5. The nature and content of the personal employment contract

This chapter examines the nature and content of the contract of employment. It explains how the contract of employment is primarily a repository for the rights and obligations of the employer and employee. It introduces the statutory duty of an employer to provide the employee with a statement of the main particulars of employment, and considers whether this statement is exhaustive of the terms and conditions of the contract of employment. In analysing the employment contract’s content, the chapter focuses on express terms, external documents incorporated into the contract of employment, imposed terms, and implied terms in fact.

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