

## NEGOTIATION PREP WORKSHEET

### 1. COMPENSATION – PRODUCTION PERCENTAGE

#### Potential Negotiating Points

Increase the percentage

- Request 33%–35% of collections once production stabilizes.
- Suggest a tiered model:
  - 31% up to \$600K
  - 33% \$600K–\$900K
  - 35% above \$900K

Add a permanent base floor

- Convert first 90-day on-the-job guarantee into:
  - minimum daily guarantee for the first year (e.g., \$800/day).

Clarify collections definition

- Ensure collections include:
  - insurance reimbursements
  - adjustments only for legitimate write-offs.

Negotiate lab fee treatment

- Options to propose:
  - employer absorbs lab fees
  - If participating in lab share, cap lab share at 33%
  - deduct lab only on high-cost cases (implants, crowns, etc.)

Request transparency

- Monthly production and collections report.

### 2. PRODUCTION EXPECTATIONS / PATIENT FLOW

#### Negotiating Points

Compensation protection

- If the schedule is underfilled:
  - associate receives minimum daily compensation.

Marketing responsibility

- Employer agrees to:
  - maintain active marketing
  - schedule hygiene recalls.

New patient allocation

- Request fair distribution of new patients among doctors.

### 3. TERMINATION CLAUSE

#### Negotiating Points

Reduce notice requirement

- Request 30–45 day notice of resignation - no more than 60 days.

Remove automatic renewal

- Replace with:
  - “Agreement continues month-to-month unless terminated.”

Add termination without penalty

- If associate leaves for:
  - health reasons
  - relocation
  - spouse job relocation

Severance protection

- If employer terminates without cause:
  - request 30 days compensation.

### 4. NON-COMPETE CLAUSE

#### Negotiating Points

Reduce non-compete radius

- Request 5-10 miles in urban markets, no more than 15 miles in rural markets

Reduce duration

- Suggest 6–9 months with a maximum of 12.

Add buy-out option

- Example:
  - associate may buy out the non-compete for \$10K–\$20K.

Limit to specific locations

- Restriction applies only to the primary office, not future locations.

### 5. OWNERSHIP OPPORTUNITY

#### Negotiating Points

Specify timeline

- Replace “opportunity” with:
  - EXAMPLE: “formal buy-in option on or before 24 months.”

Lock in ownership percentage

- Clarify:
  - ability to purchase 50% minimum.

Define financing structure

- Allow:
  - seller financing
  - staged equity purchase.

## 6. PROFESSIONAL LIABILITY INSURANCE

### Negotiating Points

Employer pays full premium

- Standard in many practices.

Clarify tail coverage

- Employer terminates without cause - Employer pays
- Contract ends normally - Employer pays
- Associate leaves early voluntarily - Associate pays
- Associate terminated for misconduct - Associate pays

Coverage type

- Request occurrence-based policy rather than claims-made. Covers any incident that occurred during the policy period, even if the claim is filed years later.

## 7. WORK SCHEDULE

### Negotiating Points

Cap weekly hours

- Example:
  - 32–36 clinical hours per week.

Allow schedule flexibility

- Ability to shift days with notice.

Protected CE time

- 5–10 days per year.