

Can a Noncompete Increase Competitiveness? Arkansas Football Sure Hopes So.

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You don't hear much positive news these days about noncompete agreements. Instead, most national media outlets take cases of extreme abuse and frame them as the norm instead of the outliers that they are. And the national media also often portrays employers in a negative light for allegedly forcing noncompetes on employees who purportedly have no choice in the matter and receive no benefit from the transaction. The data does not bear this out—indeed, according to [reputable studies](#), workers who are presented with noncompetes before accepting jobs receive higher wages and more training, and are more satisfied in their jobs than those who are not bound by noncompetes—but that is beside the point when there is an attention-grabbing story to be written.

Fortunately, there are exceptions to every rule, and a local news story last week involving the University of Arkansas football program and its head coach, Sam Pittman, was that exception.

The story begins in 2020, when ESPN asked Coach Pittman whether Arkansas felt like home after almost a year at the helm of the Razorbacks. Coach Pittman responded, "This is it for me. I'm not interested in any other program. Arkansas is truly the greatest program in America to me. We're home, and this is where we want to be. This will be my last job." Coaches often make such proclamations when they begin new coaching gigs, but Coach Pittman put his money where his mouth is in a new multi-year contract he recently signed with the University of Arkansas.

According to several local news sources, Coach Pittman actually insisted upon including a noncompete in his new contract. The provision prohibits Coach Pittman from seeking or accepting a head coaching or assistant position at any other SEC school for the duration of the contract unless he is fired without cause. According to the [Fort Smith Times Record](#), "[i]t's helping him win the hearts of fans with his loyalty, and it's a boost in recruiting, too." As Coach Pittman explained:

We're one of eight programs of 130 that have the two coordinators and the head coach coming back for year three. I thought we could sell some stability, and that's why I wanted it in the contract. I told the people of Arkansas that this would be my last job, and I wanted a piece of paper to confirm what my mouth said.

Similarly, Coach Pittman told the [Arkansas Democrat Gazette](#), “Arkansas is where I want to be and this is the job that I want, so there was no hesitation in a no-compete clause. The only program I’m concerned about is the Arkansas Razorbacks and making our team and student-athletes as successful as possible. I think the contract reflects that.”

More stability in the coaching ranks can, indeed, lead to better recruiting, which in turn should lead to a more competitive football team. Better football means increased fan loyalty and, ultimately, higher revenue for the University. So perhaps this noncompete will lead to increased competitiveness. The University of Arkansas sure hopes that is the case, and Coach Pittman seems happy with the arrangement as well, likely because there are huge financial incentives based on victory totals built into his contract, according to the Democrat Gazette, so better recruiting and a more competitive football team benefit him as well. Sounds like a win-win.

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