



Jess Hurd/reportdigital.co.uk

## TUC diploma in employment law

### Aims of the course

The aims of the diploma course are:

- to help the learner become more effective as a workplace representative
- to promote an understanding of the trade union approach to employment law
- to deepen and extend the capacities of learners, preparing them for union officer posts or higher education opportunities
- to widen and deepen understanding of trade union and workplace issues and offer up to date details of new developments
- to develop personal/study skills, the ability to work collectively and improve the confidence of learners to study at a higher level.

## Who is the course for?

Employment law is an area of specialism for trade unions, one where our experience, expertise and access is unique and vital.

The course is designed for experienced trade union representatives – the key link between the workplace and the wider union. It supports the development and practice of employment law, and develops the values and skills needed for higher level study and activism.

This TUC diploma course is part of a suite of courses which also includes the diploma in occupational health and safety and the diploma in contemporary trade unionism.

## How long is the course?

The course is organised:

- as a one year day-release course (1 day per week, for 36 weeks spread over 3 terms); or
- as a one year half day and evening course (for 36 weeks spread over 3 terms); or
- as a two year evening course (1 evening per week, for 72 weeks spread over 6 terms)
- as an online course for union reps who need a more flexibly delivered programme. Union reps will access the course via the internet and work interactively on tasks with their tutor and other participants.

This is a flexible programme and trade union education centres may have developed different arrangements to suit reps locally.



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## Accreditation

The TUC diploma is accredited by the National Open College Network and is divided into three core units and four study skills units.

### Three subject units (27 OCN credits)

#### The changing nature of law (9 OCN credits)

This unit includes:

- the origins and development of employment law
  - what is employment law
  - employment law in the nineteenth century and to the present day
- how law is made and can be changed
  - sources of law, how the law can be changed
  - the European Union
  - the role of trade unions in the development of employment law
  - the role of interest groups
- the structure of employment law
  - types of law
  - the court structure in the UK
  - European law
  - European Court of Justice
- how employment law operates in practice
  - how employment tribunals operate
  - employment appeals tribunals
  - legal situations
  - commissions
  - codes of practice
  - the role of the International Labour Organisation

#### Employment law and the individual (9 OCN credits)

This unit includes:

- principles and procedures relating to contracts of employment
  - the nature of a contract of employment
  - collective agreements and individual rights
  - variation of contractual terms
  - remedies and enforcement
  - dismissal procedures and rights

- application of law relating to dismissal
  - the law relating to dismissal
  - reviewing workplace dismissal procedures and rights
  - wrongful dismissal
  - redundancy and consultation
- key legal aspects of discrimination in employment
  - legal definitions of discrimination
  - using codes of practice
  - discrimination
  - equal pay – the legal provisions and using the law at work
  - remedies and enforcement
  - equality audits
- specific legislation affecting employment rights
  - family-friendly working arrangements
  - maternity leave and statutory pay
  - parental leave regulations
  - employment protection
  - proposed or recent legislation

### Trade unions and collective rights (9 OCN credits)

This unit includes:

- trade unions; their organisation and administration
  - trade unions in law
  - trade unions and their members
  - trade union elections and mergers
  - trade unions and political activities
- recognised trade unions and information and consultation
  - trade union recognition
  - the legal route to recognition: advantages and disadvantages
  - the legal route to recognition: persuading the employer
  - information for collective bargaining
  - TUPE consultation
- trade unions and industrial action
  - industrial action law – the basics
  - industrial action law, past and future

## The study skills units (21 OCN credits)

The study skills units consist of:

### Communication and study skills (6 OCN credits)

- read and respond to written materials
- produce written materials
- prepare and make a presentation to a group
- take part in discussions and work collectively

### Research project (9 OCN credits)

- project planning
- research skills
- presenting a project

### Information communication technology (3 OCN credits)

- prepare and input data
- display and present information
- present data
- use database, word processing and spreadsheet applications

### Legal skills (3 OCN credits)

- resources, research and the law
- legal reasoning and case law
- using the law in negotiating
- taking a case to tribunal

## Entry requirements

**Union representatives who wish to take this course should have:**

- previously attended the union reps Stage 1 and Stepping Up – the advanced course for union representatives courses; or
- obtained 30 OCN credits, with a minimum of 18 credits at level 2; or
- obtained a suitable equivalent to the two categories above, through their own union's courses or from elsewhere.



Simon Weller

## Qualifications and progression

### **NOCN diploma for trade union representatives in employment law**

To achieve this qualification participants are required to:

- successfully complete all seven modules
- gain 48 credits (at level 2 for level 2 diploma or 27 credits at level 3 plus 21 credits at level 2 or 3 for level 3 diploma)

Learners who do not achieve the above will be awarded OCN certification for units achieved. All learners completing the course will receive a TUC certificate of attendance.

## Are there any fees to pay?

TUC Education will pay your course fees, provided that your nomination for the course is approved by your union. Some important reference publications may not be supplied, and you may wish to discuss with your union any arrangements for funding the cost of these materials.

## Can I get time off to learn?

Union representatives who wish to attend TUC courses in working time should first ask their employer for time off with pay. The Trade Union and Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1977 give accredited union and safety representatives a legal right to reasonable time off with pay to attend courses approved by the TUC or their union. Guidance towards establishing what constitutes reasonable time off can be found in the ACAS Code of Practice. Representatives who find difficulty in obtaining paid time off to attend TUC courses should seek assistance from their senior union representative or full time union officer.

## Can I get time off for online courses?

Online learning should not be seen as an alternative to paid release from work. The law still applies, whether learning takes place away from work or in work, at a workstation or in a company learning centre.

## Further information

### ■ Details of courses in your area, contact your regional education officer



### ■ National information about the course, contact:

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