



Insights: Publications

No-Poaching and Non-Compete Provisions: Long-Time Practices Go Under the Microscope

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For the last several years, the attention of franchise lawyers has been focused on the subject of joint employer liability. This topic has been dragged through the courts as though it were a ping-pong ball, with courts and administrative officials pronouncing one rule, and then pronouncing another. This has made it difficult for franchise lawyers to advise clients on this subject. Most recently, the courts/administrators have stated that joint liability issues would be decided by an examination of numerous factors, with no lawyer knowing exactly how to advise clients as to the weight of importance that would be given to any of these factors.