Employment contracts: rights and responsibilities

Having a written contract can reduce the likelihood of disputes between employers and employees, and will help employees understand their rights.

An employment contract, or ‘contract of employment’, is an agreement between an employer and an employee which sets out their employment rights, responsibilities and duties. These are called the ‘terms’ of the contract.

An employee is entitled to a written statement of their main employment terms within two months of starting work. The employment contract is made as soon as the job offer is accepted. If an employee starts work it will show that they accepted the job on the terms offered by the employer, even if they don’t know what these are. Having a written contract could reduce the likelihood of disputes with an employer at a later date, and will help the employee understand their employment rights.

The employee and employer are bound by the employment contract until it ends (usually by giving notice) or until the terms are changed (usually in an agreement between the employee and employer).

Terms of an employment contract

Contract terms can come from a number of different sources. For example, they could be:

- Verbally agreed;
- In a written contract or similar document;
- In an employee handbook or on a company noticeboard;
- In an offer letter from the employer;
- Required by law – for example, the employer must pay an employee at least the national minimum wage;
- In collective agreements;
- Implied terms.

If there’s anything in a contract that the employee is unsure about, or which is confusing, they should ask the employer to explain it.

It should be made clear what is a legally binding part of the contract and what is not. The legal parts of a contract are known as ‘terms’. If either the employee or employer breaks a term of the contract, the other is entitled to sue for breach of contract.

Written statement of employment particulars

An employee who has been working for an employer for one month or more has the right to receive a written statement of employment particulars.

This must be provided by the employer within two months of the employee starting, even if they are going to work for them for less than two months. The written statement will set out some of the main employment rights.

Principal statement

The employer must provide the employee with some of their employment details in one single document. This is known as the ‘principal statement’ and must include:

- The employee’s name and the employer’s name;
- The job title or a brief job description;
- The date when the employment began;
- The pay rate and when they will be paid;
- The hours of work;
- The holiday entitlement;
- Where they will be working (if they are based in more than one place it should say this, along with the employer’s address);
Ten-minute chat

Pete Southgate is one of the directors of the Fish Vet Group, an Inverness-based veterinary practice that is dedicated to fish health and welfare. He is an RCVS recognised specialist in fish health and production, and a trustee of the BVA Animal Welfare Foundation.

What made you become a fish vet?
I wanted to do something a bit different; aquaculture in the UK was taking off and I was keen that vets should be as involved in fish as in any other sector.

How did you get to where you are today?
After a few years in general practice, I had the opportunity to take the MSc in aquatic veterinary studies at Stirling University and, having done that, I spent about six years in its Institute of Aquaculture Diagnostic Unit before I became a freelance fish vet. In the mid-1990s a couple of my fish vet colleagues decided to form a dedicated fish vet practice, which I joined, and things have developed from there. We provide a global dedicated veterinary service to aquaculture, fisheries, exhibition fish and so on. We have an amazing diversity within the group covering clinical services, environmental impact, fish welfare, teaching, auditing – ooh, loads of things!

What advice would you give someone considering a similar career?
Get some experience of the business before taking the plunge. It’s a bit different from what you might expect.

What do you like about your job?
The diversity of the work. The people I work with. The lack of weekend and night work.

What do you not like?
Although it is good to work all over the world, the travelling can get a bit tiring.

Why is your job important?
Fish are a vastly important global resource. There are many concerns about the future of this resource and how we handle it. It is imperative that our profession is involved in ensuring the health and welfare and the sustainable future of our fish stocks.

How do you spend a typical day?
One day I may be working on a shrimp farm in Vietnam or Madagascar, and on another day I might be trimming the teeth of a puffer fish in a public aquarium. I always try to catch PopMaster on Radio 2 though.

What’s the best piece of advice you were ever given?
Always check that there is a sufficiency of toilet paper before proceeding.

What was your proudest moment?
I’m proud of the fact that we have been able to get fish welfare on the agenda and that fish welfare is now taken seriously by the veterinary profession, the aquaculture industry and by government. I honestly believe that over the past two decades we have made a difference. I am also very proud of the work we do in the BVA Animal Welfare Foundation (AWF), particularly the work with the animal welfare lecturerships at some of the vet schools. BVA AWF is the vets’ own animal welfare charity and needs to be strongly supported by the profession. It’s a great opportunity to show that vets can be the leaders in animal welfare.

What was your most embarrassing moment?
Working in Libya, I was being driven through the Tripoli Safari Park when I suffered an attack of explosive acute diarrhoea (a theme is developing here). Because of the animals we were not able to open the windows or get out of the Land Rover and we all had to suffer the consequences for the next two hours.

Demonstrating a fish dissection to a group of state vets in Jamaica
Ten-minute chat

Pete Southgate

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