

# Foreword

Since 1945 the ABA Section of Labor and Employment Law has expanded its stated purposes in response to the evolution of the field. Currently, they include the following: (a) to study and report upon continuing developments in the field of labor and employment law; (b) to provide a forum for members of the Association interested in the field of labor and employment law to meet and confer; (c) to assist the professional growth and development of practitioners in the field of labor and employment law; (d) to establish and maintain working liaison with state, federal, and, where applicable, multi-national agencies having jurisdiction over matters affecting labor and employment law toward achieving procedural reform and administrative due process; (e) to study and report upon proposed and necessary legislation and rule making within the field encompassed by the jurisdiction of the Section; (f) to promote justice, human welfare, industrial peace, and the recognition of the supremacy of law in labor-management relations and the employment relationship; and (g) to establish, moderate, and sponsor seminars, workshops, forums, and other programs promoting the advancement of knowledge and practice in the field of labor and employment law.

Through the publication of books such as *Covenants Not to Compete: A State-by-State Survey* and through annual and committee meeting programs designed to provide a forum for the exchange of ideas, the Section has pursued these stated goals. Gradually, the Section has built a library of comprehensive legal works intended for the use of the Section membership as well as the bar generally.

The Section of Labor and Employment Law is pleased to provide this Tenth Edition of its survey of statutory and case law on covenants not to compete as part of its library of books published by Bloomberg BNA. The combined efforts of many individuals recruited by the Committee on Employment Rights and Responsibilities are reflected in this work.

The Section wishes to express its appreciation to the committee, and in particular to principal author Brian M. Malsberger; to chief contributing editor Luke A. Suchyta; to board of review associate

editors David J. Carr, Arnold H. Pedowitz, and Eric Akira Tate; and to the numerous contributing editors. This group has tried to accomplish two primary objectives: (1) to be equally balanced and nonpartisan in its viewpoints, and (2) to ensure that the book is of significant value to the practitioner, student, and sophisticated non-lawyer.

The views expressed herein do not necessarily represent the views of the American Bar Association, or its Section of Labor and Employment Law, or any other organization, but are simply the collective, but not necessarily the individual, views of the author and editors. Information on the affiliation of any government employees who contributed to this work is for informational purposes and does not constitute any official endorsement of the information provided herein. Individual views, when expressed, are identified as such.

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