

EMPLOYER LAW BLOG

Further Restrictions to Non-Competes in Illinois

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Illinois has added more restrictions to non-compete agreements and non-solicitation agreements as the result of two new public acts recently signed by its Governor.

The Freedom to Work Act (820 ILCS 90) now prohibits any not to compete or not to solicit covenant with respect to provision of mental health services to veterans or first responders if enforcement of the covenants would result in an undue burden on veterans or first responders seeking mental health services.

The Act has also been amended to prohibit non-compete and non-solicitation covenants for individuals employed in construction, regardless of whether the individual is covered by a collective bargaining agreement. The amendment retains the exceptions for management, engineering or architectural, design, or sales functions as well as owners.

The Labor and Employment Law Team of Sandberg Phoenix can assist employers in complying with the new amendments, including revision to employee agreements and handbooks.