**Business Law Project**

Name

Institutional Affiliation

Course

Your Tutor's Name

Assignment's Submission Date

**Report**

**To: Winnie James, Ralph Anders**

**From: Student's name**

**Re: Clean risks and liabilities**

**Part 1: Risks and Liabilities**

**A): Business risk 1: Contracts with Employees**

Contracts with employees are a typical process in many businesses. It is an agreement between the employer and the worker concerning the employment condition. Thus, the contract's parties are the worker and the employer. A contract with employees contains terms and provisions about employment. For instance, the contract might include the employee's working duration per day and the wage or salary for the services offered to the employer. A legal employment contract contains various elements. First, it has an offer made by one party and an acceptance from the other party of the contract. Second, it includes a consideration whereby the involved parties agree to exchange something of value. In an employment case, the worker exchanges labor and skills for money (Nerlinger, 2021). The third is legality, whereby the contract's defined exchange must be legally enforced, and lastly, the contract parties must be old enough and mentally stable.

A contract with employees limits the business flexibility to the agreement. As a result, the business is restrained from engaging the workers in activities not spelled out in the employment contract since such practices violate the agreement. Additionally, a contract with an employee establishes an implied promise to act honestly and fairly. This promise is legally binding for both the employer and the worker, and breaching it attracts legal consequences. Therefore, Clean business can suffer penalties should it breach any condition stated in the employment contract with its employees.

Therefore, Clean can be considered to have breached an employment contract under two circumstances. The first circumstance is when Clean fails to honor what it promised in the employment contract, and the second is if Clean does what the employment contract prohibits (Nerlinger, 2021). For instance, if the contract necessitates the employee to work for eight hours per day, if Clean extends the working hours beyond eight hours without renegotiating the terms in the employment contract, this duration extension is a breach of the employment contract. As a result, the employee can take legal action against Clean.

**B): Business Risk 2: Negligence related specifically to premises liabilities**

The second business risk for Clean is negligence explicitly related to premises liability. Premises liability denotes business owner's responsibility to keep their properties devoid of dangers that could harm people who visit them in various ways, including accidents. Failure of business owners to keep their properties safe implies it might be sued for negligence if the business visitors are injured on the premises or fail to execute the necessary care standards.

However, there must be evidence that the loss or damage resulted from the business owner's breach of responsibility to ensure safety (Edgar, 2021). Therefore, business owners should comprehend their visitors' legal status while on their premises to implement relevant care standards to evade any negligence claims. Suppose visitors suffer from any harm resulting from business owners' negligence to eliminate potential hazards and dangers or put warning signs to make visitors conscious of impending injuries. In that case, the business might be held responsible for the injured visitor's medical bills, pain and suffering, and loss (Edgar, 2021) emanating from the injury, including lost wages.

There are various forms of injuries that might occur in the Clear business. Slips and falls are the most common ones that might result from slippery floors. In such cases, Clean might be sued for negligence if it failed to caution people about wet or slippery floors, failed to prevent entry into potentially dangerous areas, if the business premises has holes on the floor and uneven floor. Besides, poorly maintained escalators in the business premises that exhibit unsteady movements might also result in injuries that have a legal consequence to the business (Edgar, 2021). Therefore, Clean could suffer legal penalties if visitors and employees suffer injuries due to its negligence to maintain relevant care standards on its premises.

**Part 11: Legal Counsel**

An attorney's assistance is crucial for Clean business. Layers can assist Clean in comprehending various legal matters, including legal violations and their operation's impacts that can attract a legal penalty. Besides, lawyers can offer the relevant legal advice to help Clean overcome some legal situations and prevent violating laws in their line of operation while dealing with other businesses and the community.

In particular, Clean need an employment contract lawyer to help it while making contracts with employees. The lawyer has a vast knowledge of the employment contract and the related legal issues. As a result, they are better positioned to advise Clean on negotiating their terms to reduce chances of exhibiting liabilities. Second, the lawyers can help Clean address contractual issues by clarifying legal terns to eliminate any misinterpretations. Lastly, the lawyer can help the business in case of a breach of the contract (Philips, 2021). For instance, if the employee leaves employment without notice before the expiry of the agreement, the lawyer can help Clean in court to prevent the business from any financial losses.

Lastly, Clean should also seek legal assistance to help address negligence related specifically to premises liabilities. A complex fact with premises liabilities is that the safety laws vary between states, thus making it difficult for business owners to determine the exact safety measures to implement to evade any penalties. The lawyers have the expertise and knowledge to advise the business on the various state laws relevant to this legal issue to guide the formulation and implementation of practical care standards to avoid injury to the visitors. Besides, in case of an accident, the legal process regarding premises liabilities is too complex, necessitating a legal expert's engagement (Edgar, 2021). Therefore, they should consider hiring these lawyers for advice and during court cases.

**References**

Edgar, S. (2021). Business Owner Liability. <https://www.edgarsnyder.com/slip-and-fall-accidents/business-owner-liability.html>

Nerlinger, S. (2021). Employment Contract Law. https://www.legalmatch.com/law-library/article/employment-contract-law.html

Philips, G. (2021). Contract Lawyer. <https://phillipskaiser.com/contract-lawyer/>