

INSIGHTS

Drafting Effective Separation Agreements; Best Practices and Current Law

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Composing separation agreements that are consistent with best practices and a host of relevant legal concerns can be a never-ending endeavor for employers - especially with case law and agency guidance continually evolving. Challenging issues involved in drafting these agreements include:

- Confidentiality requirements pertaining to business information as well as the separation agreement itself
- Non-disparagement provisions
- Cooperation clauses
- Return of property provisions
- Covenants not to sue
- Attorneys' fees and liquidated damages clauses
- ADEA selected/non-selected informational disclosures

Labor and Employment Partners Bob Nichols and Amy Karff Halevy for an informative and pragmatic discussion of these topics and other issues associated with employee separation agreements.