OCHS12015 *Occupational Health and Safety Law*
Term 2 - 2026

Profile information current as at 12/11/2026 10:44 am

All details in this unit profile for OCHS12015 have been officially approved by CQUniversity and represent a learning partnership between the University and you (our student).The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

General Information

Overview
This unit is designed to equip the learner with a comprehensive working knowledge of current work health and safety and workers' compensation law. Topics will include how common law and legislation are made, applied and interpreted, liability under the common law contract of employment, the common law duty of care and negligence and statutory developments regarding prevention and compensation.

Details
Career Level: *Undergraduate*
Unit Level: *Level 2*
Credit Points: *6*
Student Contribution Band: *8*
Fraction of Full-Time Student Load: *0.125*

Pre-requisites or Co-requisites
There are no requisites for this unit.
Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the Assessment Policy and Procedure (Higher Education Coursework).

Offerings For Term 2 - 2026
- Online

Attendance Requirements
All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website
This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.

Class and Assessment Overview

Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

Regional Campuses
Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

Metropolitan Campuses
Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview

1. Legal case analysis (Written Assessment)
Weighting: 20%
2. Legal analysis of potentially compensable injury (Written Assessment)
Weighting: 30%
3. Legal analysis of workplace incident (Written Assessment)
Weighting: 50%

Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the University's Grades and Results Policy for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the CQUniversity Policy site.
You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Academic Progression Policy and Procedure
- Student Refund and Credit Balance Policy and Procedure
- Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the CQUniversity Policy site.

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from Verbal feedback from student

Feedback
The students enjoyed the the pre-recorded lectures and 'catch-up' tutorials which allowed easier time management.

Recommendation
Continue the method of pre-recorded lectures containing the content and live tutorials to add the context.

Unit Learning Outcomes

On successful completion of this unit, you will be able to:

1. Describe the current work health and safety and workers' compensation legal frameworks in Australia.
2. Apply relevant principles in order to determine workers' compensation entitlements.
3. Adopt a legal fault tree approach to the chain of incident causation in order to construct an accident analysis from a legal perspective.
4. Apply common law and statutory work health and safety provisions to determine liability.
5. Identify appropriate responses to the enforcement mechanisms contained in work health and safety legislation.

Alignment of Learning Outcomes, Assessment and Graduate Attributes

— N/A Level • Introductory Level • Intermediate Level • Graduate Level ◦ Professional Level ◦ Advanced Level

Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes				
	2	3	4	5	
1 - Written Assessment - 20%	•		•		
2 - Written Assessment - 30%	•	•	•	•	
3 - Written Assessment - 50%	•	•	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes				
	2	3	4	5	
1 - Communication	•	•	•	•	•
2 - Problem Solving			•	•	•
3 - Critical Thinking	•	•	•	•	•
4 - Information Literacy	•	•	•	•	•
5 - Team Work					
6 - Information Technology Competence	•	•	•	•	•
7 - Cross Cultural Competence			•	•	
8 - Ethical practice			•	•	•
9 - Social Innovation					
10 - First Nations Knowledges					

Alignment of Assessment Tasks to Graduate Attributes

Textbooks and Resources

Textbooks

There are no required textbooks.

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)

Referencing Style

All submissions for this unit must use the referencing style: Harvard (author-date)
For further information, see the Assessment Tasks.

Teaching Contacts

Peter Meredith Unit Coordinator
p.j.meredith@cqu.edu.au

Schedule

Week 1 - 13 Jul 2026

Module/Topic	Chapter	Events and Submissions/Topic
Introduction to law	Neil Foster & Jacqueline Meredith; *Workplace Health and Safety Law in Australia*, 3rd ed. 2024, Lexis Nexis, Chapter 1 Prescribed readings in Moodle	

Week 2 - 20 Jul 2026

Module/Topic	Chapter	Events and Submissions/Topic
Common law	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 1	

Week 3 - 27 Jul 2026

Module/Topic	Chapter	Events and Submissions/Topic

Statute law	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 2	

Week 4 - 03 Aug 2026

Module/Topic	Chapter	Events and Submissions/Topic
OHS as a component of the contract of employment	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 3	

Week 5 - 10 Aug 2026

Module/Topic	Chapter	Events and Submissions/Topic
Compensation and the common law - negligence	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapters 4 & 5	

Week 6 - 17 Aug 2026

Module/Topic	Chapter	Events and Submissions/Topic
Compensation under statute law	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 11	Legal case analysis Due: Week 6 Monday (17 Aug 2026) 9:00 am AEST

Vacation Week - 24 Aug 2026

Module/Topic	Chapter	Events and Submissions/Topic

Week 7 - 31 Aug 2026

Module/Topic	Chapter	Events and Submissions/Topic
Introduction to work health and safety under statute law	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 7 Prescribed readings in Moodle	

Week 8 - 07 Sep 2026

Module/Topic	Chapter	Events and Submissions/Topic
The primary duty of care under the *Work Health and Safety Act 2011*	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis Chapter 7 Prescribed readings in Moodle	Legal analysis of potentially compensable injury Due: Week 8 Monday (7 Sept 2026) 9:00 am AEST

Week 9 - 14 Sep 2026

Module/Topic	Chapter	Events and Submissions/Topic
The primary duty of care (contd)	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 9 (pp.413-420) & Chapter 10 (pp.447-454)	

Week 10 - 21 Sep 2026

Module/Topic	Chapter	Events and Submissions/Topic
Other statutory duties of care under the *Work Health and Safety Act 2011* - corporate officers, workers & others	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 8 Prescribed readings in Moodle	

Week 11 - 28 Sep 2026

Module/Topic	Chapter	Events and Submissions/Topic
Consultation	Prescribed readings in Moodle	

Week 12 - 05 Oct 2026

Module/Topic	Chapter	Events and Submissions/Topic

Enforcement	Neil Foster & Jacqueline Meredith; Workplace Health and Safety Law in Australia, 3rd ed. 2024, Lexis Nexis, Chapter 9 (pp.420-437)	

Exam Week - 12 Oct 2026

Module/Topic	Chapter	Events and Submissions/Topic
		Legal analysis of workplace incident Due: Exam Week Monday (12 Oct 2026) 9:00 am AEST

Vacation/Exam Week - 19 Oct 2026

Module/Topic	Chapter	Events and Submissions/Topic

Assessment Tasks

1 Written Assessment

Assessment Title
Legal case analysis

Task Description

Short-Answer Case Analysis (Weeks 1–3 Content)

Word limit: 800–1 000 words
Format: Short-answer responses (not an essay or report) Submission format: Word (.docx) or PDF only
Referencing: External referencing is not required

Task Instructions

Read the case study provided on the unit Moodle site. Using materials from Weeks 1–3 of the unit, respond to the set of short-answer questions relating to the case.
Your responses should:

- Directly address each question
- Demonstrate understanding and application of the unit content
- Use clear, concise academic writing suitable for short-answer format
- Draw explicitly on the definitions and frameworks introduced in Weeks 1–3
- Apply these concepts to the case scenario rather than describing them in isolation

Level of GenAI use allowed:
Level 1: You must not use AI at any point during the assessment. You must demonstrate your core skills and knowledge.

1	**NO AI**	The assessment is completed entirely without AI assistance in a controlled environment, ensuring that students rely solely on their existing knowledge, understanding, and skills **You must not use AI at any point during the assessment. You must demonstrate your core skills and knowledge.**

The full AI Assessment Scale table is available in the Assessment block on the Moodle site.

Assessment Due Date
Week 6 Monday (17 Aug 2026) 9:00 am AEST

Return Date to Students
Within 1 weeks of due date

Weighting
20%

Assessment Criteria
Your submission will be graded according to the following criteria:

- The responses to the questions relating to the case provided demonstrating an understanding of the material and how it relates.

Referencing Style
Harvard (author-date)

Submission
Online

Learning Outcomes Assessed
- Describe the current work health and safety and workers' compensation legal frameworks in Australia.
- Adopt a legal fault tree approach to the chain of incident causation in order to construct an accident analysis from a legal perspective.

Graduate Attributes
- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence

2 Written Assessment

Assessment Title
Legal analysis of potentially compensable injury

Task Description

Compensation Analysis Essay (Weeks 4–6 Content)

Word limit: 1 500–2 000 words
Format: Essay (Word document only)
Referencing: CQUni Harvard Format

Task Instructions

A scenario is provided on the unit Moodle site. Drawing on the concepts, legislation, and case law covered in Weeks 4–6 of the unit, analyse the scenario and determine:

1. Whether the injured person(s) has/have a valid claim for compensation, and
2. If so, the legal basis for that claim, including relevant statutory and common-law considerations.

Your response must be presented as a formal essay, with a clear structure, coherent argument, and appropriate academic writing style. You are expected to integrate relevant legal principles, case law, and statutory provisions from the unit materials. Where external sources are used, they must be referenced correctly.
Level of GenAI use allowed:
Level 2: You may use AI for planning, idea development, and research. Your final submission should show how you have developed and refined these ideas.

2	**AI PLANNING**	AI may be used for pre-task activities such as brainstorming, outlining and initial research. This level focuses on the effective use of AI for planning, synthesis, and ideation, but assessments should emphasise the ability to develop and refine these ideas independently. **You may use AI for planning, idea development, and research. Your final submission should show how you have developed and refined these ideas.**

The full AI Assessment Scale table is available in the Assessment block on the Moodle site.

Assessment Due Date
Week 8 Monday (7 Sept 2026) 9:00 am AEST

Return Date to Students
Within 1 weeks of due date

Weighting
30%

Assessment Criteria
Your submission will be graded according to the following criteria:
1. Identification and Analysis of Employment Status (5%)
- Accurately identifies and evaluates all relevant factors used to determine whether the individual(s) in the scenario is/are an employee or contractor
- Applies appropriate legal tests and principles to the facts of the case

2. Identification of Factors Relevant to Compensation Entitlement (10%)
- Identifies all relevant statutory and common law factors that determine whether the injured person(s) is/are entitled to compensation
- Demonstrates clear understanding of the legal thresholds and requirements for establishing entitlement

3. Identification and Application of Common Law Principles (10%)
- Identifies all relevant common law actions applicable to the scenario
- Applies these principles logically and accurately to the facts
- Demonstrates understanding of duty of care, breach, causation, and damage where relevant

4. Quality of Argument, Structure, and Academic Writing (5%)
- Essay is logically structured, with a clear flow of ideas and coherent argumentation
- Writing is accurate, professional, and free from spelling and grammatical errors
- Demonstrates evidence of wide reading and appropriate referencing of external sources

Referencing Style
Harvard (author-date)

Submission
Online

Learning Outcomes Assessed
- Describe the current work health and safety and workers' compensation legal frameworks in Australia.
- Apply relevant principles in order to determine workers' compensation entitlements.
- Adopt a legal fault tree approach to the chain of incident causation in order to construct an accident analysis from a legal perspective.
- Apply common law and statutory work health and safety provisions to determine liability.

Graduate Attributes
- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Cross Cultural Competence
- Ethical practice

3 Written Assessment

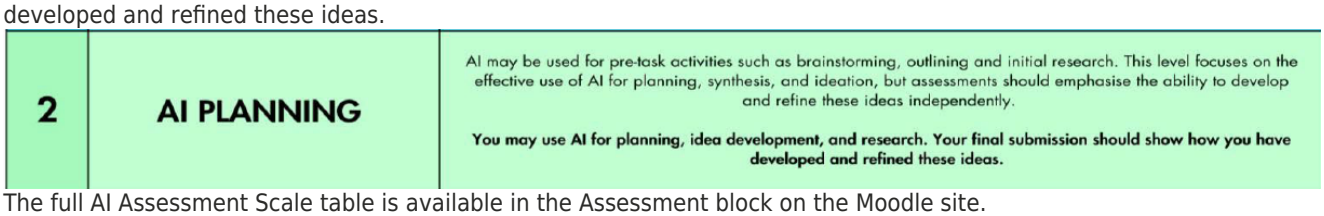
Assessment Title
Legal analysis of workplace incident

Task Description

Assessment Task: Legal Analysis of a Workplace Incident

Word limit: 2 500–3 000 words
Format: Essay (Word document only)
Referencing: CQUni Harvard Format
Task Overview After reading the incident scenario provided on the unit Moodle site, you are required to analyse the situation using the legal principles covered in Weeks 7–12 of the course. Your task is to determine whether any provisions of the Work Health and Safety Act 2011 (Qld) — or the equivalent legislation in other states, if applicable — have been breached.
Your analysis must:
- Identify the relevant duty holders involved in the scenario.
- Explain the scope and nature of their duties under the Act.
- Assess whether any of these duties have been breached, referring to:
  - specific sections of the WHS Act
  - relevant Regulations
  - applicable Codes of Practice
  - any other authoritative guidance material
- Provide a clear, well-reasoned explanation of how the incident occurred and which legal obligations were not met.

Level of GenAI use allowed:
Level 2: You may use AI for planning, idea development, and research. Your final submission should show how you have developed and refined these ideas.



The full AI Assessment Scale table is available in the Assessment block on the Moodle site.

Assessment Due Date
Exam Week Monday (12 Oct 2026) 9:00 am AEST

Return Date to Students
Within 1 weeks of due date

Weighting
50%

Minimum mark or grade
You must achieve a minimum grade of 50% for this item and an overall grade of at least 50% to be eligible to pass the unit.

Assessment Criteria
Your submission will be assessed according to the following criteria:
1. Identification of Duty Holders (15%)
- Accurate identification of all relevant duty holders.
- Clear explanation of the extent of each duty.
- Identification of potential penalties associated with breaches.

2. Analysis of Incident Causes and Legislative Breaches (25%)
- Clear explanation of the causes of the incident.
- Accurate identification of breaches of the WHS Act, Regulations, and relevant Codes of Practice.
- Demonstrated understanding of how the legislation applies to the scenario.

3. Academic Quality and Communication (10%)
- Logical structure and coherent flow of ideas.
- Clear, concise writing with correct grammar and spelling.
- Evidence of wide reading and appropriate referencing.

Referencing Style
Harvard (author-date)

Submission
Online

Learning Outcomes Assessed
- Describe the current work health and safety and workers' compensation legal frameworks in Australia.
- Apply relevant principles in order to determine workers' compensation entitlements.
- Adopt a legal fault tree approach to the chain of incident causation in order to construct an accident analysis from a legal perspective.
- Apply common law and statutory work health and safety provisions to determine liability.
- Identify appropriate responses to the enforcement mechanisms contained in work health and safety legislation.

Graduate Attributes
- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Cross Cultural Competence
- Ethical practice

Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the Student Academic Integrity Policy and Procedure. This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

Where can I get assistance?

For academic advice and guidance, the Academic Learning Centre (ALC) can support you in becoming confident in completing assessments with integrity and of high standard.

What can you do to act with integrity?

Be Honest
If your assessment task is done by someone else, it would be dishonest of you to claim it as your own

Seek Help
If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)

Produce Original Work
Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem