



# Five Questions To Ask Before Hiring A Competitor's Employee

News

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Chris Stief was among several attorneys from various law firms interviewed for the article “[Five Questions To Ask Before Hiring A Competitor's Employee](#)” on *Law360*.

With non-compete litigation on the rise, businesses looking to lure experienced staff away from a competitor must take steps to insulate themselves from exposure to costly lawsuits.

The article noted that one of the most important questions employers can pose directly to job candidates they are considering hiring away from a competitor is whether they have signed any non-compete, non-solicitation, confidentiality or other agreements with their current employer or any previous employer that could impact their ability to start the new position.

Chris said: “Sometimes, employers say, 'Do I really want to know? I can't tortiously interfere with an agreement I'm not aware of,' but I don't generally advise that. You are better off knowing what the contract is as best you can, so you can make your own informed business judgment and risk assessment.” Chris also noted that once an employer decides that an employee who is subject to restrictive covenants is worth bringing on, it is helpful to have processes in place that will help minimize the risks that the hire could pose. “In industries where restrictive covenants are common, if part of the employer's business model involves trying to hire experienced employees it is good to institutionalize steps to minimize risk in the hiring and onboarding processes.”

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