

Attorney General James Ends Harmful Labor Practices at One of Nation's Largest Title Insurance Companies, Puts in Place Policies to Protect Workers

Old Republic Agrees to End Illegal Tactics Constraining Worker Mobility

AG James Continues to Expand Investigation of No-Poach Agreements, Other Anticompetitive Tactics in Various Industries, Protecting New York Workers

NEW YORK – New York Attorney General Letitia James today announced an [agreement with the Old Republic National Title Insurance Company that ends the company's practice of using no-poach agreements to thwart labor competition](#). Under the agreement, Old Republic — one of the nation's four largest title insurance companies — has agreed to a monetary payment of \$1 million, to terminate any existing no-poach agreements, and to cooperate with Attorney General James' ongoing investigations in this area.

"Workers are the lifeblood of New York, and New Yorkers are entitled to free and fair labor markets," said **Attorney General James**. "For years, Old Republic stifled competition in the labor market, but this agreement ends the company's illegal conduct, while putting all businesses on notice that no-poach agreements will not be tolerated in New York state. My office will continue to investigate no-poach agreements that potentially harm New York workers, and fight to end these anticompetitive practices once and for all."

Old Republic issues title insurance policies either through agencies it owns or controls (directs) or through independent title insurance agencies that it appoints (agencies). Directs and agencies are competitors in the labor market, and compete for employees on the basis of salaries, benefits, and career opportunities.

A "no-poach" is an agreement among two or more companies not to solicit, recruit, or hire each other's employees. In a well-functioning labor market, employers don't need no-poach agreements and, instead, compete by offering higher wages or enhanced benefits to attract the most valuable talent for their needs. No-poach agreements reduce competition for employees and disrupt the normal compensation-setting mechanisms, to the detriment of the affected employees.

Attorney General James' investigation concluded that Old Republic entered into no-poach agreements with agencies, and that these agreements effectively ended competition for employees between Old Republic and the agencies, potentially impacting New York workers. The investigation did not identify any procompetitive justifications for these agreements.

The agreement increases competition in the labor market and protects workers by:

- › **Ending Old Republic’s no-poach agreements with competitors:** Old Republic has agreed to end all existing no-poach agreements, and discontinue the practice of entering into no-poach agreements.
- › **Cooperating with Attorney General James’ ongoing no-poach investigations:** Old Republic has committed to substantial cooperation with the Office of the Attorney General’s efforts to investigate no-poach agreements in the title insurance industry.

Additionally, Old Republic is required to pay New York state a \$1 million monetary payment.

Separately, in the past, Attorney General James has taken multiple actions to end the use of no-poach agreements. In March 2019, [Attorney General James and a coalition of attorneys general from around the nation entered into an agreement with four national fast food franchisors — Dunkin’, Arby’s, Five Guys, and Little Caesars — that ended their use of “no-poach” agreements.](#)

Additionally, in July 2019, [Attorney General James and a coalition of attorneys general submitted comments to the Federal Trade Commission, urging collaboration between regulators to protect workers from anticompetitive labor practices, including no-poach agreements,](#) that depress wages, restrict job mobility, and limit opportunities for advancement.

This matter was handled by Assistant Attorney General Bryan Bloom, Deputy Bureau Chief Amy McFarlane, and Bureau Chief Elinor Hoffmann — all of the Antitrust Bureau. The Antitrust Bureau is a part of the Division for Economic Justice, which is overseen by Chief Deputy Attorney General Chris D’Angelo and First Deputy Attorney General Jennifer Levy.

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