



# COACH

BY LORNA GAREY

**Dear Career Coach:**  
My dream is to start my own computer support and maintenance business, but I signed a noncompete agreement that forbids me from starting a similar business or working for the competition. Can I fulfill my dream without risking legal action?

LOOKING FOR LOOPHOLES

**DEAR LOOPHOLE SEEKER:**

Noncompete agreements are a contentious area of employment law, according to several attorneys I spoke to about your predicament. Some states, such as California with its Business & Professions Code Section 16600 and Georgia with its right-to-work regulations, severely limit or prohibit noncompete agreements (see [www.nilrr.org/rtw.htm](http://www.nilrr.org/rtw.htm) for a list). Other states enforce noncompetes only if the work restrictions protect the legitimate interests of the employer but do not impose undue hardship on the employee.

Noncompetes must specify reasonable time frames and geographic areas and should not be too broad in the kinds of businesses they prohibit you from starting or working for.

My advice: Consult a labor attorney in your state. It will be money well spent. If that's not an option, check out these Web sites: [www.nolo.com](http://www.nolo.com) and [www.breakyournoncompete.com](http://www.breakyournoncompete.com). And if you meet income guidelines, the Legal Services Corp. ([www.lsc.gov](http://www.lsc.gov)), a private, nonprofit corporation estab-



lished by Congress to ensure equal access to justice for all Americans, can provide legal assistance in noncriminal matters.

**At a recent company gathering, some co-workers started comparing salaries. Though I work in IT and they're in business units, we're all at about the same seniority level, and one has more supervisory responsibilities than I do. I was squirming because I didn't want to admit I make 15 percent more than they do. Aren't salary discussions still taboo?**

MONEY BAGS

**DEAR MONEY BAGS:**

If you'd disclosed your salary, your co-workers might have demanded raises, which could have put you in an awkward position with

upper management. Granted, salary surveys have made such talk more common, but while most employers still discourage salary discussions, banning them would be illegal under the National Labor Relations Act. In your situation, you were right to abstain.

By the way, don't be surprised that you make more than your non-IT co-workers. Seventy-five percent of respondents surveyed for Meta Group's 2003 IT Staffing and Compensation Guide, representing more than 650 large and midsize companies spanning 14 industries and over 40 geographic markets, say they pay IT employees more than their nontechnical counterparts, compared with 67 percent last year. **NWC**

Send your questions to [careercoach@nwc.com](mailto:careercoach@nwc.com)

ILLUSTRATION BY DANIEL GUIDERA

**GAME PLAN**

You're still doing more with fewer people, according to the Q2 2003 Robert Half Technology IT Hiring Index survey, which found that only 9 percent of CIOs plan to expand their IT departments this quarter. The majority, 86 percent, plan no change in hiring activity, while 5 percent anticipate cutbacks. Heavy workloads and concerns about job security equal stress. Reduce the pressure by following the advice of the National Institute for Occupational Safety and Health (NIOSH), which offers a guide to managing workplace stress and provides free downloadable booklets ([www.cdc.gov/niosh/stresshp.html](http://www.cdc.gov/niosh/stresshp.html)).