

# 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.