

Co-Chair of the Employee Defection and Trade Secrets Practice Group Talks to SHRM About What's In Store for Non-Competes

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In an interview with *SHRM*, **Susan Guerette** discusses that under the Biden Administration there may be a push for federal legislation designed to substantially limit the use of non-compete agreements. She noted that “Democrats have typically been more apt to call for limits on the use of restrictive covenants that they perceive as impeding employee mobility, and especially in light of the pandemic and the massive unemployment rate, it would not be surprising to see the new Congress and President Biden team up to implement a national approach to noncompetition.”

Susan explains that even if a push for legislation at the federal level fails to gain traction, employers should still be prepared to see movement over the next four years at the state level. “If federal restrictions on noncompetition agreements do not take hold, we are likely to see states continue to consider restrictive covenants and implement laws to limit their use,” she said.

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