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This book is an analytical study of the current English law of traditional contracts of employment and of other personal employment contracts.

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Concentrating on the common law basis of individual employment law, it takes full account of relevant British and European Community legislation up to and including the Employment Act 2002.

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Oxford University Press, 2005, ISBN  
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M., Auby, J.,

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Mark Freedland - Wikipedia On

Bloomberg delivers business and markets news, data, analysis, and video to the world, featuring stories from Businessweek and Bloomberg News on everything pertaining to technology

This book is an analytical study of the current English law of traditional contracts of employment and of other personal employment contracts.

Concentrating on the common law basis of individual employment law, it takes full account of relevant British and European Community legislation up to and including the Employment Act 2002, and considers the impact of the Human Rights Act 1998 and of the developing law of human and social

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rights more generally. In this work the author has up-dated and built upon his earlier treatise on the Contract of Employment published in 1975. The present work takes account of the very considerable amount of case-law, legislation and legal writing which has affected the law of the contract of employment since the earlier treatise was written. However, the present work aims to do more than providing a second edition of The Contract of Employment. It addresses a wider range of employment relationships than the previous work did; in fact, it argues for and is constructed around a whole new category of employment contracts, which includes not only contracts of employment but also other personal employment contracts", a concept which the author articulates and justifies. Within that novel

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conceptual framework, many of the major features of the law of employment contracts are re-examined and presented in unfamiliar and challenging terms. Thus, the employer is re-conceptualized as the "employing enterprise", the bilateral structure of employment contracts is re-evaluated, and new explanations are advanced for the functioning of the law of termination of employment contracts and of remedies for wrongful termination."

The contract of employment is the central legal institution of modern English employment law. It provides the foundation upon which most statutory employment rights are constructed; it provides a conduit for

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the implementation of norms negotiated in collective bargaining; and it continues to provide a contractual structure for the terms and conditions of employment for a significant proportion of the working population. The Contract of Employment provides the most ambitious and comprehensive treatise on the theoretical and doctrinal aspects of the English contract of employment in the common law world. Under the general editorship of Professor Mark Freedland, the text has been produced by a team of world leading experts in employment law. Part I examines the theoretical context to the contract of employment, studying its structure and development from a wide variety of theoretical and comparative perspectives. Part II provides an exposition and analysis of

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the doctrinal aspects of the contract of employment. The coverage of The Contract of Employment is unrivalled in its depth, detail and sophistication. The legal analysis is always informed by a keen sense of the modern labour market context of the contract of employment, and it is sensitive to contemporary challenges such as precariousness, the interaction with migration law, the role of legislation in the contract of employment, and the decline of collective bargaining. It will be the principal reference point for the practitioners, judges, and academics concerned with the contract of employment as a legal category, both nationally and internationally.

This book explores the conceptual framework of European employment law, focusing on understanding the

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law's construction of employment relationships. The book draws on extensive comparative research of the legal architecture of employment relations in national legal systems and EU law to analyse the traditional model of the contract of employment and the difficulties of using the traditional model to frame modern working relationships. The authors then present a new model of the foundations of employment relationships, based on the concept of a personal work nexus, and explore the potential of their model to shape the future development of employment law. Throughout the book, the authors analyse the interaction of domestic and EU employment law, and discuss the possibility of future legal harmonisation in the area. They conclude by exploring the potential for



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a common framework for European employment law, in the context of broader debates surrounding the harmonisation of European private law.

Employment Law in Context combines extracts from leading cases and articles with insightful and sophisticated author commentary to provide the reader with a full, critical understanding of employment law. As well as providing a thorough grounding in individual labour law, and drawing attention to key and current areas of debate, this title offers the reader detailed analysis of the social, economic, political, and historical context in which employment law operates. An innovative running case study contextualizes employment law and demonstrates its practical

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applications by following the life-cycle of a company from incorporation, through expansion, to liquidation.

Reflection points and examples encourage the development of critical thinking skills and students' ability to view the issues practically. The text is supported by an Online Resource Centre hosting: - four supplementary chapters on collective employment law to facilitate a broader understanding of the subject - additional reading lists to accompany topics signposted in each chapter and annotated web links to key online resources to direct further research - a flashcard glossary helps students test their understanding of terms highlighted and defined in the book - twice-yearly updates to the law are provided by the author to keep students abreast of the latest developments - PowerPoint slides and

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figures from the book are available to lecturers

The book covers seven countries: Belgium, Germany, the Netherlands, Spain, Sweden, and the UK, as well as Israel as a comparator outside Europe. Data was collected from over 5,000 workers in over 200 organizations, and from both permanent and temporary workers, as well as from employers. --

The first book to explore the philosophical foundations of labour law in detail, including topics such as the meaning of work, the relationship between employee and employer, and the demands of justice in the workplace.

Employment Law 4e is the most complete and accessible introduction

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to the subject, suitable for students from a variety of backgrounds including HRM and business management. The expert author team combine a wealth of knowledge in teaching, examining, and practising employment law to ensure the reader has a firm understanding of legal principles, in both an academic and professional context. Case exhibits in every chapter illustrate employment law in action, whilst activities test the reader's understanding of the law and its application in the real-world.

Together, they enable students to effectively develop their knowledge of current legislation and maximize their learning. In addition, a dedicated chapter on preparing and presenting a case gives the reader a unique opportunity to demonstrate their understanding using a fictional

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scenario, through which they can gain a greater insight into the challenges faced by those required to prepare and deliver a case before an employment tribunal. As a result, Employment Law 4e is an essential textbook for students seeking to develop their academic and professional skills, as well as foster their understanding of a subject that directly affects business managers and their employees. Online Resource Centre This book is supported by an integrated Online Resource Centre. For students: - Test your understanding and receive instant feedback with our range of multiple choice questions. - Source relevant and reliable further reading using our publications briefing resource. - Keep informed of changes to the law with our regular updates from the authors. For registered lecturers: - Access

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Additional case studies and questions to support your teaching.

The world of work has undergone major changes in the last two decades. This book examines these changes in their international context. It is argued that collective bargaining should no longer be viewed as the most important means of regulating the employment relationship. In the changed world of work such an approach is becoming less relevant. Instead, other means of protecting legitimate worker interests are explored. These include: an adaptation and extension of the general principles of the law of contract; a constitutional right to fair labour practices; and the pursuit of good corporate governance and corporate social responsibility. The conclusion is that these

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alternative means of addressing legitimate worker interests can play a valuable role in filling the vacuum left by the worldwide decline of trade unions.

This book explores the conceptual framework of European employment law through a comparative analysis of domestic national laws and their interaction with EU law. The focus throughout is on understanding current developments in the law's picture of working relationships, and exploring the potential for further harmonisation of employment law.

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