

employment contracts

1 Contract vocabulary

Complete the text with the words below.

appendix binding fulfil parties sue terms

A **contract** is a legal agreement between two or more _____¹ (people or groups). Every contract contains different _____² (conditions) which state what each side must do. If the contract is in a written form, and somebody signs it, then usually that person must meet or _____³ all the conditions, even if he or she has not read the full agreement. We can also say that the conditions are now _____⁴.

If someone does not fulfil certain conditions, for example if a person refuses to pay after receiving a service, the other party may decide to _____⁵ in a court of law.

Sometimes, the parties may want to include some extra conditions in a contract after it has been signed. They can do this by adding an _____⁶.

2 Types of contract

Match the types of contract to their definitions.

- | | |
|---------------------------|---|
| 1. a lease | a contract between an employer and employee |
| 2. an employment contract | a contract between an insurance company and a person who pays for the insurance |
| 3. a contract of sale | a contract between a seller (or vendor) and a buyer (or purchaser) |
| 4. an insurance policy | a contract which allows one party (the tenant) to use the land or property of the other party (the landlord) for a specified period of time |
| 5. a software license | a contract which allows someone to use a computer programme |
| 6. a credit agreement | a legal contract in which a bank agrees to loan a customer a certain amount of money for a specified amount of time |

Look at the list of points that should be motioned in a contract of employment. Match them to the extracts from some model contracts (a-j)

- 1 date the employment begins
- 2 rate of pay and when/how paid
- 3 normal hours of work/overtime/shift patterns
- 4 holiday entitlement (including public holidays)
- 5 job title (or a brief description of the job)
- 6 location of workplace
- 7 notice period
- 8 sick pay provision
- 9 pension scheme terms
- 10 disciplinary rules and grievance procedure

a The amount of notice you are required to give or be given by your employer in the first four years is four weeks.

b A copy of the company's disciplinary procedure is attached to this contract and employees are asked to read it carefully.

c Your basic salary will be £35,000 per annum, payable monthly in arrears by credit transfer to your bank or building society.

d Your normal place of work will be the above address. From time to time the company may require you to work at other sites on a temporary basis.

e Your employment begins on 1 January 20...

f The company does not offer a pension scheme but provides access to a stakeholder pension. Details can be obtained from the personnel department.

g You may be required to work on a public holiday. If so, you are entitled to time off in lieu.

h Normal hours of work are 37½ per week, 9 am to 5.30 pm Monday to Friday, with one unpaid hour for lunch each day.

i You must inform the office by 10 am on the first day of absence. Failure to do so may render you subject to disciplinary action and may also bar you from sick pay.

j Your current job title and responsibilities are detailed in Schedule 1 and may be amended from time to time. Any changes will be discussed with you fully and notified to you in writing.

3 Collocations with 'contract'

Complete the phrases below with the following verbs.

breach **complete** **draw up** **extend** **renew** **sign** **terminate**

1. sign a contract ⇒ to put your signature on a contract to show that you agree to it
2. _____ a contract ⇒ to prepare/write a contract
3. _____ a contract ⇒ to break one or more of the terms of the contract
4. _____ a contract ⇒ to end a contract before the official end date
5. _____ a contract ⇒ to fulfil all the terms of the contract
6. _____ a contract ⇒ to make a contract continue for a longer time
7. _____ a contract ⇒ to sign a new contract (when the previous contract has finished)

Now complete the sentences below:

1. Our lease expires at the end of the year, but we were able to _____ the contract by another year.
2. We cannot sell the goods to a third party. If we do this, we will _____ the contract.
3. We were very happy with the service so after our contract ended, we decided to _____ it.
4. The construction firm couldn't _____ the contract because of the bad weather.
5. We can _____ the contract if we notify the other party one month in advance.
6. In order to make everything legal, the lawyers decided to _____ a contract.

4 Contract language

In English, there are a number of very formal, old-fashioned words which are used only in legal contracts and formal documents. Look at the sentences and phrases below. What do you think the underlined words mean? In pairs, match them to their meaning.

1. The company named above (hereinafter referred to as "the contractor") ...
 2. the schedule hereto attached
 3. payment of the obligations herein
 4. We do not warrant that the website will meet all your needs.
 5. By signing this contract, you hereby accept the terms and conditions.
- a. as a result
 - b. guarantee
 - c. in this document
 - d. later in this document
 - e. to this document

Do contracts in your country use specialised legal language?

USEFUL LANGUAGE

The language of contracts

The language used in contracts of employment is highly formal and includes fixed phrases, formal vocabulary, the passive, and the *will* future. Some examples are given below.

Fixed phrases

will be notified in writing
payable monthly in arrears
failure to do so
subject to disciplinary action

Use of formal vocabulary

<i>to render</i>		<i>to make</i>
<i>to amend</i>	instead of	<i>to change</i>
<i>to be entitled to</i>		<i>to have the right to</i>
<i>to notify</i>		<i>to tell</i>

Use of passive

employees are asked ...
you may be required ...
details can be obtained ...
more information can be found in ...
employees are expected ...

Use of future

your place of work will be ...
any changes will be discussed ...