

Littler's International Practice Group



Labor and employment law issues have become as globalized as the world of business and commerce. With the pervasiveness of the Internet and social media, when a business employment practice is singled out and challenged in one location the repercussions can be felt around the globe. Through an integrated worldwide strategy, Littler brings together practitioners experienced in local and cross-border labor and employment matters to provide seamless client service across national boundaries.

Littler's international employment and labor law practice can help multinational clients maneuver through the best of economic times, as well as during unstable periods. We help global clients adapt to the maze of employment laws, taking into account the varied economic circumstances and customs throughout the world.

We advise Fortune Global 500 companies on the full array of labor and employment issues, including managing independent contractors, litigating and arbitrating cross-border employment claims, drafting executive contracts, assisting with workforce reductions, and assessing and drafting global ethics and data privacy policies. We also advise medium- and smaller-sized companies making their first international ventures, as well as those that are expanding their overseas operations. We assist clients in developing the framework to operate internationally with employees in various countries, whether they are on temporary assignment or have longer-term expatriate arrangements.

Littler's attorneys provide clients with extensive support in:

- Assessing risks and benefits of global operational decisions;
- Managing global labor relations;
- Protecting corporate reputation and brand;
- Managing global human resources;
- Addressing international data protection issues;
- Reviewing expatriate employee programs; and
- Developing multilingual management training.

Experienced and Versatile Team

We are proud to have practitioners with vast experience in international employment law on our team. A number of our lawyers have served as in-house counsel for major international corporations, while others have practiced employment law in various countries. Still others have assisted companies with cross-border labor issues, including global labor relations matters, international compensation and benefits issues, multijurisdictional data privacy projects and global workforce reductions. In addition, our team frequently acts as the Adviser to the Employers' Delegation to the annual International Labour Conference of the International Labour Organization (ILO) in Geneva, Switzerland.

Littler has a seasoned team to serve the needs of our clients throughout the Americas, with practices in Canada, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, Puerto Rico and Venezuela. Littler has also launched in Europe, beginning with four offices in Germany, two in France and one in the United Kingdom. In addition, Littler attorneys in the United States are qualified to practice law in Australia, Brazil, Japan, New Zealand, South Africa, the Netherlands and the United Kingdom. They often work with leading attorneys in jurisdictions worldwide to provide clients global legal services with a single point of contact.

We help global clients adapt to the maze of employment laws, taking into account the varied economic circumstances and customs throughout the world.

We provide advice on international matters including:

Global Labor Relations

As companies expand internationally, labor unions have responded by evolving into global enterprises in multiple jurisdictions. Unions have extended corporate campaigns to a global scale and are utilizing the dispute resolution processes of international organizations such as the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises. Littler advises employers on global labor relations matters and negotiating international framework agreements that establish a relationship between a multinational company and a trade union at a global level. We also provide legal representation in proceedings before the U.S. National Contact Point of the OECD.

Cross-Border Litigation, Arbitration and Discovery

Multinational companies are increasingly drawn into employment-related claims that involve employees and managers in multiple offices. For example, a European bank may be sued in New York for alleged discrimination based on decisions that originated in the United States. Electronic evidence often exists in multiple jurisdictions and may be subject to disclosure in U.S. litigation. The application of the attorney-client privilege also becomes an issue across national borders. We have extensive experience in litigating matters of this nature on behalf of multinational entities.

Works Councils

We advise employers operating in countries that engage works councils to comply with their requirements, including informing and consulting with works councils prior to reductions-in-force, business reorganizations and other significant developments.

Through an integrated worldwide strategy, Littler brings together practitioners experienced in local and cross-border labor and employment matters to provide seamless client service across national boundaries.

Codes of Conduct

To protect a client's global brand and reputation, we help employers develop corporate codes of conduct, which guide a company's operations and working arrangements in multiple jurisdictions. Taking into account a country's local laws, customs and social norms, we advise employers on which guidelines to adopt and how they should be written and implemented.

Workforce Management

We assist employers in managing many aspects of human resources, from recruiting and hiring employees (and, in many instances, transferring them across international borders), to performance development and training, disciplinary actions and terminations. Standard procedures in one country may have far different implications in another, and we advise employers on how to modify their approaches and priorities in an efficient manner to maximize compliance with local laws.

Data Privacy

International data protection laws have made the task of managing human resources information across multiple borders even more challenging, with many countries' data protection agencies enforcing their own comprehensive data privacy laws. Littler has helped multinational corporations understand the international data privacy landscape, adapt to local requirements on processing and transferring personal data, and develop privacy policies that comply with these varying standards. We help employers set up the necessary legal structure for cross-border data transfers.

Employment and Transfer Agreements

Multinational employers frequently develop employment agreements for their local and international staff. These agreements must take into account the differing requirements of local laws. Provisions viewed as standard in an employer's home country might not be consistent with the laws of the country where its executives are assigned or its business is expanding.

We provide practical advice and training programs to help companies address labor and employment challenges they may encounter.

Expatriate Programs

Before an employee is sent on an international assignment, the employer should have an adequate expatriate program to ensure that appropriate policies are in place. Our lawyers assist employers in tackling tax issues and establishing appropriate compensation, benefits, allowances and perquisites for expatriate employees.

Transnational Restructuring

With the increasing number of agreements involving multinational transactions, Littler has a team in place to coordinate due diligence on an international scale for deals ranging from tens of millions to billions of U.S. dollars. Countries have different rules on the parties' obligations to employees of companies targeted for purchase, the effect of the business transaction on the parties' current employment contracts, and the duty to inform and consult or bargain with employee representatives. Littler can advise clients and coordinate legal advice in multiple foreign jurisdictions.

Advising International Employers on U.S. Labor and Employment Law

International companies with staff in the United States face unique challenges, including numerous federal, state and local labor laws and a fluid, multilayered regulatory environment. International employers can be vulnerable to disputes and lawsuits, but they also have special rights under Friendship, Commerce and Navigation Treaties. There are also common law rights that recognize the unique problems of companies that transfer expatriates across borders and are required to adapt their workplace to the special demands of U.S. employment laws.

Many of our lawyers have years of experience assisting foreign-based corporations in complying with and adapting their workplace practices to U.S. law. We provide practical advice and training programs to help companies address labor and employment challenges they may encounter in the United States. These include claims of sexual harassment and discrimination, as well as allegations related to citizenship, ethnicity or national origin.

We draft employment agreements and secondment agreements, customize employee handbooks and policies and provide advice regarding leadership and succession planning for U.S. sites. We also have years of experience litigating when necessary.

Littler conducts conferences and a series of internationally focused webinars for our clients. These feature some of Littler's top attorneys and a select group of employment lawyers from around the world to discuss the most pressing issues in international employment and labor law.

Client Service

Littler attorneys are dedicated to serving our clients. A Knowledge Management group provides attorneys with the ability to access and harness collective knowledge and provide that information to clients through an array of tools, products and services that are available 24 hours per day, seven days a week. With these resources, the team can provide updates on the latest developments in employment law and assist clients in responding to those changes. Clients can subscribe to services such as Littler GPS[®], which provides access to state-by-state comparisons and tracks state and federal employment-law related legislation and regulations.

Littler attorneys have significant experience in both employment law issues that companies have faced for decades, as well as those that are emerging in this dynamic area. For example, the rules of discovery in litigation have expanded to include electronic communication, such as email, voicemail, text messages and instant messaging. Littler is one of few law practices with an eDiscovery practice to help clients navigate the rules that govern the preservation of this evidence and its admission at trial.

Training Resources

A hallmark of Littler's practice is our employment law training and coaching services. Our team of experienced employment law counsel and instructional designers develop engaging training programs tailored to suit our clients' needs. These can be conducted in person or online, and with an individual or in a group. We have developed multilingual programs for managers from outside the United States to adapt to U.S. laws and human relations expectations, as well as programs to help U.S. managers adjust to laws in other countries.

To complement these services, we have compiled a practical overview of employment and labor law consisting of basic questions and answers about international workplace laws. *The Littler Mendelson Guide to International Employment and Labor Law* is a five-volume set that provides information on the laws and regulations of 60 countries/territories and the European Union.

In addition, Littler conducts conferences and a series of internationally focused webinars for our clients. These feature some of Littler's top attorneys and a select group of employment lawyers from around the world to discuss the most pressing issues in international employment and labor law. Attendees say that these programs provide critical insights into global trends, as well as an informative introduction to legal concerns and workplace sensitivities before entering a new commercial market.

ABOUT LITTLER: Littler is the largest global employment and labor law practice, with more than 1,300 attorneys in over 75 offices worldwide. Littler represents management in all aspects of employment and labor law and serves as a single-source solution provider to the global employer community. Consistently recognized in the industry as a leading and innovative law practice, Littler has been litigating, mediating and negotiating some of the most influential employment law cases and labor contracts on record for 75 years. Littler Global is the collective trade name for an international legal practice, the practicing member entities of which are separate and distinct professional firms. For more information, visit littler.com.

Peter A. Susser

Shareholder and Global Practice Leader
Chair, International Employment Law Practice Group
Direct: 202.414.6868
psusser@littler.com

