of a contract of employment; collective agreements; terms unexpressed but implied.

### The Employer's Common Law Duties

The duties to pay wages, and the Payment of Wages Act, 1991; the duty to respect trust and confidence; the duty not to exercise contractual entitlements unreasonably; the duty to provide information; duties relating to the physical and mental health of employees, Privacy at work.

### Statutory Duties

The Health and Safety at Work Act, 1989; the Organisation of Working Time Act, 1997; the Maternity Act, 1994; Terms of Employment (Information) Act, 1994; Adoptive Leave Act, 1995.

### Common Law Duties of the Employee

The duty of fidelity; the duty of confidentiality; the duty to observe instructions; the duty of technological adaptation. Restrictive covenants.

### The Law Relating to Dismissal

The right to dismiss on reasonable notice; summary dismissal; grounds of summary dismissal and fair procedures; remedies: damages and remedies by way of specific performance. Unfair Dismissals Acts. Procedural and substantive standards regulating dismissal; the calculation of unfair dismissal compensation ; reinstatement and re-engagement.

**Equality: the Fundamentals**

Sex discrimination; the Equal Treatment Directive (Directive 76/204 EEC) and Article 119 of the TEU; the Employment Equality Act 1998; direct discrimination; indirect discrimination; discrimination in relation to access to employment; discrimination and the employment interview.

**Discrimination in Conditions of Employment**

Sexual harassment; derogation from the principle against discrimination; positive discrimination; a victim's remedies where discrimination is established; discrimination on the grounds of disability; discrimination on the grounds of age.

**Equal Pay**

The right to equal pay; the Employment Equality Act, 1998; the meaning of "like work"; the meaning of remuneration; conditions necessary to establish the right to equal remuneration; the "grounds other than the gender ground" defence.

**The Law Relating to Employment Re-organisation**

The employee's duty of flexibility; the variation of contractual terms; the conditions necessary to establish redundancy; procedural rules regulating the administration of redundancy; Redundancy Payments Acts 1967-1991.

**The Law Relating to Industrial Action (I)**

The torts committed by persons engaged in industrial action; the employers' remedies; damages and the labour injunction; the strikers' defence; Section 19 of the Industrial Relations Act, 1990.

**The Law Relating to Industrial Action (II)**

The employer's right to damages for industrial action; the liability of a trade union; the law relating to picketing; the conditions for a legally protected picket; wages and industrial action.

**Employees' Rights in the case of a Transfer of Undertaking**

The Acquired Rights Directives; the Transfer of Undertakings Regulations 1980-2000; the meaning of an undertaking; the case law on transfer and contracting out



## AWARD

- FETAC Level 6 Award in Employment Law – National Award: FETAC
- Diploma in Employment Law - Award Body: CMI



### Why chose CMI?

1. The Diploma in Employment Law is awarded by CMI and is recognised by [FETAC](#) for a level 6 Component Award in Employment Law. A FETAC award is recognised under the [National Framework of qualifications](#) (NFQ).
2. Since 2004, CMI has built an excellent reputation with employers as one of Irelands leading educators in Legal Studies and Law.
3. CMI brings over 25 years of combined legal experience from our panel of qualified solicitors and barristers that make up the lecturing team.
4. CMI is committed to Legal and Employment Law excellence and courses are annually researched and updated to meet the demands and needs of the Law Profession in Ireland.
5. Many past students now work in legal roles and this course has provided a change of career and promotion.
6. Online course notes, journals, information websites and relevant articles are available online to download at all times.
7. Courses are centrally located off Dame Street, Dublin 2
8. CMI Lecturers work in their lecturing area and can provide you with personal insights relevant to the world of law. They offer you class exercises and assignments which allows you to develop your legal knowledge and expertise in a stimulating class environment.

### Cost & Duration

The Diploma in Employment Law is a 14 week comprehensive course which is held one evening per week. Please refer to CMI website for current up to date course cost. All course fees are payable in advance unless you are unemployed or work part-time, in which case, a two payment instalment plan is offered. See Terms & Conditions on 'Book a Course' part of CMI website. Please note places are limited. Evening class option only. See timetable on CMI's website.

### Booking

To book simply log on to the 'Book a Course' part of CMI's website and submit your details together with a 300euro deposit.

### Progression

Graduates of this programme go on to pursue a LLB Degree in Law or pursue FE-1 Solicitor Exams, a HR Management Advanced Diploma or Degree, a Higher Diploma qualification in a related area.

### Course Eligibility

This course is open to people from any educational background and with various levels of work experience. If you are anxious about your eligibility, please contact CMI and a representative will be more than happy to explore your exact needs.

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