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Non-compete bill too complicated, biased

To the editor:

I read with great interest your article on the non-compete legislation ("Future of non-compete legislation up in the air," Oct. 18). I wanted to let you know that the organization of which I am chairman, the Small-

Letter to the editor

Business Association of New England, has been intimately involved in the development of this legislation.

I spoke a few months ago on a Boston Bar Association panel with Rep. William N. Brownsberger and attorney Russell Beck, among others. The bill started as a complete ban on restrictive post-employment covenants in Massachusetts. SBANE opposed that formulation. Several SBANE members and I met with Brownsberger and told him

why it was a bad idea.

The revised bill adopted many of the changes we suggested, but still does not go far enough in terms of simplicity and neutrality, vis-a-vis employee and business owner.

In short, we find it too complicated and too employee-biased to be passed in its present formulation. A glaring example is the attorney fee award provisions, which mandate an award to employees. SBANE made that clear to the powers that be on Beacon Hill when we learned that the bill had been added as an amendment to the Economic Recovery Act.

Andrew P. Botti
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Letters to the editor
are welcome

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Lawyer Weekly

10/25/10

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