

PO Box 202054
Harrisburg, PA 17120-2054
Office: 717.260.6129
Fax: 717.772.9869

E-mail: eevankov@pahousegop.com
www.RepEvankovich.com



COMMITTEES
Environmental Resources & Energy
Finance
Human Services
State Government

House of Representatives

Commonwealth of Pennsylvania
Harrisburg

ELI EVANKOVICH, MEMBER
54TH LEGISLATIVE DISTRICT

To: All House Members

From: Representative Eli Evankovich

Date: September 13, 2012

Subject: Co-Sponsorship - Non-Compete Clause Legislation

In the near future I plan to introduce legislation prohibiting cosmetology industry employers from requiring current or prospective employees to sign any employment contract containing a "non-compete" clause.

With increasing regularity, cosmetologists are unknowingly signing, or worse-- being coerced to sign, contracts which prevent them from leaving to work for a competitor or which preclude them from obtaining employment in a specified geographic area at the cessation of their original employment relationship.

It is my strong opinion that such clauses are contrary to the free-market principles upon which our economy relies, and are unnecessarily restrictive for cosmetologists who seek better wages or more favorable working conditions. Moreover, cosmetology employees do not possess confidential information or proprietary trade secrets that require this degree of overzealous protection. In short, there is no justifiable basis for the insertion of non-compete clauses in employment contracts within the cosmetology industry.

While I respect and understand an employer's desire to protect their own client base, these types of contracts prohibit a cosmetologist from practicing their trade in any fashion, which in turn prohibits them from earning a living.

Please note that this legislation will not prohibit an employer from offering a contract that would prohibit a cosmetologist from servicing certain clientele for a period of time, but it would prohibit contracts which prevent a cosmetologist from practicing his/her trade.

Thank you for your consideration. If you would like to become a co-sponsor of this legislation, please contact Amanda Hart in my Harrisburg office at (717)260-6129 or ahart@pahousegop.com.

NO HARD COPY TO FOLLOW

5648 William Penn Highway
Export, PA 15632
Office: 724.387.1281
Fax: 724.387.1295

2400 Leechburg Road
New Kensington, PA 15068
Office: 724.335.2790
Fax: 724.335.2649