**CHECKLIST**

**FOR EMPLOYMENT AGREEMENTS**

* **Special Definitions**
* **Description of Job Duties:**
* Name of position
* Essential job functions or duties
* Place and hours of employment
* **Length of Agreement:**
* Original term
* Specific term
* Extension of agreement
* **Benchmarks and Performance Terms:**
* Production benchmarks
* Marketing benchmarks
* Overhead benchmarks
* Skills enhancement
* Other benchmarks
* **Remuneration Terms:**
* Base Salary (salary, hourly or commission)
* Overtime exempt status
* Commission
* Incentive programs
* Expenses, allowances, etc.
* Salary adjustments
* **Benefits:**
* Medical Aid life,
* Pension Fund
* Cellphone allowance
* Car allowance
* Holidays
* Stock options, bonuses, profit sharing,
* Study reimbursement
* **Termination:**
* Disability
* Loss of licensure
* Medically boarded
* **Covenant:**
* Non-disclosure agreement
* Non-solicitation agreement
* Adherence to company policies, rules and regulations
* Code of ethics
* **Property Rights:**
* Existing clientele of employee
* New clientele generated while at work
* Records and accounts
* Return upon termination
* Copyrights, inventions and patents
* **Indemnification for Third-Party Claims**
* **Mediation and Arbitration Provisions**
* **Liquidated Damages and Limits on Damages**
* **Attorney's Fees and Costs**
* **Miscellaneous Clauses:**
* Accuracy of representations
* Notices
* Entire agreement
* Effect of prior agreements or understandings
* Modifications
* Severability of agreement
* Waiver of breach
* Choice of law, jurisdiction and venue
* Submission to drug testing
* Statute of limitations
* **Attorney Review**