

NOTICE REQUIREMENTS CHECKLIST – STATE BY STATE

State / District	Substance of Notice	Timing of Notice
D.C.	<p>Employees must be provided with the following notice:</p> <p>No employer operating in the District of Columbia may request or require any employee working in the District of Columbia to agree to a non-compete policy or agreement, in accordance with the Ban on Non-Compete Agreements Amendment Act of 2020.</p>	<p>The language must be provided in three timeframes:</p> <ul style="list-style-type: none"> <li>• within 90 days of the “applicability date” of the Act (date TBD);</li> <li>• within 7 days of an individual becoming an employee; and</li> <li>• within 14 days of a written request from an employee for the language.</li> </ul>
Illinois	Employer must advise the employee in writing to consult with an attorney.	Before entering into the agreement.
	Employer must provide a copy of the noncompete.	For new employees, at least 14 calendar days before commencement of employment. For existing employees, at least 14 calendar days to review.
	<i>Timing of notice is expressly waivable.</i>	
Maine	Employer must provide notice of the noncompete.	By the time of the offer.
	Employer must provide the agreement.	Three business days before the deadline to sign.
Massachusetts	Employer must provide the noncompete, including that the employee has the right to consult with counsel, to the employee.	For new employees, the earlier of 10 business days before commencement of work or prior to a formal offer. For existing employees, at least 10 business days before the agreement becomes effective.
New Hampshire	Employer must provide the noncompete.	Prior to acceptance of the offer of employment.
Oregon	The employer must provide a copy of the noncompete with an offer letter that states that employment will be conditioned on the employee’s signing the noncompete.	At least two weeks before the associate’s first day of employment.
	Signed copy of the noncompete.	Within 30 days after termination.
Virginia	Employer must post a copy of Virginia code § 40.1-28.7:7 (Covenants not to compete prohibited as to low-wage employees; civil penalty) or a summary approved by the Department in the location it posts other required notices.	At all times.
Washington	Employer must disclose the terms of the covenant in writing to the prospective employee. If the agreement will become enforceable only at a later date as a consequence of changes in the employee’s compensation, the employer must disclose that the agreement may be enforceable against the employee in the future.	Before acceptance of the offer or before the agreement becomes effective (whichever applies).