



SENATE STANDING COMMITTEE ON Labor
SENATE STANDING COMMITTEE ON Commerce, Economic Development, and Small
Business

NOTICE OF JOINT PUBLIC HEARING

SUBJECT: S.3100, An act to amend the labor law, in relation to prohibiting non-compete agreements and certain restrictive covenants.

PURPOSE: This hearing will focus on the impacts of non-compete agreements on the labor market and economic development, and possible legislative solutions, such as S.3100 (Ryan)

Tuesday
May 23, 2023
11:00 AM
Hearing Room A
Legislative Office Building
Albany, New York 12248

ORAL TESTIMONY BY INVITATION ONLY

Non-compete agreements have a negative effect on the labor market and economy of New York State. They prevent workers from seeking employment at entities that may be a better fit, and they provide employers from providing more competitive benefits and wages, because their workforce cannot seek employment elsewhere.

In certain industries, they can have a detrimental impact on consumers as well. Non-compete agreements are prevalent in the medical field, where they disrupt continuity of care.

A 2019 survey by the Economic Policy Institute and Cornell University estimates that in the United States, between 27.8% and 46.5% of private-sector workers are subject to non-competes, and 18.1% of all workers are covered by non-compete agreements. In New York, a staggering 44.2% of workplaces subject employees to non-compete agreements

Recently, the federal government has announced an interest in banning such agreements nationwide via an FTC regulation. Senator Ryan has introduced a bill, S.3100 that would codify such a ban in state law. This hearing seeks to highlight some of the negative effects of non-competes, and the positive impact that passing S.3100 would have on working New Yorkers.

Persons wishing to present pertinent testimony to the Committees at the above hearing should complete and return the enclosed reply form as soon as possible. It is important that the reply form be fully completed and returned so that persons may be notified in the event of emergency postponement or cancellation.

Oral testimony will be limited to 10 minutes duration. Ten copies of any prepared testimony should be submitted at the hearing registration desk. The Committees would appreciate advance receipt of prepared statements.

Attendees and participants at any legislative public hearing should be aware that these proceedings are video recorded. Their likenesses may be included in any video coverage shown on television or the internet.

In order to meet the needs of those who may have a disability, the Committees, in accordance with their policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), have made their facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to State Legislature facilities and activities

Jessica Ramos
Chair, Committee on Labor

Sean Ryan
Chair, Committee on
Commerce, Economic
Development and Small
Business

PUBLIC HEARING REPLY FORM

Persons wishing to present testimony at the public hearing on non-compete agreements are requested to complete this reply form as soon as possible: by May 18, 2023 for those seeking to testify in person, and by May 18, 2023 for those seeking to submit written testimony. Please return this form by mail, email, or fax to both:

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Oral Testimony by Invitation Only

- I plan to attend the public hearing on S.3100 to be conducted by the Joint Committees on May 23, 2023.
- I plan to make a public statement at the above hearing. My statement will be limited to 10 minutes, and I will answer any questions which may arise. I will provide 10 copies of my prepared statement.
- I will address my remarks to the following subjects:

- I do not plan to attend the above hearing.
- I would like to be added to the Committee mailing list for notices and reports.
- I would like to be removed from the Committee mailing list.
- I will require assistance and/or handicapped accessibility information.

Please specify the type of assistance required:

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TELEPHONE / FAX: