

# DEFENSIVE MANAGEMENT



**CONNIE CORNELL**  
1607 West Avenue  
Austin, Texas 78701  
ccornell@cornellsmith.com  
(512) 328-1540



1

## THE APPLICATION

At-will status

No oral contracts

Arbitration / **Class Action** / Jury Waiver

Release (current / prior employers)

Affirmation / After Acquired Evidence

Background check authorization



2

## THE INTERVIEW NOTES

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

## THE OFFER LETTER

- At Will Status / No oral contracts to the contrary.
- Contingencies (drug testing, background check, signing NDA)
- Initial Position & Compensation
- Benefits – subject to change
- Relocation reimbursement (cap)

# THE OFFER LETTER

- By signing, employee represents that acceptance of the position doesn't violate a commitment to a prior employer.
- Employee is not to share any confidential or trade secret information from prior employers.
- No prior representations or promises



# New Hire Package

- W-4
- I-9
- Wage Deduction Authorization
- Benefits Enrollment Information
- Workers' Compensation Notice
- Handbook Acknowledgement
- Arbitration / Class Action / Jury Waiver
- Recording Hours



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Defensive Management

Also available as part of the eCourse

[2022 Essential Employment Law eConference](#)

First appeared as part of the conference materials for the  
2022 Essential Employment Law: A Practical Course in the Basics session  
"Defensive Documentation from Hiring to Firing"