

HERE WE EXPLORE AT-WILL EMPLOYMENT FOR UK RECRUITERS

WHAT IS AT-WILL EMPLOYMENT?

For UK recruiters expanding into the US, understanding the concept of at-will employment is crucial. In the US, at-will employment refers to a flexible employment relationship where either the employer or the employee can terminate the employment at any time, and for any reason, with or without cause, and with or without notice. This contrasts with the more structured and regulated employment contracts commonly found in the UK. In practical terms, it means that employers have the flexibility to terminate an employee's contract at any time, as long as the reason is not illegal (such as discrimination or retaliation). Similarly, employees can also resign from their positions at their discretion. Certain exclusions to at-will employment can be applied and vary from state to state. These exclusions include matters such as discrimination, whistleblowing, covenants of good faith, implied contracts, public policies, unionised jobs and contract roles.

At-will employment is a fundamental aspect of the US employment landscape and is important for UK recruiters to be aware of when navigating the US recruitment landscape.

HOW WE CAN HELP

GET IN TOUCH TODAY TO SPEAK WITH OUR EXPERTS

Are you a UK recruiter considering your plans for US expansion? We can help! WTT Legal's Dual US-UK qualified Director of Legal Services, Carla Roberts, holds extensive experience in both the UK and US recruitment market. Our legal team are well placed to advise on transacting business in the US and using your UK entity to engage with US clients.

Contact us at info@wttlegal.co.uk or call us on +44 (0)20 3468 0000 to arrange a free consultation.

UK RECRUITERS NAVIGATING AT-WILL EMPLOYMENT

For UK recruiters to effectively navigate at-will employment, agencies must tailor their recruitment approaches, integrating at-will language into documentation, and fostering a workplace culture aligned with the principles of flexibility.

Clear communication during on-boarding, comprehensive employee handbooks, and ongoing training for managers and HR professionals is an essential component. UK recruiters should also seek legal advice to ensure compliance with US employment laws and anti-discrimination regulations.

Cultural sensitivity and awareness plays a key role, as UK recruiters require a firm understanding and a need to adapt to the nuanced differences between employment practices in the UK and the US. Ultimately, a successful integration into the US job market requires a proactive and informed approach to at-will employment.

KEY POINTS TO REMEMBER:

- 1 Allows flexibility for both employers and employees in terminating employment relationships
- 2 Gives US employers the flexibility to terminate a contract for any reason (provided it is not illegal)
- 3 Allows employees the freedom to resign from their positions at any time, without being obligated to provide a specific reason
- 4 UK recruiters expanding to the US should ensure that employment contracts and documentation clearly communicate the at-will nature of employment



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