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The ABC's of Hiring Employees

One of the most important decisions every business faces is deciding to hire a new employee. Regardless of whether you own a large corporation or a small home-based business, or whether this is your first employee or your hundredth, the decision to bring someone new into your business is not something that should be taken lightly. Not only are you faced with trying to find a good employee and someone who will be a cultural fit, but there are legal ramifications associated with the hiring process. In this article, we will provide some tips to help you find the right person, while at the same time, keep you out of trouble.

Internal Procedures. Does your company have established procedures addressing the hiring process? If so, you must ensure that these procedures are followed. An example of the type of issue that you might encounter is a requirement that any job opening be advertised internally, before being advertised externally. Failure to comply with your own procedures could expose you to legal liability.

Job Description. Ensure that you have a written job description for the position that you are trying to fill. This will not only help you find the right person for the job--after all, how do you know what to look for if you are not sure what your needs are--but it will also assist you in those critical first couple of days when the new employee starts the job. A job description will help the new employee get right to work since they will have an idea of what is expected of them.

Benefits. Decide upon the benefits package that will be offered to the employee ahead of time. Once again, it is important to check whether there are any procedures set forth in an office manual regarding benefits. Unless your company's policy is set in stone, you may decide to offer a prospective employee a better benefits package than that offered to other existing employees. An extra week's vacation is a small price to pay in order to get the right person. Beware, however, that making exceptions to your

general rule may raise resentment from the rest of your staff.

Advertisement the Position. Advertising in newspapers can be very expensive. Therefore, make sure your ad is succinct, yet contains all of the relevant information. For example, ensure that you have listed the job title, discussed any qualifications needed to be considered for the job, and how to apply (today, it is common for candidates to respond via mail, fax or e-mail). Also, publish the date by which resumes must be received.

Ensure that the advertisement does not contain any information that could get you into legal trouble. For example, do not say that the job is "ideal" for a stay-at-home Mom. This seemingly innocent statement connotes that you may discriminate on the basis of age and sex. Such discrimination is illegal in the employment process.

Because advertising in newspapers is expensive, consider other options, such as listing your job opening on the internet, or at the local colleges and universities. Also consider advertising in the local newspapers, rather than in newspapers with regional circulation, such as the Baltimore Sun or the Washington Post.

Resumes. When reviewing resumes, ensure that your job description and benefits package is close at hand. This will help you weed through the resumes and eliminate those that are overqualified, underqualified or otherwise not appropriate for the position. Do not make any marks directly on the resumes, as notes placed on them could be discoverable, should litigation ensue.

Job Application. It is a good idea to have any prospective candidate that you are interested in interviewing complete a job application. The job application will give you the opportunity to find out some more information, other than what was contained on the resume. For example, it is perfectly acceptable to ask about the person's education, prior work experience and any skills needed for the job.



However, it is critical to avoid asking any illegal questions. Although it is legal to ask whether someone graduated from high school, you may not ask them to tell you the year they graduated. Since most people graduate high school at approximately the age of 18, supplying this date would give you a good estimation of the person's age, information that is usually not permissible as a consideration in the employment arena.

The Interview. The interview is the opportunity for you to get to know the applicant, describe the job, your company, and your philosophy, in an effort to determine whether this person is right for the job. It is also the opportunity for the applicant to evaluate you. Therefore, ensure that you are prompt, provide an adequate amount of time for each interview, review the resume and job application in advance, and know the answers to basic questions that will probably be asked, such as "when are you looking to have the person start working?" The last thing that you want is for the person that you have decided to hire not to want to work for you because you did not make a good impression during the interview.

Do not ask any personal questions. What may appear to be an innocent question, such as, "are you married," or "that is an interesting accent, where are you from," could subject you to an employment discrimination lawsuit. In the event you see the interview going down that "personal road," avoid the temptation to go there and get the interview back on track. There are many very good sources of information on interviewing do's and don't,

and your lawyer is a valuable source of information as well.

References. Ask that prospective candidates furnish you with a list of references. Take the time to check these references. To avoid liability, many companies have a set policy of only verifying employment, position and salary. Therefore, do not be surprised if these are the only pieces of information that are made available to you.

The Offer. Once you have made the decision to hire someone, ensure that you put the offer in writing. The offer should delineate the starting salary and all benefit terms. This will ensure that there is no confusion as to what is being offered to the prospective employee.

Rejection Letters. Once you have made the decision not to hire someone, it is important to send a rejection letter. Keep this letter short and avoid stating any particular reason why they were not chosen for the job. Not only is it common courtesy to send a letter to all applicants who responded to your job opening, but it shows appreciation for the time they have expended during the hiring process. Remember, today's rejected applicant may be next year's star employee!

The hiring process is a critical part of running a business. The wrong candidate costs your business time and money. The right candidate may be the next great thing to happen to you! Take the time to do it right---you won't be sorry!