

Employment law in the UK is established through a combination of legislative processes and judicial interpretations. Understanding how these laws are created provides insight into how they regulate the relationship between employers and employees.

### Sources of Employment Law

UK employment law originates from two primary sources:

1. **Legislation:** This is law made by Parliament. It involves a structured process where proposed laws, known as bills, are introduced, debated, and amended before receiving Royal Assent to become Acts of Parliament.
2. **Common Law:** This is developed through judicial decisions. Judges interpret existing legislation, consider the intentions of Parliament, and apply precedents from previous cases to make rulings. These interpretations can set precedents for future cases.

### The Legislative Process

The creation of employment law through legislation involves several key steps:

- **Introduction of a Bill:** Most legislation begins as a bill proposed by government ministers. It is first introduced in either the House of Commons or the House of Lords.
- **Debate and Amendments:** The bill is debated, and members of Parliament can propose amendments. This process ensures thorough scrutiny and allows for adjustments based on feedback and expert opinion.
- **Approval:** After passing through both houses, the bill must be approved in its final form.
- **Royal Assent:** Once approved by both the House of Commons and the House of Lords, the bill receives Royal Assent from the monarch, becoming law.

### Common Law Development

Judges play a crucial role in shaping employment law through common law. When interpreting legislation, they consider:

- The specific wording of the law.
- The intended purpose of Parliament when enacting the law.
- Previous judicial interpretations and decisions.

These interpretations can guide how similar cases are handled in the future, establishing legal precedents.

### Devolution and Employment Law

## ...Employment Law is Made in the UK

In the UK, employment law can be either reserved to the UK Government or devolved to regional governments:

- **Great Britain (England, Scotland, and Wales):** Employment law is largely a reserved matter, managed by the UK Government.
- **Northern Ireland:** Employment law is mostly devolved, with certain matters retained by the UK Government. The Chartered Institute of Personnel and Development (CIPD) provides resources outlining which areas are devolved.

### Court Processes for Employment Law Claims

Employment law claims in Great Britain can be processed through various courts, including:

- **Employment Tribunals:** Most employment disputes are initially heard here. Tribunals specialise in handling workplace-related cases.
- **Civil and Criminal Courts:** Some claims, depending on their nature, may go directly to these courts.
- **High Court:** Certain complex cases might be escalated here.
- **Appeals:** Decisions can be appealed in the Employment Appeal Tribunal, the Court of Appeal, the Court of Session (in Scotland), and ultimately the Supreme Court.