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PHOENIX BUSINESS JOURNAL: HOW TO DRAFT AN ENFORCEABLE NON-COMPETE AGREEMENT

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Shayna Balch was a guest blogger for the *Phoenix Business Journal* on September 2, 2014.

A restrictive covenant is a contract that prohibits an employee from competing with his or her ex-employer for a certain period after they have left the company. In some cases, the agreements also work to prevent ex-employees from soliciting or dealing with customers of the business.

In this article, Shayna provides four tips for employers.

1. Clearly define your protectable business interests
2. Ensure the restriction is reasonable
3. Include a severability clause
4. Understand what is and is not enforceable

Have a clear understanding of what is enforceable with regards to your state laws and industry standards and resist the urge to use a solution that is not completely customized, by a legal professional, for your organization.

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