

Offer Letters: Light at the End of the Tunnel

BY MARILYN WEIXEL

SPECIAL TO THE DAILY SOUND

Whether you are the employer or the successful applicant, being at the point of the offer letter is a cause for celebration. But it is certainly not a time to stop doing all the careful planning and analysis that got you to this point. Whichever side of the hiring desk you are on—employer or applicant—you are about to embark on a new relationship, and it is imperative that its terms and expectations are clear. Putting these in writing helps to prevent misunderstandings in the future.

What are some of the key items to be covered in the offer letter?

- The title of the job being offered and the name and job title of the person to whom the new employee will report.
- The compensation—How much will the new employee be paid? Will the employee be eligible for overtime? Are there any other forms of compensation, such as bonuses? If so, what is required to receive the bonus? If health insurance is part of the compensation package, when will the new employee be eligible, and how much does the employer contribute toward premiums? Benefits are often a key factor employees consider in job changes.
- The start date the employer is expecting the new employee to begin work, and the date the job offer expires (if any). These may be negotiable to meet either the employer's or the new employee's circumstances. The letter should also list other basic terms and conditions, such as work schedule, licenses the employee is expected to maintain, etc.
- Any contingencies that the new employee must satisfy for the employment relationship to go forward. Federal law requires that the new employee provide the employer with documents that

prove that he or she has the legal right to work in the U.S. If the employer requires that the new employee satisfactorily pass a job-related background check and/or a job-related physical exam, the offer will be contingent on these as well.

•A job description that lists the responsibilities the new employee is being hired to fulfill. The clearer that both the supervisor and employee are on what the expected duties and responsibilities are, the more successful the employment relationship is likely to be. I recommend attaching the job description to the offer letter.

•A statement that the terms and conditions set forth in this letter supersede any verbal agreements. Having all the key "official" information about the job in one document is important for both the company and employee to avoid misunderstandings. Since most employment in California is "at will"—meaning either the employee or the employer can end the employment relationship at any time with or without cause—it is also a good idea to explain the nature of the employment relationship in the offer letter.

Having a comprehensive offer letter spelling out all the key information about the relationship between the company and the new employee ensures that each party can be sure of what to expect from the relationship. Like a marriage, both sides enter into the relationship with the best of hopes that it will work out well. A thorough, complete offer letter can help ensure that the employment relationship is mutually beneficial and rewarding, which is key to the success of both the company and the individual.

Marilyn Weixel, SPHR, is the Director of Human Resources for Visiting Nurse and Hospice Care of Santa Barbara.