

END NON-COMPETE AGREEMENTS

WHEREAS, private employers have been increasingly using non-compete agreements, which prohibit an employee from working for a competitor or opening a competing business typically for a specific period of time after an employee leaves a job; and

WHEREAS, employers will often terminate or choose not to hire any employee that refuses to sign a non-compete agreement; and

WHEREAS, non-compete agreements are no longer limited to industries like technology and business, but are being forced on workers such as yoga instructors, summer camp counselors, baristas, and sandwich makers; and

WHEREAS, non-compete agreements have been unreasonable for the following reasons: 1) their geographic reach is broad, and they are often written in such a way that prohibits employees from finding similar work even in another city or state, 2) their scope is broad, preventing many employees from finding work even tangentially related to their actual field, and 3) the length of enforceability is broad, meaning that employees can be subjected to these agreements for years after leaving a job; and

WHEREAS, even employees who are laid off or fired are subjected to the terms of non-compete agreements under threat of harsh financial penalties; and

WHEREAS, a University of Michigan study concluded that non-compete agreements currently impact over 20 percent of all American workers; and

WHEREAS, non-competes have inhibited the professional growth of untold number of American workers by limiting the number of career opportunities and essentially forcing employees into indefinite servitude to their employer.

THEREFORE, BE IT RESOLVED that OPEIU will work in coordination with other like-minded organizations to develop and pass federal and state legislation that would outlaw burdensome non-compete agreements and allow impacted employees the right to sue for damages resulting from the imposition of a non-compete agreement.

RESOLUTION ADOPTED JUNE 2019