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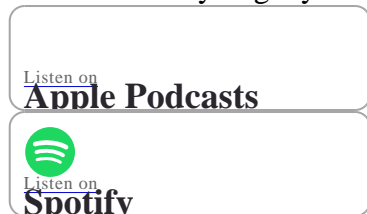
Noncompetes to the North: What US Employers Should Know About Using Noncompete Agreements in Canada



In the United States, the use of noncompete agreements has been prolific and the law regarding the enforcement and use of noncompetes has been fairly steady and noncontroversial—until now. In January 2023, the Federal Trade Commission (FTC) proposed regulations that would, with only very limited exceptions, ban employers from imposing noncompete clauses on their workers and invalidate all existing noncompetes currently in effect. According to the FTC, this will affect 30 million, or one in five, American workers currently covered by a noncompete agreement. In addition, the National Labor Relations Board (NLRB) general counsel put out a memo suggesting noncompete agreements may violate the National Labor Relations Act (NLRA).

In this episode of *Workplace Rules*, Partner Ann Marie Painter is joined by Partner Maude Galarneau and Senior Associate Vanessa Lapointe, labor and employment lawyers at Borden Ladner Gervais's Montreal office. Since noncompetes are ubiquitous in the United States, and many U.S. companies do business in Canada, Ann Marie, Maude, and Vanessa explore the landscape of Canadian laws governing noncompete agreements. They discuss the similarities and differences in how noncompete agreements are viewed in the Canadian provinces compared to how they are addressed in the United States. For any employer doing business in both Canada and the United States, this podcast is a "must listen."

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