

Attorney General James Ends Harmful Labor Practices at Top Title Insurance Companies

AmTrust and First Nationwide to Pay \$1.25 Million for Violating Laws Meant to Protect Workers

NEW YORK – New York Attorney General Letitia James ended harmful corporate practices at two title insurance companies that have hurt workers and limited their earning potential. For years, AmTrust Title Insurance Company and First Nationwide Title Agency (together AmTrust), entered into illegal no-poach agreements with their competitors to thwart labor competition. [As a result of an agreement secured by Attorney General James](#), AmTrust — a leader in the New York title insurance market — will terminate any existing no-poach agreements, pay the state \$1.25 million, and cooperate with Attorney General James’ ongoing investigations in the industry.

“Workers should be free to make their own career choices without illegal corporate limitations,” said **Attorney General James**. “AmTrust’s no-poach agreements made this impossible and denied workers access to a fair labor market. As we’ve shown through repeated action, my office will continue to protect workers and end illegal corporate practices that lead to lower pay and less advancement opportunity for hardworking New Yorkers. Anticompetitive behavior will not go unchecked in New York.”

AmTrust issues title insurance policies either through First Nationwide or through independent title insurance agencies that it appoints. Direct agents and independent agencies are competitors in the labor market and should compete for employees on the basis of salaries, benefits, and career opportunities. AmTrust’s “no-poach” policies prevented that from happening.

A “no-poach” policy 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 AmTrust entered into no-poach agreements with other title insurance companies, and that these agreements effectively stifled competition for employees between AmTrust and their competitors, potentially impacting New York workers. The investigation did not identify any procompetitive justifications for these agreements.

The agreement ensures competition in the labor market for workers. As a result of Attorney General James’ agreement, AmTrust has agreed to end all existing no-poach agreements and discontinue the practice of entering into no-poach agreements.

Today’s agreement builds on Attorney General James’ past efforts to protect workers and stop these harmful labor practices. In September 2021, [Attorney General James ended the use of “no-poach” agreements by another top national title insurer, Old Republic National Title](#). 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 Senior Enforcement Counsel Bryan Bloom, Deputy Bureau Chief Amy McFarlane, under the supervision of 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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