

How to make non-compete agreements stick

There's a push at the state level to ban these agreements even as more employers require new hires to sign them. The issue for employers is that they're difficult to enforce.

Nicholas Fortuna, a managing partner at New York-based law firm Allyn & Fortuna, says employers can't just have employees sign a boilerplate form, because courts don't want to hurt their ability to find work.

Fortuna notes, for example, that the agreements need to specify the competitors a company doesn't want an employee to work for, the customers it doesn't want him or her to solicit and the information it doesn't want the employee to disclose.

"The more specific it is," the lawyer says, "the more likely it is to be enforced."