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“THANK YOU FOR EVERYTHING!! I TRULY APPRECIATE ALL YOU  
HAVE DONE FOR ME AND THE SUPPORT YOU HAVE BEEN  
THROUGH THIS ENTIRE PROCESS. I COULDN'T HAVE PICKED A  
BETTER FIRM TO WORK WITH. THANK YOU AGAIN.”

- C.D.

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## WHAT ARE NON-COMPETE AGREEMENTS FOR?

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Signing a new employment contract is an exciting step, especially when it's for a leadership role. But amidst the details of salary and benefits, you might find a clause that gives you pause: a non-compete agreement. These agreements are common yet often misunderstood. What exactly are they for, and what do they mean for your career path?

Understanding the purpose and limitations of non-compete agreements is crucial for any professional. These legal documents can significantly impact your future employment opportunities, placing restrictions on where you can work and what you can do after leaving a company. For executives and key employees, the stakes are even higher.

At Barrett & Farahany, our employment law attorneys navigate the complexities of executive compensation, including the negotiation and review of non-compete agreements. We help professionals protect their interests and ensure their employment terms are fair and equitable. Our guide will explain why employers use these agreements, their current legal status, and what you need to know to protect your career.



## Why Employers Use Non-Compete Agreements

Employers implement non-compete agreements for several strategic reasons, all centered on protecting their business interests. While they can feel restrictive to an employee, understanding the employer's perspective is the first step in navigating them effectively.

Here are the primary motivations behind these clauses:

- **Protecting Proprietary Information:** This is the most common reason. Companies invest heavily in developing unique processes, client lists, marketing strategies, and trade secrets. A non-compete agreement is designed to prevent a departing employee from taking this sensitive information to a direct competitor, where it could be used to undermine the former employer's market position.
- **Reducing Employee Turnover:** High turnover can be costly and disruptive. By making it more difficult for employees to jump to a competing firm, companies aim to increase stability within their workforce. This is particularly true for roles that require extensive training or have access to critical business intelligence.
- **Incentivizing Investment in Training:** When an employer knows an employee is less likely to leave for a competitor, they may be more willing to invest in training and professional development. The non-

compete provides some assurance that this investment won't immediately benefit a rival company.

- **Maintaining Market Position:** In highly competitive industries, losing a key employee to a rival can mean losing market share. Non-competes are a tool to prevent former employees from leveraging their inside knowledge and relationships to directly compete against the business that helped them build their experience.

For example, a software company might require a lead developer to sign a non-compete to prevent them from joining a rival and building a similar product using proprietary code. Similarly, a sales executive with deep client relationships might be restricted from working for a competitor in the same territory for a set period...

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