



INSTITUT D'ÉTUDES JUDICIAIRES

UNIVERSITY OF EVRY

LEGAL ENGLISH

Academic Year 2018-2019

By Mrs. Dossi ZODOGANHOU-VIAUD

LESSON 2: ANGLO-AMERICAN EMPLOYMENT AND  
LABOR/LABOUR LAW

SEPTEMBER 21th, 2018 – 2:00 TO 5:00 PM

**STUDENT WORKSHEET**

**TIP FOR THIS LESSON:** *Most legal websites provide substantial documentation on the topics covered by this lesson.*

*However, for the students who prefer getting the information from books, I recommend the following two books:*

1. *“The English of Law: England and Wales” / Anne Brunon-Ernst, Nicki Chaudoir, Yasmine Mohammadi, Michel Perdu, William Yeago et al.*
2. *“The English of Law: U.S. Law & Politics” / Anne Brunon-Ernst, Nicki Chaudoir, Yasmine Mohammadi, Michel Perdu, William Yeago et al.*

-----

I. In order to prepare this Lesson, Students are strongly invited to study the following legal topics.

- *Trade Unions and their role*
- *Strikes and Pickets*
- *Collective Bargaining Agreements*
- *« Employment at Will » Doctrine*
- *The legal doctrine of « implied contract »*

- *Employee v Independent Contractor*
- *Employment Discrimination under the United States Employment Laws and Remedies*
- *Employment Rights in the States*
- *Termination of Employment*
- *Restrictive Covenants in Employment Agreements*
- *Occupational Safety and Health Act*
- *Company-Employee Handbooks and Policies*
- 

**II.** In addition, the following questions shall be addressed :

- ❖ *What are the differences and similarities between Labor and Employment laws?*
- ❖ *Explain the rationale of a trade union and a collective bargaining agreement.*
- ❖ *What is the employment « at-will » doctrine and exceptions to this doctrine?*
- ❖ *Explain the legal doctrine of « implied contract »*
- ❖ *Do Employees and Independent Contractors have the same legal status under employment law?*
- ❖ *What are some of the various concepts that need to be included in an employment contract in the UK?*
- ❖ *What are some of the various social protections or employee benefits provided in the UK and the US?*
- ❖ *Discuss the different types of workplace discrimination in the UK and the US and the notion of bona fide qualification.*
- ❖ *What are the available remedies for discrimination?*
- ❖ *How are employment or labor disputes legally resolved?*
- ❖ *What are the different classifications of dismissal or termination of employment?*
- ❖ *In what circumstances dismissals are likely to be considered unfair?*
- ❖ *What are the most usual Restrictive Covenants in Employment Agreements?*
- ❖ *What is the American's «Occupational Safety and Health Act»?  
What is it meant for?*
- ❖ *Is «the Company-Employee Handbooks and Policies» part of the employment agreement in the States?*