

How to Make Your Non-Compete Agreements Rock-Solid

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Do your company's employment agreements include restrictive covenants? If not, should they? If so, are they likely to be enforced if challenged in court? Restrictive covenants in employment agreements are a hot topic these days, as both their use in new industries and the "creativity" of their drafters continue to expand. Their use has become so widespread, in fact, that they are now turning up in such totally unexpected – and, arguably, ridiculous -- places as employment contracts of dog walkers and teenage summer camp counselors. See "Noncompete Clauses Increasingly Pop Up in Array of Jobs" by Steven Greenhouse, *New York Times*, June 8, 2014. If the person taking your pet on his daily constitutional is restricted from taking a job with your neighbors, it should come as no surprise that restrictive covenants are becoming more common in a wide range of industries and jobs. This article addresses ways to fine-tune restrictive covenants to make them more likely to be enforced.

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