

INDUSTRIAL RELATIONS MODEL EXAM



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IRAC method of completing exams

- Issues** - Outline the issues that you are going to discuss.
- Rules** - Define the legal rules that are relevant to the question.
- Application** - Apply the legal rules to the facts of the question (this is the important part).
- Conclusion** - Tie things up by suggesting the most likely outcome, usually in the form of an advice to your hypothetical client.

Always use your reading time wisely to **PLAN YOUR ANSWER** before writing. This is of utmost importance as it will help you clarify your thoughts. Planning will help to avoid following desperate exam strategies that unprepared students commonly resort to, such as:

- i) 'the kitchen sink' i.e. spilling all of your knowledge that is vaguely related to the topic onto the exam paper and hoping for the best; or
- ii) 'the garden path' i.e. going off on an irrelevant tangent.

Remember that the **APPLICATION IS THE MOST IMPORTANT SECTION** of your answer and should take up the bulk of your time. The marker will be most interested in *how you arrived* at your conclusion.

Question 1

Evelyn sorts the mail, makes coffee and answers the phone in Department 1 of Beach and Bush Pty Ltd. She is sixteen years old, and receives an hourly rate of \$12.00. Evelyn also receives \$1.00 for every coffee she makes. Evelyn is strictly required to work from 7:00am to 8:30am and from 4:00pm to 5:30pm on Mondays, Wednesdays and Fridays, except in school holidays where her hours increase.

Evelyn does not have much of a say in how she carries out her duties. The boss of Beach and Bush Pty Ltd, Peter, has instructed Evelyn of the precise way to answer the phone, as well as exactly how to sort the mail into folders and how to make the coffee. Evelyn learnt the hard way from one occasion where Peter yelled at her and told her to make the coffee again when it was too weak.....

Question 2

Paula was an employee of Beach and Bush Pty Ltd as a full-time secretary for 18 months. Beach and Bush Pty Ltd has 48 full-time staff. Paula spent most of her time unsupervised as she worked at the front desk tending to customer enquiries and accounts payable. Paula was required to take a lot of account and credit card details as was instructed by her boss Peter to keep these confidential and for the use of Beach and Bush Pty Ltd only.

Paula had also been told by Peter on a number of occasions that she must keep any cash received locked in the safe located behind the tissue box in the second drawer of her desk, and that the key was to be hidden underneath her computer. Peter also told Paula that she must relocate the cash before every lunch break into the company's main safe on the third floor of the office building.....

Question 3

Beach and Bush Pty Ltd is a camping equipment wholesaler with 48 full-time staff members. Currently the employees are covered by a modern award which sets out working conditions. These include the provision of 4 weeks paid annual leave, a pay rate of \$15.60 per hour, and a standard working week of 35 hours.

Beach and Bush Pty Ltd seeks to enter into a single-enterprise agreement with its employees, and has proposed a number of terms for the agreement. These include:

1. no requests for flexible working arrangements;
2. 5 weeks paid annual leave;
3. 3 months paid long service leave after 10 years of employment;
4. 7 weeks unpaid parental leave.....

Question 4

Saul is employed by Beach and Bush Pty Ltd as a forklift operator. He is concerned with the occupational health and safety standards of the workplace, particularly the outdated method his boss Peter instructs him to follow while operating the forklift.

Saul contacted his union, Blitza, and subsequently met with a union official in the loading docks of Beach and Bush Pty Ltd. A few hours later Peter heard from another employee that Saul was talking to a woman in a business suit with the logo “Blitza – protecting your rights” printed on her briefcase.....



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