Employee Non-Solicitation Provisions Are Under Attack in California and Elsewhere

A Jones Day white paper addresses the recent trend of California courts' trend away from generally enforcing covenants restricting individuals from soliciting their former employer's employees.

The paper also "provides an overview of a California Court of Appeals and two federal district court decisions that reflect this trend, and discusses the extent to which California employers can still rely upon such non-solicitation provisions. It also discusses other contexts in which non-solicitation provisions are under attack: from state and federal antitrust regulators and the plaintiffs' bar."

Read the article.