



The American Bar Association's 2023 antitrust spring meeting, held in Washington, D.C. in March, had a heavy emphasis on upstream markets affecting employees and talent.

Government officials, judges, academics, and the private bar discussed and debated cutting-edge competition issues affecting workers and labor markets, including criminal enforcement, amicus efforts, public engagement, and rulemaking.

Prosecutors sent a clear message that they view no-solicitation, no-poach and no-hire agreements as criminal violations, even in the face of several jury trial setbacks.

The U.S. Department of Justice Antitrust Division is also keen to pursue its upstream agenda through merger cases and amicus briefs.

For its part, the Federal Trade Commission is engaging in rulemaking to ban most noncompete agreements across the entire economy.

[Read the full article on *Law360*.](#)*

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