

Editor's Introduction to Special Study for Corporate Counsel on Severance Agreements, 2026 edition

Special Study for Corporate Counsel on Severance Agreements provides a range of materials to help counsel address the issues involved in severance agreements. The text offers practical guidance on contract provisions, highlighting legal issues so counsel can provide solid preventative advice to clients. It includes:

- Text discussion and analysis of major provisions and clauses to include in severance agreements
- A checklist
- EEOC regulations
- Enforcement guidance on non-waivable employee rights
- Sample clauses and sample agreements

Highlights of the 2026 edition include:

- Discussion of a case in which the National Labor Relations Board determined that the waiver language in the non-disparagement and confidentiality clauses in an employer's Severance Agreement failed to "narrowly tailor" the relinquishment of Section 7 rights in a way that would be understood by rank-and-file employees and therefore violated Section 8(a)(1) of the Act. See § 1:42.
- New sample forms.