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## BREAKFAST ROUND-TABLE SERIES SESSION - I

### Employment Contracts – Practical Insights and Strategic Thinking

March 5, 2010

The relationship between an employer and an employee is defined, structured and governed by the contract of employment. It is common for such contracts to contain “lock-in” clauses whereby the employee is required to work for a specific minimum duration to enable the employer to recoup the resources in terms of time, money and effort invested in training the individual. “Non-compete” and “confidentiality” clauses are also *de rigueur* in the contracts, as during the course of employment the employees are exposed to sensitive and confidential information which, if abused, is capable of ruthless commercial exploitation in the hands of a competitor.

The Indian law is that any agreement in restraint of a profession or a trade is void and unenforceable, and, in fact some lock-in, non-compete and confidentiality clauses have been held to be void and unenforceable by the courts in India.

This gives rise to a piquant situation where the clauses considered essential from an employer’s perspective are impermissible as per the law of the land, and unenforceable in the courts of law. Given this situation, how best can the employers protect their interests?

Mr. Naresh Mathur, head of the Labor, Employment and Immigration group at PSA will lead a Breakfast Roundtable on “**Employment Contracts – Practical Insights and Strategic Thinking**” on March 5, 2010 at 8.30 AM at our office to provide practical, legal and strategic insights in drafting enforceable contracts.

We look forward to your participation.

#### RSVP:

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