

Avoid the Pitfalls of Promises That Can't Be Delivered

Question:

How do I ensure my company's liability when presenting a job offer?

Answer:

Over the past decade, the courts have seen a notable increase in cases involving employment contracts. Some employees claim they were promised compensation that they never received, while others dispute grounds of termination.

Here are a few tips to prevent such misunderstandings when sending an offer letter:

- **Never make implicit or explicit promises.** Statements that allude to job security or bonus assurances can be interpreted as contractual obligations by the courts.
- **Make sure company documents agree.** Trouble can occur when the offer letter



states something different from company literature, your employee handbook or a job description.

- **Stick to specifics.** Include information such as position offered, location, working hours, salary, benefits and starting date. Avoid vague terminology such as "stable working environment," "company family" or "lack of layoffs within our organization."

Question:

What should I check for to make sure the document extended by a potential employer is legitimate?

Answer:

Don't let a sloppy job offer cost you time, legal expense, or your good name. Well-designed offers can clarify conditions of employment and protect you from trouble down the road. Here are a few issues to consider:

- **Statements made during the interview should match the offer letter.** Make sure anything discussed verbally is fully explained in the letter, especially if you interviewed with more than one person from the company.
- **Check for "employment-at-will" rights.** Make sure the employer includes a statement that re affirms your right to terminate employment at will.
- **Get someone else to review the letter.** It helps to have a fresh pair of eyes read the letter and look for potential problems. Preferably, this person should not be directly involved in the hiring process.

It's always a good idea to allow your attorney to review employment documents.



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