



Offer Letters and Employment Contracts

Extend an offer

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Offer Letters and Employment Contracts

An offer letter should start the employment relationship off on a positive note. It should include information about the job and its associated responsibilities, and avoid promising more than the employer can deliver.

While offer letters serve as the legal basis for employment, an offer letter is not legally binding until the chosen candidate unequivocally accepts all terms of the offer. Employers should know that their initial offer ends if a candidate rejects or makes a counteroffer by changing the terms.

For example, if an employer offers a position at a salary of \$50,000 per year and the candidate states that they accept but would like to be paid \$55,000 per year, this would be considered a counteroffer. Since this nullifies the initial offer, an employer's options at this point are to either:

- accept the counteroffer;
- make a counteroffer back; or
- reject the counteroffer and walk away from the negotiations.

Employers should be fully satisfied that the terms and conditions outlined in the offer letter, including any adjustments, meet their needs. Touch base with colleagues or consult a lawyer if you have questions regarding offer letters.

Special Note for Co-op Employers

UBC Sauder Co-op students are required to accept the salary offered to them by employers and are not permitted to negotiate their salaries. UBC Sauder students who accept internships outside of our Co-op Program may choose to negotiate their salary and are permitted to do so.

Job Offer Letters

What to Include

Here are recommended details to include in job offer letters:

- **Compensation:** Outline the starting salary, commission details (if applicable), frequency of payment and method of payment, such as cheque or direct deposit. If your organization offers performance bonuses or stock options, state these clearly and in full.
- **Employee Benefits:** Briefly describe the benefits coverage your organization provides employees, such as dental, extended health and/or other types of insurance. Also, note that benefits information will be provided in further detail as part of the new employee's orientation.
- **Dates and Times:** Be clear and detailed. For example, state when you want the signed offer returned, the length of the probationary period (if applicable), expectations regarding hours of work per week, and the job start date and time.
- **Other Relevant Documents:** If your organization requires new employees to sign additional documents, such as non-confidentiality or non-compete agreements, attach them to the job offer. Remember to include the date you want these signed documents returned.

Templates

A helpful letter of offer of employment template is available from BDC [here](#). This template will guide you through how to make a formal offer of employment to a chosen candidate and includes a full range of items to discuss when offering a job, including:

- Compensation
- Work conditions
- Company policies

go2HR, B.C.'s tourism and hospitality human resources and health & safety association, also provides a job offer letter template [here](#). Modify these templates as needed to fit the job you are offering, along with your organization's policies and practices.

Employment Laws and Regulations

The laws and regulations that bind employers and employees can vary depending on country/province or even whether specific organizations fall under Federal or Provincial jurisdictions. For example, areas that fall under the Canadian Federal Jurisdiction are operations and logistics companies (e.g. international trucking), telecoms, and banks.

Additionally, companies with multiple offices in different provinces may choose to standardize their employment contracts and follow the employment standards legislation in the province where their head office is located.

See the following websites to learn more about employment laws and regulations:

- [Government of Canada Federal Labour Standards](#)
- [Government of Canada Federally Regulated Industry Sectors](#)
- [Ontario Ministry of Labour Employment Standards](#)

Guidance Specific to Employers in British Columbia: Employment Standards Act

The Employment Standards Act sets the minimum employment standards applicable to most workplaces in British Columbia. This Act is a provincial law administered by the Employment Standards Branch; it establishes the rights and responsibilities of both employers and employees and provides minimum standards for working conditions.

In BC's Employment Standards Act, non-union employers will find rules and regulations for meeting the minimum employment standards to which every employee is entitled, including:

- Minimum wage rates
- Minimum daily pay
- Meal breaks
- Payday requirements
- Payroll records for current and past employees
- Averaging agreements
- Hours of work and overtime
- Overtime pay
- Statutory holidays and pay
- Annual vacations and vacation pay
- Leaves of absence (paid sick leave, unpaid leave, maternity and parental leave, etc.)

In BC, employment contracts must meet or exceed the standards outlined in the Employment Standards Act. Anything less is not acceptable, even if the employee agrees to below minimum standards at the time of hiring.

The Human Rights Code

This law is implied into every employment contract and governs pre-employment advertising and questioning to ensure they are not discriminatory on the grounds outlined in the code. It also governs the employment relationship once it begins and again prohibits discrimination and harassment on the ground listed in the code.

Co-op, MBA Internship and MBAN Internship Employer FAQs*

Do employers need to provide students with vacation time (or pay in lieu)?

As per the B.C. ESA, employees must be provided with [vacation time or pay in lieu](#). The minimum vacation pay in B.C. is 4% (for the first five years of employment).

Since students are short-term employees, most employers opt to prorate or payout vacation pay.

Do employers need to provide sick time to students?

It depends. Most companies have a sick time policy that students may be eligible for. British Columbia's ESA states that employees must give notice to their employer if they cannot work due to illness.

[Employees can take up to 3 days of unpaid, job-protected personal illness or injury leave.](#) To qualify an employee must have been employed for 90 calendar days.

*The above answers are for employers located in British Columbia. Employers in different provinces or federally regulated industries should consult their relevant employment standards legislation. office is located.

Do employers need to pay overtime? Or, can a student be offered time off in lieu to compensate for extra hours worked?

Yes. Employees can be required to work overtime; if they work more than 8 hours a day or 40 hours in a week, they must be paid 1.5x for the [overtime hours worked](#). [Here](#) is more information on how to calculate overtime pay.

How does termination work?

Employees can quit their job at any time but will not receive compensation beyond the hours worked.

[Employers can end an employee's job](#) by giving written working notice of pay which is called compensation for length of service. They can also choose to provide a combination of both notice and pay. See [here](#) for how to calculate.

We're here to help.

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