

3-1-2005

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Repository Citation

Holmes, Elizabeth Geesey and Whited, Marie, "Employment/labor contracts: Contracts or Labor Law?" (2005). *Articles, Chapters and Online Publications*. 4.
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EMPLOYMENT/LABOR CONTRACTS: CONTRACTS OR LABOR LAW?

CLASSIFICATION

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Recently there was a question on the AUTOCAT electronic discussion list on classifying the title *Drafting employment contracts* by Gillian Howard with the main subject heading of Labor contract – Great Britain. Her item included model clauses, draft letters and contracts, part-time work, fixed-term contracts and changing terms and conditions. Similar works are classed in two different numbers:

KD1634, Law of England and Wales—Contracts—Particular contracts—Contract of service. Master and servant, and **KD3096**, Law of England and Wales—Social legislation—Labor law—Labor standards—Employment and dismissal. The cataloger asking the question liked KD1634 more than KD3096 because it is under contracts, however she noted that she was confused about what master and servant meant.

Two of our esteemed law cataloging colleagues offered their comments which I'd like to share. "Master and servant" refers to the traditional labor law based solely on private contracts between employers and employees. This term sounds archaic now and probably should include the more contemporary terms "Labor contracts" or "Employment contracts." In fact if you browse Class Web at KD3096 which has the caption, "Employment and Dismissal. General," there is a see reference to KD1634 for the topic "individual labor contracts."

On the other hand, "Labor law" is the legal regime imposed by the state on the system of labor relations including unions, collective bargaining agreements, etc. Even though these two areas interact today, and would be together in a modern schedule, historically they were totally different.

Note that these concepts are also separate for U.S. law and the same distinction applies to KF894 versus KF3457.

It is important to keep in mind that when working with topics that appear in two or more different branches of law, i.e., commercial law and labor law, check the work in hand carefully to determine the branch being discussed. Is the book talking about contracts as part of labor law and citing labor law statutes and cases, or is it discussing commercial law and mentioning commercial cases and statutes?

I hope this information is helpful, and please remember to send any classification questions to us or your fellow law catalogers on the AUTOCAT and TS-SIS electronic discussion lists.