



**ASCRS**  
American Society of  
Colon and Rectal Surgeons

## **Restrictive Covenants**

*Adopted by the American Society of Colon and Rectal Surgeons – June 13, 2005 from the American College of Surgeons Board of Regents at its October 2004 meeting*

Surgeons may be asked to enter into terms of employment that entail a "restrictive covenant" or "covenant not to compete" upon their voluntary separation or involuntary dismissal from that employment. Any restrictive covenant that interferes with the uninterrupted delivery of qualified surgical care to patients is considered unethical.

Restrictive covenants should be specific with regard to:

1. The defined geographic area.
2. The duration of the restrictive covenant.
3. The presence of a restrictive covenant clause in subsequent contract renewals.

While the College recognizes the intent and the perceived necessity of restrictive covenants, members of the College are advised to review restrictive covenants contained in proposed contracts and to negotiate mutually agreeable terms. The College also recommends the review of all contracts with an attorney who is familiar with local laws and precedents prior to signing any contract.

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