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Update: NLRB Rules Employee Severance Agreement With Overbroad Confidentiality and Nondisparagement Provisions Violates NLRA



In February 2023, the National Labor Relations Board (NLRB) [ruled](#) in McLaren Macomb, 372 NLRB No. 58 (2023), that employee severance agreements with overly broad confidentiality and nondisparagement provisions violate the National Labor Relations Act (NLRA). Although often overlooked, the NLRA's protections apply to most private sector union and nonunion workforces alike. Since the NLRB's ruling, employers have scrambled to understand the impact of the decision on severance agreements, offer letters, and proprietary information and inventions agreements, among others. Listen to learn more about what the decision means, who is affected, and what steps employers may want to take to ensure that they are complying with the new developments in the law.

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