

## Stefan J. Marculewicz

Shareholder

Co-Chair, Business and Human Rights Practice Group

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## Practice Areas

International Employment Law

Labor Management Relations

Business and Human Rights

ERISA and Benefit Plan Litigation

## Overview

**International:** A recognized authority on international labor standards who has been part of the U.S. employer delegation to the International Labor Organization in Geneva, Switzerland, Stefan advises multinational corporations on issues involving international labor standards. He also advises multinational enterprises in connection with the following:

- The International Labor Organization and its Committee on Freedom of Association
- The Organization for Economic Cooperation and Development and National Contact Points
- The United Nations Global Compact
- The United Nations Guiding Principles on Business and Human Rights
- Other international labor standard-setting organizations

He helps multinational corporations based in the United States and abroad formulate and implement strategies to respond to efforts by labor unions and nongovernmental organizations to discredit them through global campaigns.

His work includes:

- Development of global labor relations and human rights strategies
- Assisting companies build out and manage their global labor relations and human rights functions
- Developing supply chain management systems and strategies related to labor standards for companies and multistakeholder initiatives

- Establishing corporate codes of conduct, human rights policies, and modern slavery disclosure statements
- Negotiating and administering international framework agreements with Global Union Federations

He has represented employers before the ILO and OECD National Contact Points in the United States and in other countries.

In connection with the implementation of the United States Mexico Canada Agreement (USMCA), Stefan was appointed by the Minority Leader of the U.S. House of Representatives to serve as a member of the Independent Mexico Labor Expert Board, which is responsible for monitoring and evaluating the implementation of Mexico's labor reforms and compliance with its labor obligations under the USMCA.

**Domestic:** As a complement to his international practice, Stefan handles a wide range of issues related to labor management relations domestically, including:

- Negotiating collective bargaining agreements for clients
- Assisting employers in all aspects of their dealings with labor unions
- Advising companies on corporate campaigns, and complex labor relations situations
- Negotiating neutrality, access and labor peace agreements
- Handling grievance arbitrations

Drawing on his experience as a trial attorney for the National Labor Relations Board in its Baltimore and Fort Worth regional offices, Stefan regularly assists clients before the NLRB. Stefan advises employers in connection with multiemployer benefit funds, particularly with respect to withdrawal liability, and has represented numerous companies on matters involving such plans.

Stefan also advises employers on many other aspects of labor and employment law, and with respect to that work, he regularly supervises and manages teams of attorneys throughout the firm that handle compliance and litigation of a wide variety of employment law matters.

Stefan has testified before both the U.S. House of Representatives and the Senate on multiple occasions related to labor policy including the National Labor Relations Board, worker centers and the WARN Act.

## Professional and Community Affiliations

- Chair and Founder, Task Force to Eradicate Human Trafficking, U.S. Chamber of Commerce
- Advisor, Labor Policy Committee, U.S. Chamber of Commerce
- Advisor, Corporate Reasonability and Labor Affairs Committee, U.S. Council for International Business
- Member, Maryland State Bar Association

## Recognition

- Named, The Best Lawyers in America®, 2009-2025
- Named, Super Lawyer, Washington DC, *Super Lawyers*, 2013 and 2015
- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*

- Named, Recommended Lawyer, Labor Management Relations, Workplace and Employment Counseling, *Legal 500 United States*, 2016
- Recommended, Labour & Employment, *Who's Who Legal*, 2024

## Education

J.D., Catholic University of America Columbus School of Law, 1993

B.A., Lawrence University of Wisconsin, 1988

## Bar Admissions

District of Columbia

Maryland

## Languages

Spanish

## Courts

U.S. Supreme Court

## Publications & Press

### California Imposes Disclosure Obligations for Child Labor Audits

*SHRM*

December 11, 2024

### California Law Imposes New Disclosure Obligations on Employers Conducting Voluntary Child Labor Audits

*Littler ASAP*

December 3, 2024

### US Unions Can Wield New Weapon as Europe Targets Labor Violators

*Bloomberg Law*

June 20, 2024

### South Korea Proposes Mandatory Human Rights Due Diligence Obligations on Employers

*Littler ASAP*

January 16, 2024

### Employers Rapidly Implement Japan's Guidelines on Business & Human Rights

*Littler ASAP*

September 11, 2023

**Canada Passes Modern Slavery Act**

*Littler ASAP*

May 17, 2023

**Recent Human Rights Due Diligence Law Developments in the European Union, Switzerland, and Japan**

*Littler ASAP*

October 11, 2022

**The Fashion Industry Meets Human Rights Due Diligence: New York's Proposed "Fashion Sustainability and Social Accountability Act"**

*Littler ASAP*

February 14, 2022

**U.S. Enacts Law Barring Products Made With Forced Labor in China**

*Littler ASAP*

January 3, 2022

**Europe and Canada Seek to Mandate Human Rights Due Diligence and Transparency Obligations on Companies and Their Global Partners**

*Littler ASAP*

October 28, 2021

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

*Press Release*

August 19, 2021

**US biz concerned over crackdown on Xinjiang supply chain, fears backfiring**

*Global Times*

August 2, 2021

**Minority Unions – A Major Concern for Employers in 2021 and Beyond?**

*Littler ASAP*

January 11, 2021

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

*Press Release*

August 20, 2020

**Stefan Marculewicz Appointed to Independent Mexico Labor Expert Board**

*Press Release*

July 21, 2020

**United Nations Takes Another Step in Developing a Treaty on Business and Human Rights**

*Littler ASAP*

November 5, 2019

**Littler Lightbulb: Highlighting Global Human Rights Topics**

*Littler ASAP*

October 15, 2019

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

*Press Release*

August 15, 2019

**Germany Seeks to Mandate Human Rights Due Diligence for Companies and Their Global Partners**

*Littler ASAP*

April 25, 2019

**Australia Passes Law Requiring Large Companies to Report on Modern Slavery**

*Littler ASAP*

December 4, 2018

**United Nations Further Deliberates a Treaty Seeking to Impose Corporate Liability for Human Rights Violations**

*Littler ASAP*

November 7, 2018

**California Enacts Two Laws to Combat Human Trafficking**

*SHRM Online*

October 9, 2018

**California Enacts Two Laws Aimed At Combating Human Trafficking**

*Littler ASAP*

October 2, 2018

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

*Press Release*

August 15, 2018

**Littler Global Guide - Hong Kong - Q2 2018**

*Littler Global Guide Quarterly*

July 20, 2018

**Australia: New South Wales Introduces Law Requiring Companies to Report on Modern Slavery**

*Littler ASAP*

July 13, 2018

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

*Press Release*

June 5, 2018

**U.S. Supreme Court Forecloses Liability of Foreign Corporations Under the Alien Tort Statute**

*Littler ASAP*

May 10, 2018

**Congress Holds Hearing on Proposed NLRA Amendments**

*SHRM Online*

May 2, 2018

**House Committee Examines How to Modernize Labor Laws**

*Competitive Enterprise Institute*

April 26, 2018

**Does Federal Labor Law Need to be Modernized?**

*InsideSources*

April 26, 2018

**No Consensus On Labor Law's Future After Hour Hearing**

*Law360*

April 26, 2018

**Hong Kong Considers Draft Law Requiring Companies to Report on Modern Slavery**

*Littler ASAP*

April 16, 2018

**Canada Announces Two New Initiatives To Hold Companies Accountable For Human Rights Violations Abroad**

*Littler ASAP*

February 13, 2018

**Proposed Act Seeks to Require Large Companies Operating in Australia to Report on Modern Slavery**

*Littler ASAP*

February 6, 2018

**United Nations Continues its Development of a Treaty Imposing Liability on Companies for Human Rights Abuses**

*Littler ASAP*

November 9, 2017

**Littler Attorneys Named in 2017 Who's Who Legal Guide**

*Press Release*

September 28, 2017

**Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers**

*Press Release*

August 17, 2017

**Dutch and French Legislatures Introduce New Human Rights Due Diligence Reporting Requirements**

*Littler ASAP*

March 13, 2017

**Advancing Human Rights Claims Based on Global Supply Chain Activities: Recent Developments in California and Canada**

*Littler ASAP*

February 15, 2017

**The U.S. Issues a National Action Plan on Responsible Business Conduct**

*Littler ASAP*

January 17, 2017

**Proposed French Law Would Impose New Due Diligence Obligations on Certain Employers and Their Supply Chains**

*Littler ASAP*

December 12, 2016

**The Best Lawyers in America© Honors More Than 180 Littler Lawyers in Its 2017 Edition**

*Press Release*

August 16, 2016

**Union Petition Under US-Colombia Free Trade Agreement Highlights Labor Violations in Oil and Sugar Industries in Colombia**

*ACC Docket*

July/August 2016

**Littler Ranks in The Legal 500 United States Guide**

*Press Release*

June 20, 2016

**The Corporate Human Rights Benchmark Ranks Large Companies' Human Rights Performance**

*Littler ASAP*

April 4, 2016

**Littler Names Three Co-Chairs to Business and Human Rights Practice Group**

*Press Release*

February 17, 2016

**Certain Illinois Employers Now Required to Post Human Trafficking Helpline**

*Littler ASAP*

February 8, 2016

**California Laws Are Being Used to Advance Human Rights Claims Based on Global Supply Chain Activities**

*Littler ASAP*

October 14, 2015

**The Advent of Privately Developed Corporate Human Rights Reporting Frameworks**

*Littler ASAP*

September 9, 2015

**Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition**

*Press Release*

August 18, 2015

**House Bill Would Require Public Disclosure of Company Policies to Combat Supply Chain Trafficking**

*Littler ASAP*

August 4, 2015

**Supply Chain Management And The Alien Tort Claims Act**

*Law360.com*

October 28, 2014

**Ninth Circuit Case Portends Implications for Alien Tort Claims Act Liability Throughout Corporate Supply Chains**

*Littler ASAP*

September 22, 2014

**Littler Attorneys Included in the Best Lawyers in America© 2015 Edition**

*Press Release*

August 18, 2014

**Labor-Dispute Threats Spur Pennsylvania to Revisit Exemption**

*Wall Street Journal*

May 8, 2014

**Worker Centers, Union Allies Seeking New Representation Model, Chamber Says**

*Bloomberg BNA Daily Labor Report*



April 17, 2014

**Subverting Majority Rule**

*Washington Free Beacon*

April 16, 2014

**U.S. Chamber Says Non-Union Groups Could Reshape Labor Relations**

*New York Times*

April 16, 2014

**Worker Centers Are Center of Attention**

*Workforce*

November 8, 2013

**Littler Attorneys Named in Best Lawyers in America® 2014 Edition**

*Press Release*

August 15, 2013

**The 2012 Global Employer: Highlights of Littler's Fifth Annual Global Employer Institute**

*Littler Report*

February 21, 2013

**Labor Organizations by Another Name: The Worker Center Movement and its Evolution into Coverage under the NLRA and LMRDA**

*Federalist Society for Law & Public Studies*

November 19, 2012

**Best Lawyers in America® Names 164 Littler Attorneys to 2013 Edition**

*Press Release*

September 7, 2012

**NLRB Seeks Feedback on Backpay Award Questions**

*Littler ASAP*

August 1, 2012

**Federal Court Rejects NLRB's Attempt to Reverse Ruling on Election Rule**

*Littler ASAP*

July 30, 2012

**New Interactive NLRB Webpage Provides Examples of Employee Section 7 Rights Under NLRA**

*Littler ASAP*

June 19, 2012

**NLRB Suspends Implementation of New Representation Election Rule**

*Littler ASAP*

May 15, 2012

**D.C. Federal Court Finds NLRB Election Rule Invalid for Lack of a Quorum**

*Littler ASAP*

May 14, 2012

**U.S. Court of Appeals for the D.C. Circuit Enjoins NLRB From Enforcing Notice Posting Rule**

*Littler ASAP*

April 17, 2012

**South Carolina Federal Court Finds NLRB Posting Rule Unlawful**

*Littler ASAP*

April 15, 2012

**Federal Court Partially Invalidates NLRB Notice Posting Rule, Rejects First Judicial Attempt to Contest Board Recess Appointments**

*Littler ASAP*

March 5, 2012

**Federal Court Partially Invalidates NLRB Notice Posting Rule, Rejects First Judicial Attempt to Contest Board Recess Appointments**

*Littler ASAP*

March 2, 2012

**The 2011 Global Employer: Highlights of Littler's Fourth Annual Global Employer Institute**

*Littler Report*

February 15, 2012

**Littler Shareholder Stefan Marculewicz Testifies at Congressional Hearing Addressing NLRB Recess Appointments**

*Littler ASAP*

February 7, 2012

**NLRB General Counsel Policy Change Would Limit Arbitration Deferral**

*Littler ASAP*

January 22, 2012

**Addressing Human Rights Is More Than Having A Policy**

*Littler ASAP*

January 17, 2012

**NLRB Recess Appointment Decision Receives First Legal Challenge**

*Littler ASAP*

January 13, 2012

**Obama Makes Three Recess Appointments to the NLRB**

*Littler ASAP*

January 4, 2012

**NLRB Revises Representation Case Handling Procedures for Two-Member Board**

*Littler ASAP*

December 29, 2011

**NLRB Delays Implementation Date of Notice Posting Rule until April 30, 2012**

*Littler ASAP*

December 23, 2011

**DC Judge Recommends Postponement of NLRB Notice Posting Rule**

*Littler ASAP*

December 20, 2011

**NLRB Issues Rule Governing Procedural Instructions in Anticipation of Losing Quorum**

*Littler ASAP*

December 13, 2011

**NLRB Issues New Order Anticipating the Loss of One or More Members as Concern Mounts over Potential Hayes Resignation**

*Littler ASAP*

November 29, 2011

**NLRB Vote on Portions of Proposed Election Rule Imminent**

*Littler ASAP*

November 18, 2011

**Agencies Issue Final Rule Disallowing Federal Contractor Reimbursement for Persuader Activities**

*Littler ASAP*

November 2, 2011

**NLRB Releases Employee Rights Poster Under New Rule**

*Littler ASAP*

September 15, 2011

**Best Lawyers in America® Names 108 Littler Lawyers to 2012 Edition**

*Press Release*

September 12, 2011

**NLRB scrutinizes social media policies**

*InsideCounsel*

September 1, 2011

**NLRB Transition - What Happens Now?**

*Littler ASAP*

August 30, 2011

**New NLRB Rule Requires Posting of Workers' Right to Organize**

*Corporate Counsel*

August 29, 2011

**NLRB General Counsel's Office Releases Report on Social Media Cases**

*Littler ASAP*

August 18, 2011

**NLRB Advice Memoranda Recommend Dismissal of ULP Charges Based on Facebook Postings**

*Littler ASAP*

July 28, 2011

**Speakers List Grievances About Proposed NLRB Election Rule Changes**

*Littler ASAP*

July 20, 2011

**NLRB Proposed Election Rule Scrutinized at Congressional Hearing**

*Littler ASAP*

July 7, 2011

**NLRB to Hold Public Meeting on Proposed Representation Election Rule**

*Littler ASAP*

June 24, 2011

**NLRB Proposes Significant Changes to Election Process**

*Littler ASAP*

June 21, 2011

**NLRB Files Suit Against Arizona for its Secret Ballot Protection Amendment**

*Littler ASAP*

May 9, 2011

**NLRB to File Lawsuits Against Arizona, South Dakota Over Secret Ballot Issue**

*Littler ASAP*

April 26, 2011

**European Union's Renewed Consideration of Class Actions May Create a New Mechanism for Employment Law Claims**

*Littler ASAP*

April 5, 2011

**Employer Freedom of Opinion and Expression Within the Context of Union Organizing – A Fresh Perspective from the ILO**

*Littler ASAP*

November 10, 2010

**Littler Mendelson Welcomes Stefan Jan Marculewicz to Its Washington, D.C. Office**

*Press Release*

September 9, 2010

**Elimination of the Secret Ballot Union Election and Compulsory Arbitration Under the Employee Free Choice Act – A Violation of Fundamental Principles of International Labor Law**

2009

**Some Tough Questions for Pre-Employment Drug Testing**

*10 J. Contemp. Health L. & Pol'y 243*

1994

**Events & Speaking Engagements**

**2023 Mid-Atlantic Regional Employer Conference**

Washington, DC

June 16, 2023

**Reaching the Unreachable Employee - How to Connect with the New Generation of Workers**

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

**Minority Unions - New and Renewed Alternative Organizing Tactics**

March 17, 2021

**Capital Briefing: Policy Changes in Federal Labor and Employment Law Under President Trump**

2018 Mid-Atlantic Employer Conference, Washington, D.C.

June 5, 2018

**Protests, Political Speech, and Public Relations**

2017 Mid-Atlantic Employer Conference, Washington, D.C.

June 6, 2017

**Segunda Conferencia Anual en México - Ciudad de México**

Ciudad de México, CMX

October 5, 2016

**Second Annual Mexico Conference - Mexico City**

Ciudad de México, CMX

October 5, 2016

**Segunda Conferencia Anual en México - Monterrey**

San Pedro Garza García, NLE

October 4, 2016

**Second Annual Mexico Conference - Monterrey**

San Pedro Garza García, NLE

October 4, 2016

**Second Annual Puerto Rico Conference**

San Juan

August 18, 2016

**2016 Mid-Atlantic Employer Conference**

Washington, DC

June 7, 2016

**The Future of Union Organizing: Addressing Labor's New Strategies in the Streets and the Emergence of UFOs**

May 4, 2016

**International Business & Human Rights: What the Corporate Legal Department Should Know**

October 13, 2015

**Littler Global Colombia Conference**

Bogotá, DC

September 10, 2015

**Littler Global Puerto Rico Conference**

San Juan

August 20, 2015

**First Regional Forum: Proper Use of Technology Under Labour Law**

November 14, 2013

**Human Resources Executives Summit 2013**

Chicago, IL

October 15, 2013

**Opportunities and Challenges in Implementing a Responsible Supply Chain Management Program**

Littler Mendelson, Washington D.C.

November 9, 2012

**Protecting Your Operations in Latin America: Risks and Opportunities in the Region's Current Legal Landscape**

Littler Mendelson, Washington D.C.

November 8, 2012

**Doing Business South of the Border**

Littler Mendelson, Scottsdale, AZ

May 10, 2012

**Business and Human Rights – What American Companies Need to Know**

January 11, 2012

**What Retailers Need to Know About Labor Developments and Union Organizing Strategies**

December 8, 2011

**Expedited Elections and the Advice Rule: Tilting the Union Election Playing Field Further**

September 13, 2011

**Business and Human Rights: The UN Issues Draft Recommendations**

December 22, 2010

**Elimination of the Secret Ballot Union Election and Compulsory Arbitration Under the Employee Free Choice Act – A Violation of Fundamental Principles of International Labor Law**

International Organisation of Employers Annual Labour and Social Policy Review

2009

**Books & Book Chapters**

- The International Comparative Legal Guide to: Employment & Labour Law 2012, *Global Legal Group*, The Soft-Law Revolution – International Labour Standards and Human Rights, Chapter Author, 2012
- International Corporate Practice: A Practitioner's Guide to Global Success, *Practising Law Institute*, International Labor and Employment Law, Chapter 21, co-authors: Philip Berkowitz, Joseph Lazazzero, Trent Sutton, and Philip Gordon, 2012