

Multistate Non-Solicitation Agreements: Does One Size Fit All?

Many employers have offices in multiple states, but want to have one form of employee agreement prohibiting solicitation of employees and customers, points out **Dorsey & Whitney**.

Because some state laws, namely California, may be too different to reconcile with other states, author **Gabrielle Wirth** considers the question: What sort of non-solicitation agreements work in California?

“In California, non-solicitation agreements are reviewed as contracts which prevent a person from engaging in a profession, trade or occupation which, with limited exceptions, are void under Business and Professions Code section 16600,” Wirth explains. “Thus, recent cases have held that an agreement between an employer and employee prohibiting the solicitation of customers is not enforceable unless tied to the employee’s use of trade secrets or some other legal duty owed by the employee.”

Read the article.