Non-Enforcement of Non-Competes: What's an Employer to Do?



Image by NY Photographic

Employers should review and revise their employee non-compete/non-solicitation agreements to decrease the risk that a court holds such agreements to be unenforceable, advises **J. Lane Crowder** in a **web post** on the website of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC.

"In 2018, there is a growing trend to invalidate non-compete and non-solicitation agreements. State and federal courts, as well as state legislatures, are pushing for enhanced scrutiny of the 'reasonableness' of these agreements," she writes.

Companies should consider the reasonableness of the restrictions and consider whether the restrictions can be tied to legitimate protectable business interests.

Read the article.