

Strand C – Rights of the employer and employees

Employer rights and the law

Employers have certain legal rights, which protect both themselves and you whilst you are working for them. Most employers have all their employees sign a contract of employment, as previous described, and they expect their employees to abide by it. If the employees don't abide by the contract of employment, then the law is on the side of the employer, and disciplinary action can be taken against the employee.

The employer has the rights as stated in the contract of employment, as well as some rights on top of this. These rights are not stated in the contract of employment because they are obvious, and so are taken for granted; they can be called the implied terms.

“Additional rights of all employers (the implied terms)

All employees must:

- Be reasonably competent and have the skills they claimed to possess at the interview
- Be 'ready and willing' to do the work and do what a 'reasonable' employee would do in any situation
- Work towards the objectives of the organisation
- Take reasonable care of the employer's property (including equipment and furniture)
- Be prepared to carry out reasonable instructions and requests, which might include complying with a company 'dress code' especially if the employee comes into contact with general public or does work which is regulated by hygiene and food handling laws
- Be honest
- Not give away confidential information
- Behave responsibly toward other people at work
- Be prepared to change when the job changes, e.g. when new technology is introduced into the workplace.”

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It is important that employers also comply with health and safety procedures, and ensure that their employees also comply with them. Employers or employees who don't comply with health and safety regulations can be prosecuted, as this is a criminal offence.

Employee rights and the law

Employees have a right to receive details of their employment within two months of starting work; this is normally in the form of a contract of employment. They also have a right to be consulted on changes in their contract, and to be notified of these within one month of these changes being applied.

ASDA employees have the right to be given details of their terms of employment within two months of them starting work. These details are usually stated in the employee's contract of employment. ASDA employees also have the right to be consulted on changes, which affect the contract of employment.

ASDA colleagues also have rights regarding the training they receive. They have the right to receive adequate health and safety training, to ensure that they, and others working with them, can work safely.

Colleagues also have the right to choose whether or not they join a trade union. "It is illegal for employees to discriminate against employees or victimize them if they belong to a union". *GCSE Applied Business For OCR*. They also cannot refuse to employ anyone because they already belong to a trade union. Trade union officials also have the right to have paid time off, in order to carry out duties, and time off for training.