Professional Contract Formation

Student’s Name

Institutional Affiliation

Date

**Contract Formation**

Contracts are legally binding documents to entities who agree and sign them. In most instances, contracts only require two elements to become legally valid. These include all parties agreeing to an offer is given by one and accepted by another party. Additionally, it entails the exchange of a valuable item or something like cash, services, and products as well as a promise. The implication is that contracts between parties must be accepted by both and follow the required legal aspects (Laurence, 2020). In this professional contract formation, this article provides a contract developed for a small family photography business. The agreement is a bilateral contract as both the family business and the professional service provider, a photographer, will both make promises on doing something. In this case, the agreement entails a photographer signing a contract with the organization that they will receive tuition assistance if they wish to further their education on condition that they will continue working for the Company for a specified period.

**LUNGREN PHOTOGRAPHY SERVICE INC.**

**M LARGE**

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**Stockton City, CA.**

**89756**

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[services@lungrenpts.com](mailto:services@lungrenpts.com)

**NAME OF EMPLOYEE** **Phone Number**

Gerald Fitzpatrick 895-965

**Employee Address** **Email**

3000 Boulevard Court, geraldfp@hotmail.com

Sacramento, California, 76541

**CONTRACT FOR PHOTOGRAPHY SERVICES & TUITION ASSISTANCE**

This contractual agreement for photography services employment and tuition assistance is made between the above-referenced EMPLOYEE (Photographer) and the COMPANY (Employer) relating to employment as a photographer. Upon the execution of this covenant described below, the employee agrees to provide services to the organization according to the contractual work engagement signed between the two parties at a salary offered, $20,0000 annually. The Company also agrees to provide tuition assistance to the employer as long as the employee follows or meets the conditions for the tuition assistance.

1. **Entire Agreement**

This agreement contains the full understanding between the COMPANY and the EMPLOYEE and supersedes all prior and simultaneous conventions between the two parties. Either of the parties can only change or alter these provisions through writing with the express interest on areas that they will make changes. If any part of this agreement is not valid or unenforceable, the rest of the contract shall stand and remain correct as well as enforceable. A bilateral agreement to waive one or more provisions of this convention or any failure by either party to execute a clause of this agreement shall not constitute a waiver of any part or provision of the contract.

1. **Terms and Conditions**

**a). Start Date of the Photography Contract**

The agreement between the two parties will come into effect immediately upon signing to the provisions between the two parties. Upon hiring into the Company, the employee shall sign this agreement to deliver quality work and adhere to professional standards and the organization's core values as outlined in the organizational manual and culture policy availed to the individual.

**b). Duration of Photography Contract**

Unless revocation through mutual consent and in writing between the two parties, a contract with the organization will have a term of three years and subject to renewal upon expiry. In this case, a contract becomes valid the moment the two parties append their signatures once the organization makes an offer, and the employee accepts.

**c). Offer**

The COMPANY (Lungren Photography Services) makes an offer that an employee (photographer) shall receive $20,000 as salary for high quality and measurable photography services to the organization each year. The organization also offers tuition assistance amounting to $2,000 annually to the employee once he signs a three-year contract.

**d). Condition**

The employee (Photographer) can only get the tuition assistance on condition that he signs a three-year contract with the Company and does not wish to revoke it. If he rescinds the contract, any amount paid shall be deducted before he leaves the organization. Conversely, he can sign a separate agreement where he states how he shall reimburse the amount offered in case he terminates the contract before the end of the specified duration.

**e). Safety**

The COMPANY reserves the right to terminate the agreement if the photographer fails to meet the necessary condition as well as performance standards. In such cases, the employer will offer a grace period of two months following written warnings as well as a summons to the employee to explain his position and inability to meet the performance metrics. The Company is also liable for ensuring that the employee works in safe conditions with hostility, inappropriate experiences like discrimination and threats to his life.

**f). Liability of the Employee**

The employee is liable when he fails to inform the Company of his intention to leave the organization on time. Consequently, the Company shall not pay any compensation if the employee leaves before the expiry of his contractual engagement with the organization. The employee should always ensure that safety is a priority when working in the Company.

**g). Responsibilities**

The COMPANY shall not be responsible for any low quality work by the employee done to its client. The organizational shall compel the employee to offer any substantive explanation about the low quality work or delivery to clients.

**h). Modification of the Agreement**

This agreement is a whole agreement between the employee and the Company and can only be modified as outlined in the preceding sections or paragraphs, in writing, and accepted as well as agreed by all the parties. The agreement is valid and legal such that any prior agreements cannot override it.

**Signed**

President,

LUNGREN PHOTOGRAPHY SERVICES

Reference

Laurence, B. K. (2020). Contracts 101: Make a Legally Valid Contract. Retrieved from

https://www.nolo.com/legal-encyclopedia/contracts-101-make-legally-valid-30247.html