DC Mayor Signs Act Creating Near Total Ban on Non-Compete Agreements for DC Employees

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On January 11, 2020, Muriel Bowser signed the Ban on Non-Compete Agreements Amendment Act of 2020 (the "Act") into law, moving the District one step closer to implementing one of the broadest, if not ***the*** broadest bans on non-competition agreements in the country. As we previously reported, in December 2020, the DC Council passed the Act, which broadly prohibits non-competes in the District subject to certain very narrow exceptions. Indeed, the Act, the specifics of which are detailed here, prohibits employers from barring employees from working for competitors not only after their employment ends, but also ***during*** their employment.

Despite the Mayor's approval, the Act is not yet in effect. The Act will not go into effect until the expiration of the 30-day Congressional review period pursuant to the Home Rule Act – which will not begin until it is transmitted to Congress – and its publication in the District of Columbia Register. Even so, it is expected Congress will not interfere with the Act and it will become law in the coming months.

Check back here for updates regarding this new significant development for employers with employees in District of Columbia.

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