

Donald C. Dowling

Shareholder

900 Third Avenue
New York, NY 10022
main: +1 (212) 583-9600
direct: (212) 471-4488
fax: +1 (212) 832-2719
ddowling@littler.com



Focus Areas

International Employment Law
Privacy and Data Security
Higher Education
General Data Protection Regulation (GDPR)
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

Courts

U.S. Court of Appeals, 6th Circuit

U.S. District Court, Southern District of Ohio

Languages

Spanish

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 Insight

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

Littler 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

Littler 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

Littler 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

Littler 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

Littler 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

How to Make Global Employee Communications Comply with Overseas Translation Mandates

Littler Insight

August 3, 2017

Littler Adds Renowned Global Employment Lawyer

Littler Press Release

August 3, 2017

Speaking Engagements

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

Tercera Conferencia Anual en Ciudad de México
Ciudad de México, CDMX
September 27, 2017

Third Annual Conference in Mexico City
Ciudad de México, CDMX
September 27, 2017

Tercera Conferencia Anual en Monterrey
San Pedro Garza García, NL
September 26, 2017

Third Annual Conference in Monterrey
San Pedro Garza García, NL
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