

Noncompete Agreements Under Siege at the State Level

Compared with many other areas of labor and employment law, the law of noncompetition agreements has been relatively static with most changes coming in the form of court decisions addressing particular cases.

More recently, however, legislatures in many states have turned their attention to noncompetition agreements and considered significant procedural and substantive changes in how noncompetition agreements are used and enforced. Employers will need to stay abreast of this changing area of law and ensure that employment contracts are updated to keep pace with new developments, as the consequences of being unable to enforce a restrictive covenant against a departing key employee can be devastating and costly.

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