

Innocents Abroad: Sending Employees Into Harm's Way – A Word About Offer Letters

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From: Ned Help

To: Carrie Counselor

Subject: Offer Letters for Employees Working Abroad

Carrie:

Although I've been writing offer and assignment letters for more than 15 years, I'm curious as to what are today's best practices for preparing these documents as our company extends its global reach. Specifically, what are the critical components these letters need to address for employees who will be working abroad in places like Latin America, Northern Africa, and the Middle East? As a company entering markets in the developing part of the world, we are increasingly sending our employees into unstable areas, and we do not have any special policies implemented for these situations. What are other companies doing to address employees in these situations?

Thanks,
Ned

From: Carrie Counselor

To: Ned Help

Subject: Offer Letters for Employees Working Abroad

Ned:

Do not worry: you are not the only employer wondering about this issue. Companies that send employees into places like the Middle East, Northern Africa, and parts of Latin America often fail to consider the unique risks their employees will face, including threats to physical safety. Because it is so easily taken for granted domestically, an employee's safety frequently goes unmentioned in offer letters and employee handbooks. However, this is an important matter for HR and Mobility teams to address, so I am glad that you are raising this important topic.

Below please find tips and strategies for your company starting at the very beginning of the employee relationship – the offer letter. If you are dealing with an existing employee being transferred abroad, this is commonly called an assignment letter. Either way, our recommendations are the same.

- **Be honest.** First and foremost, employers should be upfront about a job's responsibilities. Even when an offer/assignment letter outlines the travel or placement abroad, there is no advantage in surprising an employee after the start of the assignment about the safety concerns of an assignment location.
- **Identify the length of the placement.** Employees may be based abroad for a definite term, say, 24 months, or until a task has been accomplished, or indefinitely. Depending upon the length of placement, the offer/assignment letter should be very specific about whose responsibility it will be to obtain and renew all necessary visa documents. This is especially important in countries where the immigration systems are not developed or where there is uncertainty with adjudication standards.
- **Consider responsibility for securing and reimbursing for housing.** Employees should be told whose responsibility it will be to secure safe housing and employers should precisely outline which housing expenses (and other expenses like airfare for return trips home) will be reimbursed. You may

wish to offer a housing stipend, but you should include parameters for suitable areas for the employee to reside while on assignment, as not to create additional risk. You might also consider securing convenient housing in advance of the employee's arrival, or offer to pay for a local realtor or other search firm to assist the employee. Finally, your offer letter should address whether and to what extent the employee will be required to pay you back on certain stipends or other amounts you provided to the employee should the employee quit before the end of the assignment.

- **Obtain sufficient insurance coverage.** Along with housing, this is employees' greatest concern. Depending upon the country, employers may purchase health and disability insurance coverage that covers an employee abroad. You should consult with your current insurance provider about products they offer for international coverage, such as traveler's insurance that can insure the employee's belongings, emergency medical evacuation, etc.
- **Advise on cultural and legal issues.** Although an offer/assignment letter cannot fully detail any culture's norms, it should advise prospective employees to investigate the society, and the letter should always remind employees they will be subject to another country's laws while abroad. For example, employees – especially women – placed in Muslim countries or the People's Republic of China should be advised of cultural norms and expectations. You may want to offer language or cultural training to the employee, and if you are relocating multiple employees, a diversity consultant can be extremely valuable.
- **Identify specific local threats.** If known, employers should advise employees about on-the-ground conditions, including unsafe neighborhoods, gang or war activity, and how to deal with local police, if any. I suggest that you check the U.S. State Department's relevant Country Alerts and Warnings for current baseline information here: (<https://travel.state.gov/content/passports/en/alertswarnings>).

Ned, this is just a starting point. I will also send you a follow-up email that provides some additional resources you can provide your employees on international assignments. In the meantime, please review the above with your team and be in touch with any further questions. If you'd like, send over a copy of your current template letters and we will review them for any changes. It's going to be critical for the company to get this right. I wish more clients were taking this so seriously!

Sincerely,
Carrie Counselor

Authors



Brent Douglas