

# EMPLOYMENT AGREEMENTS AND RELATED DISPUTES/LITIGATION

## Employment Law Lawyers Assisting Clients Throughout Pennsylvania and New Jersey

As technology develops and employers continue to create new and innovative products and services, employers need the protection of agreements with their employees to protect an employer's intellectual property and confidential information from being utilized by disloyal employees for the employees' personal benefit or the benefit of the employees' next employer. Employers seeking to restrict employees from engaging in future employment activities or utilization of knowledge gained while working for the employer face unique challenges. Courts are quick to protect employees who gain industry experience but courts also recognize that employers make tremendous investments in information, technology, and client relationships. The virtual world also continues to shrink at an ever-increasing rate as the publication of information on the internet has severely restricted an employer's ability to protect information as "trade secrets." An employment agreement that an employer may have used even as recently as two or three years ago now may be outdated as industries develop, information is more readily available, and the protection of proprietary information becomes much more difficult. Our lawyers takes a practical approach to protect employers though the use of realistic, specific employer-employee agreements which are drafted to address the interests that an employer wants to protect without overly restricting employees and rendering the entire agreement unenforceable, resulting in needless expensive litigation. Our lawyers understands that employer-employee agreements often are on the "front lines" of a company's risk management program. Experience and services provided:

### Confidentiality Agreements

- Counseling employers on how to identify what information truly is "confidential" or "trade secrets" capable of protection
- Drafting and revising agreements with employees to provide strong protections for employers while not unduly restricting employees and making the agreement subject to challenge

- Individualized industry analysis and investigation to identify areas in need of protection, tailor agreements to aid in enforceability, and increase needed protection for employers
- Counseling employers on alternate methods of protecting information, including preservation of electronically stored information and appropriate means of monitoring employee use of and access to confidential information

## Noncompetition and Nonsolicitation Agreements

- Counseling employers on impediments to noncompetition agreements and use of alternate protections to achieve the same business goals while improving opportunity for enforcement
- Effective use of nonsolicitation agreements to prevent employees from "poaching" clients and prospective clients
- Use of nonsolicitation agreements to prevent departing or former employees from "poaching" current employees
- Drafting and revision of noncompetition and nonsolicitation agreements to aid in enforceability in different states and industries

## Employment Agreements

- Drafting and negotiation of employment agreements for high level executives and newly promoted managers with increased responsibility and access to proprietary information
- Counseling employers on the benefits and drawbacks to the use of signed offer letters and employment agreements with non-management employees versus the use of confidentiality agreements
- Counseling employers on the use of discipline, notice, and severance provisions in employment agreements to manage conduct of employees

## Wage Disputes

- Counseling employers on disputes regarding wages including bonuses and commissions due to employees
- Management of employee separations, including severance disputes
- Defense of claims for breaches of employment agreements, including claims under the Pennsylvania and New Jersey Wage Payment and Collection Laws

# Noncompetition/Trade Secret Dispute Resolution and Litigation

- Counseling employers on the merits of commencing litigation to enforce confidentiality or noncompetition agreements
- Defense of employers against claims of confidential/trade secret information misappropriation by former employers of new employees
- Litigation regarding misuse of confidential/proprietary information and improper solicitation of customers

## Contact an Employment Law Attorney Today

The attorneys in our Employment Law group take pride in delivering high quality, comprehensive representation to employers throughout the region and beyond. If you have questions about our firm's services or are seeking legal counsel in connection with an employment law matter, we encourage you to schedule an appointment with a member of our Employment Law team.

Learn how our attorneys can help you advance your business objectives. We service businesses and other entities with offices in Philadelphia and Blue Bell, Pennsylvania as well as Cherry Hill, New Jersey. Contact us online or by phone at 610-260-6000 today to arrange a consultation.