

DEFENSIVE DOCUMENTATION



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THE APPLICATION

At will.

No oral contracts

Arbitration / Jury Waiver

Release (current / prior employers)

**Affirmation / After Acquired
Evidence**

Background check authorization

THE INTERVIEW NOTES

- AVOID PHYSICAL DESCRIPTIONS TO REMEMBER CANDIDATES
- FOCUS ON QUALITIES OF PROMISING CANDIDATES

THE OFFER LETTER

- At Will Status
- Initial Position & Comp
- Contingencies (drug testing, background check, signing NDA)
- Good Boy Clause
- Relocation Reimbursement
- Benefits – subject to change
- No prior representations or promises



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First appeared as part of the conference materials for the
2017 Essential Employment Law: A Practical Course in the Basics session
"Defensive Documentation from Hiring to Firing"