

Is Your Offer Letter Oscar-Worthy?

By: Daniel Burke on March 8, 2018 on graydon.law

If awards were given for offer letters, would yours be nominated for an Oscar?

A letter detailing an offer of employment to a candidate - an offer letter - is an important legal document and should be carefully drafted.

An Oscar-worthy offer letter should include the following:

- A clear description of what the job entails, to whom the employee will report, what and when the employee will be paid (including eligibility for any bonuses and employee benefits), the start date, and the expected weekly hours of work.
- A statement that the employment relationship is “at will,” which means that the employer or the employee can terminate the employment relationship at any time for any reason or no reason.
- A description of any conditions to the offer, *e.g.* satisfactory completion of a pre-employment background check or drug test, proof of eligibility to work in the U.S.
- A description of any other documents that the candidate will need to sign before starting employment, *e.g.* a confidentiality, non-compete, and/or non-solicitation agreement.
- For executive and other high-level positions, consider whether to include a statement that the candidate agrees that he/she is not bound by any non-competition or other obligation that would prevent them from working for your company.
- The date by which the offer must be accepted and to whom the acceptance of the offer should be communicated.
- A space at the end of the letter for the candidate to sign and date, signifying their acceptance of the offer upon the terms stated in the offer letter.

And the winner is...