



May 22, 2023

Dear Senator Ramos and Senator Ryan,

On behalf of Region 9A of the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), we write to express our strong support for S.3100 to prohibit non-compete agreements and certain restrictive covenants.

Region 9A includes thousands of UAW members providing legal services to low-income New Yorkers. Many of these advocates represent workers who are unjustly burdened by non-compete clauses and other coercive contract terms. In fact, non-competes are increasingly used by employers in low-wage industries to further erode workers' bargaining power.<sup>1</sup> In the interest of our members' ability to seek justice for their clients and our communities, we support this legislation as an essential part of the ongoing fight against worker exploitation across the state of New York.

In addition, the UAW is proud to be at the forefront of fights for racial, gender, and social justice, and we oppose non-compete clauses as impediments to workplace equity. UAW Local 2320 member Najah Farley wrote on behalf of the National Employment Law Project, "Non-competes are disproportionately harmful to women and people of color and have a history linked to racial injustice."<sup>2</sup> We stand united against employers' use of non-competes and other coercive contracts to exploit vulnerable workers.

Finally, Region 9A recognizes that ending non-compete abuse will lift wages and workplace standards for the entire New York workforce, union and non-union workers alike. "Noncompete clauses systemically drive down wages, even for workers who aren't bound by one," explained Federal Trade Commission Chair Lina Khan in the *New York Times* earlier this year. "[I]f employers know their workers can't leave, they have less incentive to offer competitive pay and benefits, which puts downward pressure on wages for everyone."<sup>3</sup>

Recognizing that an injury to one is an injury to all, Region 9A stands in solidarity with all New York workers and against coercive employment contracts, including exploitative non-compete clauses. We thank Senator Ramos and Senator Ryan for their leadership on this and other important worker justice issues.

---

<sup>1</sup> "How Noncompete Clauses Keep Workers Locked In," by Conor Dougherty, *New York Times* (May 13, 2017), available at <https://www.nytimes.com/2017/05/13/business/noncompete-clauses.html>.

<sup>2</sup> "How Non-Competes Stifle Worker Power and Disproportionately Impede Women and Workers of Color," by Najah Farley, *National Employment Law Project* (May 18, 2022), available at <https://www.nelp.org/publication/faq-on-non-compete-agreements>.

<sup>3</sup> "Noncompetes Depress Wages and Kill Innovation," by Lina Khan, *New York Times* (January 9, 2023), available at <https://www.nytimes.com/2023/01/09/opinion/linakhan-ftc-noncompete.html>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brandon Mancilla", followed by a large, stylized flourish.

Brandon Mancilla  
Region 9A Director