



# What Employers Need to Know About the Potential for Federal Noncompete Legislation Under the New Administration

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Noncompete agreements have always been governed solely by state law in the U.S., with no nationwide federal legislation or regulatory scheme. In an article published by *Law360*, **Susan Guerette**, **Chris Stief**, and **Gabrielle Giombetti** explore whether this might change under the Biden Administration.

The authors explain that, “[g]iven the extent of vested interests, both geographically and politically, a comprehensive fully federalized national law of noncompetes appears unlikely.” The more likely scenario “...may be enactment of a federal statute prohibiting noncompete agreements for low-wage workers, but specifically noting it does not prohibit the other restrictions such as nonsolicits, and does not prevent individual states from having laws providing greater protection for employees — such as, for instance, a higher definition of what constitutes a low wage worker.”

To read the article visit [Law360](#) (subscription required).

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