

What is employment law?

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Employment law focuses on everything to do with the world of work and offers protection to businesses, as employers, and individuals as employees and workers.

It doesn't matter whether an organisation is a small company or a large corporate entity; when it retains someone to work for it or provide services to it, employment law will come into play.

There are three main sources of employment law in the UK:

1. law derived from case law (cases heard before the Courts and Tribunals);
2. UK statutes and European law; and
3. certain codes of practice also have influence, for example, the [ACAS Code of Practice on Discipline and Grievance Procedures](#).

Generally, the UK enjoys the benefits of employment laws which strike a balance between worker protection and business flexibility.

[Employment Tribunals](#) have the authority to hear most claims arising out of breaches of employment law, for example, discrimination claims, unfair dismissal claims and wrongful dismissal claims. They can also hear some claims submitted by workers, for example, discrimination claims and protection of wages claims. In addition, the [High Court](#) and [County Courts](#) can hear breach of contract claims.

What does employment law involve?

Employment law falls into two main categories. One deals with employees and their rights and obligations and encompasses other categories of workers and the self-

employed (as not everyone working for another is an employee). The other deals with employers and their rights, duties and obligations. Thrown into the mix are matters of legislation, statutory authorities, conduct regulations and the processes through which the law is implemented.

In summary

Employment law covers a wide range of issues including recruitment, remuneration and bonus schemes, the movement of employees and the exit of them. For example:

- Contracts of employment and service agreements
- Confidential information and springboard injunctions¹
- Consultancy agreements
- Disciplinary and grievance procedures
- Discrimination and victimisation claims (including bullying and harassment claims)
- Employee due diligence on business transfers ([TUPE](#))
- Employee share schemes
- Equal pay
- Family friendly rights (maternity/paternity and flexible working requests)
- Managing sickness absence
- Performance management
- Policies, procedures and handbooks (including social media policies)

- Post termination restrictions and garden leave
- Redundancy and reorganisation (including collective consultation for large scale redundancies)
- Settlement agreements (formerly known as compromise agreements)
- Sickness and absence from work
- TUPE rights
- Unfair dismissal and wrongful dismissal
- Whistleblowing

It is important for employers to keep up to date with the latest developments in employment law and the practical implications of changes. To find out more contact [Karen Cole](#) or sign up to our newsletter [here](#).

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Note: This is not legal advice; it is intended to provide information of general interest about current legal issues.



ⁱ An injunction is a court order restraining a person from beginning or continuing an action threatening or invading the legal right of another or compelling a person to carry out a certain act.

A springboard injunction is an injunction to prevent a former employee who has used confidential information to their own advantage from gaining a head start in competition with their former employer. An ordinary injunction would not be effective as the information has been published and is therefore no longer confidential.