

The Personal Employment Contract, 2003, 560 pages, Mark Robert Freedland, 0199249261, 9780199249268, Oxford University Press, 2003

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 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 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.

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