

Contract of Employment

Written by

Wednesday, 28 October 2009 10:26 - Last Updated Wednesday, 28 October 2009 10:35

Under the Employment Act 1955 an employment contract can be in oral or in writing.

It defines a contract of employment as "any agreement, whether oral or in writing where one person agrees to employ another as an employee and that the other agrees to serve his employer as an employee." The terms of the contract is important as it regulates the relationship between the employee and employer.

An employer may have terms which are better than those provided under the Employment Act but not terms which are inferior to the terms and conditions contained in the Employment Act.

An employee should always insist on a written employment contract from the employer containing the basic terms and conditions like maternity, overtime payment, working hours and annual and sick leave. This contract must be signed by both the employer and employee.

It must be noted that once the contract is signed, its terms cannot be varied or changed by either party except with the consent of the other. If the contract of employment is for a period of more than one month, it must be in writing.