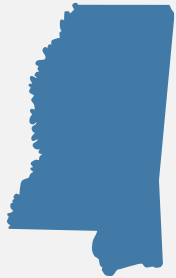


Constituent Support for the FTC's Noncompete Rule



Mississippi | Statewide Impact

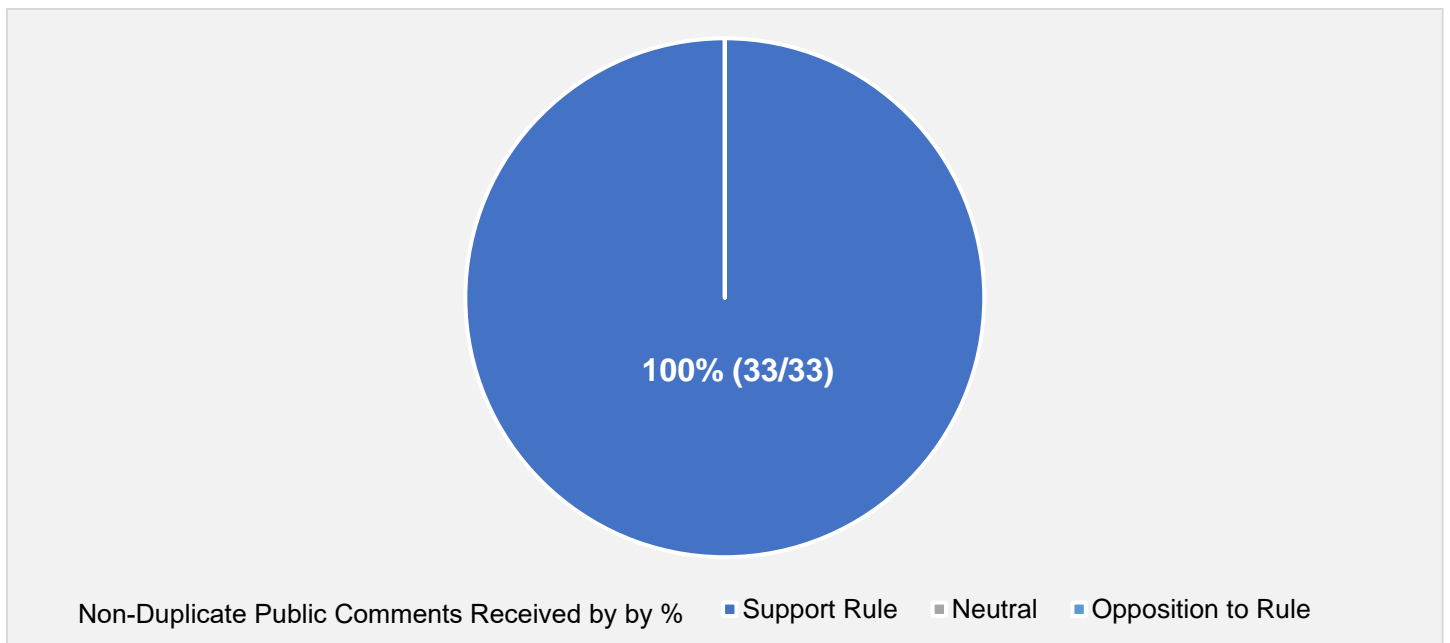


On April 23, 2024, the Federal Trade Commission issued a **final rule** to promote competition by **banning noncompetes** nationwide, protecting the fundamental **freedom of workers** to change jobs, **increasing innovation**, and fostering new **business formation**. The FTC estimates that the final rule will result in **8,500 more new businesses** each year, and **\$400-488 billion in increased wages** over the next decade, including for **Mississippi**:

| Mississippi Covered Workers | Increase in Total Annual MS Worker Earnings | Increase in Average Annual MS Worker Earnings |
|-----------------------------|---|---|
| 916,362 | \$384,971,551 | \$420 |

[Estimated Increases in Total Annual and Average Worker Earnings by State \(ftc.gov\)](https://www.ftc.gov)

Notice of Proposed Rulemaking: 33 of 33 MS Commenters Support



Support Across Sectors of the Mississippi Economy

*Some comments condensed due to length.

| Profession | Comment |
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|  | <p>“As a physician and in a rural underserved area I think doing away with noncompete clauses is incredibly important both to physician autonomy and patient care...A physician might want to serve a slightly different underserved population currently serviced by a competitor...This population may even need more care than their current patient population. They are not able to leave due to noncompete. Rural areas also struggle to recruit and retain physicians. Non-competes can scare off some potential physicians.”</p> <p style="text-align: right;">-Craig M.</p> |
|  | <p>“This Sunday, I'll be leaving my wife and 2 kids behind in Mississippi as I go take a new position in the Cayman Islands. I'm doing this because in a small industry such professional mosquito abatement, it was almost impossible for me to get anyone to hire me because of my existing non-compete agreement...So, I'm moving internationally until my 2 year non-compete is up, then hopefully can come back to the United States....I signed [the non-compete] several years ago to get a raise and promotion. I needed the money then, so I didn't have much choice. I am in support of making these agreements illegal...”</p> <p style="text-align: right;">-Kris N.</p> |
|  | <p>“I am a marine mammal trainer and our company had us sign a non-compete for up to 24 months, with a 40-mile radius. This field is very small...this would require me to change specialties or travel 1-2 hours more to work in an area that is outside of the agreeable radius. Please consider passing this ban to allow workers to seek out better paying jobs without having to move large distances or retrain.”</p> <p style="text-align: right;">-Jennifer P.</p> |
|  | <p>“Non-competes are incredibly outdated...There is such a vast shortage of veterinarians now...the original purpose of the clause, used to prevent "stealing" clients, is no longer valid given the conglomeration of veterinary clinics making it impossible to find a job if the non-compete refers to any sites owned by the company.”</p> <p style="text-align: right;">-Emili M.</p> |
|  | <p>“I have been a social worker and a pharmaceutical rep in the multiple sclerosis space for almost 20 years... I am still tied to this agreement and cannot go work for another MS company...I have been approached by other MS drug companies offering more money and promotions, but so far, I have had to turn them down because of the non-compete.”</p> <p style="text-align: right;">-Leigh A.</p> |

Additional Support from Mississippi

*Some comments condensed due to length.

| Constituent First Name | Comment Highlights |
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| Indiana | <p>“In my professional career I have been subject non-compete agreements. Each time, I've found these documents disgusting and anti-American....The excuse for implementing these agreements is based on the employees proximity to "proprietary" information that other companies may try to steal....I was never in possession...of proprietary information that, if divulged to a competitor, would financially damage the company to a significant degree if at all....[T]hese agreements are primarily used to obtain...absolution of responsibility for the employer at the expense of the employee instead of legitimately safeguarding industry secrets.... allowing noncompete agreements represent a shoddy framework for protecting these assets...non-compete agreements are primarily an intimidation tactic that uses financial insecurity as a bludgeon to keep employees aboard. The worst thing about non-compete agreement is the fact they represent an encroachment on the liberties of their employees.... The practice of these agreements are monopolistic, tyrannical, and spit upon the very principles of liberty to which our nation was founded. It could even be argued that these agreements represent a modern form of slavery: for what is slavery than an individual being powerless to determine where they can and cannot sell their labor, being beholden to another's whims instead? As such, the practice should be banned to encourage competition among industries for labor, to allow career growth of individuals to go unhindered, and to better reflect in our labor laws the principles of liberty.”</p> |
| Michael | <p>“Non-compete clauses exist merely to prevent employees from leaving for better jobs. As a hospital physician, I have absolutely no proprietary information. I don't have a patient pool that can travel with me because I am dependent on what comes through the emergency department. But I am an at-will employee who cannot work anywhere else in my county for two years if I were to quit due to wage stagnation and worsening conditions. There's no legitimate reason for a non-compete to be in my contract but I can't find a job as a physician in my county without signing one. If anything, it's bad for the community, because if I leave the county will lose another physician.</p> |
| Caitlin | <p>“As a physician, this rule will help and prevent doctors who want to change jobs from having to move to another city or state to be able to do so. In this day and age of physician shortages, all a non-compete clause does is limit the ability of institutions to hold onto good physicians. I am all for the banning of non-compete clauses.”</p> |
| Vivek | <p>“The non-compete ban rule is a great idea, since companies or organizations try to control the life of their employee and try to have more power over somebody than necessary. If the non-compete ban passes, there will be more competition among</p> |

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| | prospective employers to hire the desired talent. This is necessary to increase accountability of employers.” |
| Lindsey | “I am ObGyn in Mississippi. In a rural state where resources are often limited, patients deserve to be able to maintain a relationship with their doctor. Our state has small, scattered cities where some types of healthcare are offered. Physicians shouldn't be required to stay in an unsafe or unfriendly work environment or move their entire family several hours in order to continue practicing.” |
| Spencer | “Excluding physicians from the non-compete ban would be unbelievably unjust and incredibly harmful to physician morale. It is already clear that the healthcare industry doesn't care about patients through its profiteering, allowing hospitals to control physician choice through extortion by means of requiring complete upheaval of one's entire family when a hospital ultimately decides to take advantage of you for the last time would be extremely disheartening. It is clear through hospital turnover that even with non-compete in play physicians are still deciding that employment conditions are not acceptable, imagine how many more physicians feel that way but are unable to act based on fear of the effects of a non-compete. Don't cater to lobbyists, non-competes are harmful for physicians, do the right thing and let workers make their own decisions. Force hospitals to ensure good working conditions and make hospitals a place where doctors WANT to be.” |
| Stephen | “I fully support this action. As a physician and healthcare worker , this rule does not allow us to care for patients across healthcare systems. It limits our ability to not only earn income but imposes a major barrier to exiting a position that we may not be entirely content with. This is especially important as private practices are being bought out, and healthcare companies are increasingly being bought and becoming part of a single hospital or single private equity group.” |
| Alisha | “Unnecessary, affects livelihood.” |
| Spencer | “I fully support removal on non-compete clauses in contracts. Employers must find a suitable way to meet employees needs without holding the non-work aspects of an employee's life hostage. This would also drastically improve competition amongst desired skillsets and improve employee compensation.” |
| Christopher | “I am in favor of the proposed FTC regulation. As a physician , there are often restrictive covenants in our contracts which restrict our ability to change practices within a certain geographic area. These unfair limitations keep a doctor from leaving one practice and joining another one. Forcing one to leave the current geographic area, especially if the doctor is a specialist which is hard to replace, results to harm to patient care. I believe that there should be no restrictions in physician contracts that restrict changing practices in the same geographic area. The current laws limit competition and lead to unfair situations which compromise the healthcare of others. Therefore, I would encourage the FTC to pass this rule |

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| | for all workers, regardless of income or occupation, and bar non-compete agreements in all contracts.” |
| Wendell | “This new regulation would be fantastic. As a physician , there are often restrictive covenants in our contracts which restrict our ability to change practices within a certain geographic area. These unfair limitations keep a doctor from leaving one practice and joining another one. Forcing one to leave the current geographic area, especially if the doctor is a specialist which is hard to replace, results to harm to patient care. I believe that there should be no restrictions in physician contracts that restrict changing practices in the same geographic area. The current laws limit competition and lead to unfair situations which compromise the healthcare of others. Therefore, I would encourage the FTC to pass this rule for all workers, regardless of income or occupation, and bar non-compete agreements in all contracts.” |
| Joshua | “I am wholly in favor of banning non-compete clauses in employment contracts. Having had to sign contracts with these clauses before, I wholly believe that they unfairly inhibit American workers from finding other gainful employment in a given area. It's time for this madness (which is wholly antithetical to the free market) to end.” |
| Mohammad | “As a physician I believe this is [non-compete ban] needs to pass. Part of the reason why there is such shortage and lack of American healthcare is due to non-compete clause. Non-compete also decreases competition between institutes and in turn there is no real drive to improve quality of care in certain specialties. Abolishing non-compete is the right step in alleviating some of the burden and shortage in healthcare sector.” |
| Jason | “Non-compete clauses should be banned from both for profit and nonprofit health systems . These clauses adversely affect physicians' spouses and children in the event the physicians find the employer is not a good fit.” |
| Stanford | “I am strongly against non-compete clauses. If an employee of mine is dissatisfied, has a better idea, or simply doesn't like the environment they envisioned, then shame on me for not asking, not participating, and not noticing. The ability to compete is the backbone of capitalism and free enterprise. I am one of the few independent physicians still in practice ONLY because I would not join a group with non-competes.” |
| Brittany | “As someone in a very specialized profession, the non-compete clause gives few options for additional work without relocating very far distances. Companies should be confident in their benefits, pay, and overall treatment of staff rather than forcing new hires to sign legal documents that limit their ability to advance in their career without uprooting their entire life. If the job is fulfilling for staff, then they will want to stay. I am in favor of revoking the non-compete clause.” |
| Michelle | “I currently work under a non compete, and I can verify that it is affecting my ability to seek other employment. I am prevented from working as a recruiter for any |

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| | <p>company for 2 years if I leave my current company. Given recent changes in how our work product is computed, I will likely be let go in the very near future. Until this week, as long as we had production sufficient to cover our draw commission balance we were "in the good", but now the uncollected amounts don't count. Since we get draw commission and have to pay \$300+ a month for "tools" - online resources - most of us at the company are in the hole. We can't go work for another recruiting company because of the non-compete."</p> |
| Bridget | <p>"I am in support of outlawing non-compete clauses. Non-competes are far too bias[ed] towards business and industry and removes citizen's rights to their pursuit of happiness as enshrined in our Declaration of Independence. They simple go against the basic foundation upon which our country was built. Non-disclosure agreements should be enough to protect proprietary info with impeding an employee's ability to find a better situation within their chosen industry.."</p> |
| Evan | <p>"Noncompete clauses in healthcare work only in the interest of corporate entities, disincentivizing physicians from tailoring their offerings in response to the changes and needs of the healthcare market. They serve to suppress physician compensation and flexibility in serving their community by adding friction and financial burden to potential alternative employment opportunities. This friction adds bloat to the already top-heavy healthcare market. Please do not consider any exception to a ban on noncompetes for healthcare entities suggested by corporate interests."</p> |
| Herron | <p>"I support ending non-compete agreements. I have had difficulties hiring employees for fear that they could be sued by their former employer. I also have been subject to non competes which I feel prevented me from receiving better job offers."</p> |
| Michael | <p>"PLEASE BAN THEM. Non-Competes have prevented us from starting our own business, and our former employer is spitefully using them to keep us from being financially stable."</p> |
| Jeremy | <p>"...Many of these non competes written by massive hospital systems serve to ruin the lives of physicians by creating huge swaths of the country in which physicians would be unable to practice. A doctor should not have to leave...[the] area at the behest of corporate hospital system."</p> |
| Harold | <p>"I agree with the aim of this proposed regulation...wish that it could be codified as law. Non-compete agreements are typically signed during the hiring process and are particularly onerous to the worker who is later discarded by the company for any reason. It is bad enough to be unemployed, but worse if you cannot apply for work with prospective employers in your field because of a non-compete signed years earlier."</p> |
| Bethany | <p>"I fully support eliminating the non-compete clause. I have 2 Nurse Practitioner colleagues who are having difficulty finding employment due to a non- compete. Given the healthcare disparities in the state we reside in (Mississippi), this is</p> |

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| | <p>especially disheartening. They are essentially going to have to travel over an hour away from their home to work, even though there are many open positions in their area. Non-competes are barring access to healthcare and need to be eliminated.”</p> |
| Robert | <p>“I am writing in support of a potential ban on non-compete agreements. Non-compete agreements limit an employee's ability to work for a competitor or start a competing business after leaving their current employer. This is harmful to employees and the overall economy. Non-compete agreements limit career opportunities, stifle innovation, and can be used as a tool of oppression by employers. Employees may be unable to pursue career opportunities they are otherwise qualified for and may be unable to leave a toxic work environment. Non-compete agreements can prevent the development of new products and services, which can ultimately hurt consumers. Employers may use non-compete agreements to intimidate and control employees, creating an environment of fear and mistrust. Instead, employers should focus on creating a positive and supportive work environment and not restrict an employee's ability to pursue their career goals.”</p> |
| Jeff | <p>“Abolishment of non-compete agreements would be a win for workers across the United States. I am 100% in favor of their abolishment.”</p> |
| Blake | <p>“I am in my third year of medical school, and I have already seen the negative effects of non-compete clauses on doctors and nurses. I fully support making non-compete clauses illegal.”</p> |
| B | <p>“Non-competes are oppressive and give corporations permission to create toxic work environments and mistreat employees on many levels. I am told if I choose to leave the toxic healthcare environment, I can expect a lawsuit simply because I want to work in a healthier environment and use the skill set I have worked hard to achieve. I am in full support of banning non-compete agreements so I can find joy in working once again.”</p> |