

## Donald C. Dowling

Shareholder

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## Practice Areas

International Employment Law  
Privacy and Data Security  
Higher Education  
Inclusion, Equity and Diversity

## Overview

Donald C. Dowling has extensive experience advising U.S.-based companies on outbound international labor and employment laws. Outbound international employment law practice focuses on cross-border employment law challenges and projects, including:

- Project-managing multicountry restructurings, reductions in force and workforce mergers and acquisitions
- Drafting regional and global HR policies and codes of conduct
- Crafting multicountry employee benefit plans, equity plans and compensation plans
- Retaining “off-payroll” overseas staff: cross-border Employer of Record, independent contractor, co-employment
- Structuring expatriate assignments, international secondments and overseas transfers
- Investigating allegations of wrongdoing in the cross-border context
- Advising on discipline, disputes and dismissals of border-crossing employees, including choice-of-employment law and forum
- Ensuring data protection law compliance in international HR information systems
- Supporting human rights compliance in international supply chains

Don provides counsel on a wide variety of global employment law matters, including codes of conduct and HR policies that guide operations in multiple jurisdictions, international compensation and benefits issues, whistleblower hotlines, and cross-border internal investigations and HR compliance audits. He regularly advises clients on employment matters that arise with international restructurings, reductions in force, mergers, acquisitions, and outsourcing. Additionally, Don helps clients properly engage independent contractors overseas, manage expatriate programs, and develop employment agreements and

employee handbooks.

Earlier in his career, Don served as in-house international employment counsel for a Fortune 500 company in Paris and as an employment law consultant for a global consulting firm. He has delivered hundreds of presentations on international employment law issues in English and Spanish in countries around the world, and regularly teaches courses on a variety of global topics including international and European employment law.

Don has published dozens of scholarly articles and book chapters on the practice of international employment law, cross-border employment law, European Union employment law, and some other topics, published in law journals of Cornell University, Northwestern University, the American Bar Association, and others. He is the author of the first-ever scholarly publications on the practice of outbound international employment, and he published some of the first U.S. scholarly articles on the “social” (employment law) agenda of the European Union.

## Professional and Community Affiliations

- Member, Advisory Board, New York University School of Law’s Center for Labor & Employment Law
- Member, International Bar Association
- Member, American Bar Association
- Member, New York State Bar Association
- Former Chair, Cross-Border HR Group, XBHR

## Recognition

- Named, The Best Lawyers in America®, 2019-2025
- Named, America's Leading Lawyers for Business, *Chambers USA*, 2017
- Named, Legal 500, *US Labor & Employment, Workplace and Employment Counseling*
- Named, Super Lawyer, New York, *Super Lawyers*
- Recommended, Labour & Employment, *Who's Who Legal*, 2024
- Named, Attorneys Who Matter, *Ethisphere Institute*, 2010
- Named, Leading International Labor/Employment Lawyer, *PLC Which Lawyer?*
- Order of the Coif

## Education

J.D., University of Florida College of Law, 1985

A.B., University of Chicago, 1982

## Bar Admissions

New York

## Languages

Spanish

## Courts

U.S. Court of Appeals, 6th Circuit

U.S. District Court, Southern District of Ohio

## Publications & Press

### **Non-Profits, NGOs, Overseas Staff, and the DOGE Shake-Up at USAID: A Six-Point Checklist for a Way Forward**

*Littler ASAP*

February 4, 2025

### **Crash Course in U.S. Employment Law: How a Multinational Based Outside the United States Can Avoid Big Mistakes Managing a U.S. Workforce**

*Littler ASAP*

March 20, 2024

### **Things to Do and Avoid When Hiring in Germany**

*SHRM Online*

December 5, 2023

### **Supporting Workers Overseas**

*SHRM Online*

September 30, 2023

### **When US Employment Laws Apply Abroad and When They Don't**

*SHRM Online*

February 10, 2023

### **How to Identify Forced Labor in Supply Chains**

*SHRM Online*

December 19, 2022

### **DE&I Looks Different Around the Globe**

*SHRM Online*

November 18, 2022

### **How are multinational employers approaching whistleblower hotlines and guarding against whistleblower retaliation?**

*Littler 2 the Point Video*

June 28, 2022

### **Global Survey Highlights Ways to Strengthen Workplace Culture**

*SHRM Online*

June 13, 2022

**Employee Benefits, Executive Compensation, and Employment Law Practice: Ten Years in Review**

*Thomson Reuters Practical Law*

October 8, 2021

**Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers**

*Press Release*

August 19, 2021

**Remote Work Relocation Causes Headaches for Managers**

*SHRM Online*

May 4, 2021

**The cross-border pitfalls of 'working from anywhere'**

*Financial Times*

April 14, 2021

**What to do about "Global COVID Nomads" and Other Wandering Workers Who Telecommute from Abroad for Personal Reasons**

*Littler Report*

February 8, 2021

**Accent discrimination betrays a small mind**

*The Economist*

December 11, 2020

**Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Press Release*

August 20, 2020

**If Your Employee Breaks the Law**

*Mobility Magazine*

August 7, 2020

**Landmark Decision by Europe's Top Court Jeopardizes U.S. Multinationals' Transfers of HR Data from the European Union to the United States**

*Littler ASAP*

July 16, 2020

**Remote working offers employers and employees lots of opportunities – and just as many headaches**

*Financial Post*

May 30, 2020

**Structuring Expatriate Assignments and the Value of Secondment**

*SHRM Online*

April 8, 2020

**The ACR Guide to Mastering Internal Investigation Interviews: Warming Up**

*Anti-Corruption Report*

February 5, 2020

**Cross-Border Internal Investigations: How Headquarters Can Investigate Allegations or Suspicions of Wrongdoing Around the World**

*Littler Podcast*

December 13, 2019

**Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year**

*Press Release*

August 15, 2019

**How to Gather Documents Overseas in a Global Investigation**

*SHRM Online*

August 7, 2019

**Inequality Ranks Low on Global HR's Concerns**

*SHRM Online*

June 25, 2019

**How to Conduct an International Internal Investigation**

*Littler Report*

June 20, 2019

**A Deeper Dive Into the GDPR – Part II**

*Global Payroll Magazine*

June 7, 2019

**A Deeper Dive Into the GDPR – Part I**

*Global Payroll Magazine*

May 6, 2019

**Is Your Global Code of Business Ethics Outdated?**

*SHRM Online*

March 6, 2019

**Should Multinational Employers Have a Global Handbook**

*SHRM Online*

February 15, 2019

**How to Create a Global Social Media Policy Part 4**

*HR Exchange Network*

December 10, 2018

**Expatriate Structures: Selecting the Best**

*HR Exchange Network*

November 30, 2018

**Should a Global Social Media Policy Account for Local Restrictions under Domestic American Labor Law?**

*HR Exchange Network*

October 23, 2018

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Press Release*

August 15, 2018

**A Deep Dive Into the General Data Protection Regulation**

*Global Payroll Magazine*

July 5, 2018

**Littler Attorneys Named in 2018 Who's Who Legal Labour, Employment & Benefits Guide**

*Press Release*

June 5, 2018

**How a Multinational Employer Can Craft a Global Social Media Policy**

*Littler Report*

May 23, 2018

**How to Generate, File, Retain and Execute Electronic HR Documents While Complying with Employee Records Laws and Electronic Signature Protocols—Worldwide**

*Littler Report*

April 17, 2018

**How to Employ—and Payroll—a Telecommuter Working from Home Overseas**

*Littler Report*

February 27, 2018

**How Well Do Your Anti-Harassment Tools Work Overseas?**

*Littler ASAP*

December 7, 2017

**How to Know Which Jurisdiction's Employment Laws Reach Border-Crossing Staff: A Comprehensive Guide to International Choice-of-Employment-Law and -Forum**

*Littler Report*

November 27, 2017

**HR Policy Acknowledgements Overseas: A Whole Other World Out There**

*New York Law Journal*

November 3, 2017

**How to Structure Global Mobility Assignments, Expatriate Postings and Cross-Border Secondments**

*Littler Report*

October 12, 2017

**How to Craft an Employee Handbook Outside the United States or Whether to Issue One at All**

*Littler Report*

September 21, 2017

**How to Launch an Employee Compensation, Bonus or Benefits Plan Internationally**

*Littler Report*

August 28, 2017

**How to Launch an Employment Discrimination, Harassment, Diversity or Affirmative Action Initiative on a Global Scale**

*Littler Report*

August 14, 2017

**Littler Adds Renowned Global Employment Lawyer**

*Press Release*

August 3, 2017

**How to Make Global Employee Communications Comply with Overseas Translation Mandates**

*Littler ASAP*

August 3, 2017

**Events & Speaking Engagements**

**Strategy for Multinationals Under the New Trump Administration**

Practising Law Institute

March 25, 2025

**What Issues Are Private Employers Facing with DOGE's Cancellation of Government Contracts and Funding?**

March 19, 2025

**When HR Goes Global**

SHRM Webinar

May 16, 2024

**How to Structure Employment Relationships with Staff in Countries Where a Tech Employer Is Not Licensed to Operate**

March 6, 2024

**2023 Tri-State Regional Employer Conference**

New York, NY

June 20, 2023

**A Global Approach to International Non-Compete, Non-Solicit, Confidentiality & and IP Agreements**

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

**How to Lead an International Internal Investigation: Cross-Border Compliance and Strategies**

May 24, 2022

**Exposure Under the New EU “Whistleblower Directive” and Beyond: How to Comply with the World’s Emerging Whistleblower Anti-Retaliation and Hotline Mandates**

Littler Executive Employer Conference

May 5, 2022

**How to Comply with the New EU Whistleblowing Directive by the December 17 Deadline**

November 30, 2021

**International Wandering Workers: Avoiding the Legal Pitfalls for Multinational Employers**

April 8, 2021

**What to Do About “Global COVID Nomads”**

November 13, 2020

**What to Do About “Global COVID Nomads”**

November 12, 2020

**Structuring Cross-Border Telecommuting and Remote Work Arrangements in the Era of COVID-19**

August 5, 2020

**How to Employ - and Payroll - an Overseas University Telecommuter in the Era of COVID-19**

Canadian Association of University Solicitors

June 18, 2020

**Returning to Work: Strategies and Tools for Reintegrating Employees Worldwide**

May 20, 2020

**International Cutbacks and Reductions-in-Force in the Global Pandemic**

April 16, 2020

**Best Practices for Conducting International Internal Investigations**

HR Acuity webinar

September 10, 2019

**The Legal, Business and Human Rights Landscapes of the Global Workplace**

Minneapolis, MN

September 26, 2018

**International Employment Law Roundtable**

New York, NY

June 26, 2018

**Globalizing Diversity and Antidiscrimination Initiatives: Multinational Strategies for a Multicultural World**

Littler Executive Employer, Phoenix, AZ

May 3, 2018

**Three Weeks and Counting: Key Action Items for U.S. Multinational Employers Before Enforcement of the EU's New General Data Protection Regulation Begins**

Littler Executive Employer, Phoenix, AZ

May 3, 2018

**Is Your Company Prepared for GDPR? Advanced Session**

New York, NY

March 29, 2018

**Is Your Company Prepared for GDPR? Beginner Session**

New York, NY

March 28, 2018

**You're Fired! An Apples-to-Apples Comparison of the Employee Dismissal Process Across Key International Jurisdictions**

February 27, 2018

**How to Draft and Launch a Global Code of Conduct, Global Whistleblower Hotline, Global Employee Handbook or Global HR Policy: Headquarters Rules for International Workforces**

Clear Law Institute Webinar

November 30, 2017

**Confronting Collective Labor Worldwide: How Multinational Headquarters Can Craft an Effective Global Labor Strategy that Accounts for Foreign “Trade Unions” and “Works Councils”**

PLI Webinar

November 7, 2017

**Data Privacy in the EU: Status of the EU/US Privacy Shield and Preparing for the Advent of the EU’s General Data Protection Regulation**

Association of Corporate Counsel (ACC) Webinar

October 31, 2017

**Meeting The Next HR Data Protection Challenge: What Multinational Employers Must Do Before The EU’s Upcoming General Data Protection Regulation (GDPR) Takes Effect**

September 28, 2017

**Third Annual Conference in Mexico City**

Ciudad de México, CMX

September 27, 2017

**Tercera Conferencia Anual en Ciudad de México**

Ciudad de México, CMX

September 27, 2017

**Tercera Conferencia Anual en Monterrey**

San Pedro Garza García, NLE

September 26, 2017

**Third Annual Conference in Monterrey**

San Pedro Garza García, NLE

September 26, 2017

**Maintaining HR Data Flows After the European Union’s May 2018 General Data Protection Regulation**

Clear Law Institute webinar

September 18, 2017

**Employment Issues in Mergers and Acquisitions: Planning for Integration and Mitigating Risk**

Strafford Webinar

September 12, 2017

**Books & Book Chapters**

- The EU General Data Protection Regulation (GDPR), *International Corporate Practice*, Practising Law Institute, Chapter Co-Author, March 2022