This chapter looks at the terms which are implied into contracts of employment. Implied terms are those that are deemed to be present by a court despite never having been explicitly agreed or even discussed by the employer or employee. The chapter begins by setting out the different types of implied term, differentiating these from other types of terms, before going on to explore the major implied terms and their significance. It focuses in particular on the duty to maintain a relationship of mutual trust and confidence as this is the area in which the most significant legal developments have occurred. It then considers situations in which implied terms conflict with express terms, before discussing procedural issues in breach of contract cases.
8. Implied terms

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