

New-Hire Contract Checklist

Action Checklist — ClearLegalTips.com (2026)

Run this list for every employee you put on a written employment contract.

Step 1 — Classify Before You Draft

- ☐ Confirmed the worker is an employee, not an independent contractor
- ☐ Determined exempt vs non-exempt under the FLSA duties and salary tests
- ☐ Checked the state minimum wage (the higher of state or federal applies)

Step 2 — Make the Big Choice

- ☐ Chose at-will OR fixed term, deliberately
- ☐ Made sure the offer letter, handbook, and contract all say the same thing

Step 3 — Draft the Contract

- ☐ Duties, reporting line, and location filled in precisely
- ☐ Compensation stated in numbers, with the overtime classification
- ☐ Confidentiality and IP assignment included
- ☐ Covenants narrowed to what your state actually enforces
- ☐ Termination notice, cause definition, and final-pay terms completed

Step 4 — Execute & File

- ☐ Both parties signed and dated before the first day of work
- ☐ Each side keeps a complete copy; original in the personnel file
- ☐ Payroll set up to match the contract exactly
- ☐ Calendar reminder set to review the contract when the role or pay changes

INSTRUCTIONS FOR USE

If the hire involves equity, severance formulas, a covenant you expect to enforce, or a multi-state workforce, have an employment attorney review the completed draft. This checklist is general information, not legal advice.