

The Offer of Employment - Maybe It's Not a Slam Dunk

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You've done a great deal of work to find Mr. or Ms. Right to join your company. Now it's time to make the offer of employment. No matter how confident you are that your offer will be accepted, it's not always a slam dunk. I've seen excellent candidates reject offers because the tone changed at this crucial point. In fact, the better the candidate, the more likelihood there is that they will turn you down if you don't handle this part of the process with some delicacy.

Here are some of the top mistakes I've observed in making an offer:

#1: Don't insist that a currently employed candidate start immediately. An ethical person feels a responsibility to give notice. In fact, most employee handbooks address this and request one or two weeks notice. Perhaps this is more of a factor for upper level positions but, for any position, it is never a good idea to resign with no notice. You wouldn't want someone doing it to you, so why would you expect them to do it to someone else? Better to say, "We would like you to start as soon as possible but we understand you will want to give notice to your current employer. When would you be available to start?" Then the decision rests with the candidate. It becomes their choice to give notice or not.

#2: Don't ask an unemployed candidate to wait more than a week before starting the job. They may receive other offers in the interim or, they will keep looking and could find something else before their targeted start date with you. Even if you aren't quite ready for them to assume their new duties, try to get them on your payroll or face the fact that you could lose them.

#3: Don't wait until the offer to advise a candidate of contingencies. For example, if the offer is contingent upon signing a non-compete agreement, you should have told them when you suspected they were in the final cut for the job. If they must pass a pre-employment physical or submit to a drug test, they should already know that when the offer is made. (That should be part of your application process.) The same goes for any kind of initial assignment away from home or requirements to obtain special licensing or training for which you are not going to pay.

#4: Don't "lowball" salary or wages. You should know what the market rates are for similar jobs in your area. Even if you have a superior benefit package, most people know that those benefits can be reduced a lot easier than their rate of pay. It's important to remember that people often judge their own success by their salary or hourly rate. Offering a much lower rate than someone is already earning is not only an insult, it's a classic "Catch 22." If they accept, there is probably a reason you won't find out about until they work for you. If they refuse, well, all your work to this point is for nothing. Salaries are somewhat negotiable. Don't be put off if the candidate wants to discuss this point. Yes, there are people who will accept something less than what they are accustomed to and they probably have good reasons to do so. If you interviewed with

your ears (not your mouth) you should have a pretty good idea what motivates your chosen candidate.

#5: Don't make employment offers in writing unless you wish to establish an employment contract. Keep in mind that contract law and human resource law are vastly different things. If your candidate insists on a written offer, my first question would be, "Why?" If you think it needs to be in writing, run it by an attorney who understands both contracts and HR. I once worked with a Director of Engineering who felt compelled to put things in writing. He hired a department head and sent a certified letter outlining the terms of employment. When the new employee washed out within weeks of relocating, the company ended up paying not only the moving expense, but the balance of a year's salary as well. It was not until after the termination that the "offer" letter was known to exist. Part of the moral to this story is, make sure your managers also understand that they are not empowered to make written employment offers.

#6: Don't be afraid to withdraw an offer if things don't seem right. In twenty years in HR, I made many, many offers of employment. On occasion, a candidate would do a "Jekyll and Hyde" impersonation once an offer was made. In spite of all the effort put into interviewing and background checking, sometimes people do "con" you. Trust those gut instincts and don't be afraid to say, "You know, I'm going to have to rethink this. What you are saying (asking/demanding) is not what I had in mind. I'll call you tomorrow." It's always easier to start over than it is to remove a problem from your workforce.

The average company has enough people to get the work done and is moderately successful.

A good company has enough people and provides reasonable service to customers and an adequate living to owners and employees. A GREAT company has motivated people who strive to provide superior services to customers because they understand how that translates to an outstanding way of life for both employees and owners. Wouldn't it be cool if your employees could say, "I work for this really GREAT company!?" Hire the best people you can find – be GREAT!