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Labour market issues from a legal perspective
arising in Professional Rugby Union and
Professional Football

Brian Palmer

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Employment status – does it matter?

- ◆ What is the test for a Contract of Employment?
- ◆ Obligation to provide work personally
- ◆ Mutuality of obligations
- ◆ What other factors are taken into account?

Contract Negotiations

- ◆ Right to work in the UK
- ◆ Contract terms
 - ◆ Express terms
 - ◆ Implied terms
 - ◆ *Kieron Brady v Sunderland FC*
 - ◆ *Lou Macari v Celtic FC*
 - ◆ Incorporation

Restrictions, Garden Leave and Transfers

- ◆ Restrictions – the general position
- ◆ Garden leave
 - ◆ ***Crystal Palace v Steve Bruce***
- ◆ Transfers
 - ◆ Ashley Cole

Termination of the Contract

- ◆ Action short of termination
- ◆ At common law
- ◆ Player termination
 - ◆ *Julian White v Bristol Rugby Limited*
- ◆ Unfair dismissal
- ◆ Remedies
 - ◆ *Warren v Mendy*

Other Issues

- ◆ Salary caps
- ◆ Player release
- ◆ Players' Unions in strike action



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