



Non-Competes, Garden Leaves Make Fund Workers Stay Put

News

10.13.14

Christopher Stief was quoted in *Ignite* on October 13, 2014. The article “Non-Competes, Garden Leaves Make Fund Workers Stay Put” discussed how switching companies every few years can result in higher salaries and loftier titles and how non-compete or garden leave agreement, which many workers may not have fully understood when they signed, can stop those plans dead in their tracks.

Judges “have a great deal of individual discretion,” leading verdicts in similar cases to vary widely, said Chris.

Another common tool companies use in place of non-competes are non-solicitation agreements. Such contracts could, for example, forbid wholesalers from urging their clients to transfer their business to the wholesaler’s new firm for a specified period of time.

Companies may also ask managers to sign an agreement that forbids them from recruiting current coworkers if they find themselves at a new shop.

“People worry about this when they lose the leader of a business unit, a trading desk, a retail branch, a wholesaling branch,” Chris said.

Stief estimates that employers take former workers to court for breaching an agreement in about half of all cases where such agreements exist.

“It’s pretty common for there to at least be a letter reminding an employee of his or her contract and the new employer that the contract exists,” he said. “You might work out a compromise.... It’s rare that these cases go all the way to trial.”

To read the full article, please visit [*Ignite*](#). [subscription required]

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