



## Johan Lubbe

Shareholder

U.S. Practice Co-Chair, International Employment Law Practice Group

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## Practice Areas

International Employment Law

Discrimination and Harassment

Labor Management Relations

Whistleblowing, Compliance and Investigations

Privacy and Data Security

Transportation

## Overview

Johan Lubbe is consistently recognized as a leading international employment lawyer. In 2017 and again in 2018, *Who's Who Legal* recognized Johan as the foremost Thought Leader in employment law in the U.S. (In both years he was ranked as #1 out of a select group of leading thought leaders in employment and labor law.) Johan has been described as “one of the nation’s most prominent employment lawyers,” “a go-to name on cross-border issues,” “esteemed within the marketplace,” and “highly regarded for his work in supply-chain management and data privacy matters on a global scale and is well known for his ability to handle complex and sensitive matters.”

Johan provides strategic advice and counseling to multinational employers on a wide range of global employment law, labor relations – including issues related to global supply chain management, international labor standards compliance, human resources, and data privacy matters. He regularly advises foreign companies doing business in the U.S. on the requirements of U.S. workplace law and labor relations issues. Johan represents companies in various industries including airlines, banking, engineering, financial services, high tech, manufacturing, oil and gas, nonprofits and retail. He is a frequent speaker on workplace law and data privacy issues and the author of numerous publications.

In June 2013, Johan testified before the U.S. Senate Foreign Relations Committee about labor issues in Bangladesh following the Rana Plaza building collapse. He has advised the retail industry regarding the European labor union Accord and the American Alliance for Bangladesh Worker Safety.

Johan has guided U.S. multinational employers on the intricacies and compliance requirements of multiple-jurisdiction employment and labor law matters, such as:

- Global mobility policies and secondment agreements
- Global employee handbooks, codes of conduct, hotlines and HR policies, including anti-bribery
- Multi-country audits of workplace laws and practices, and strategic compliance advice
- Executive hiring and employment contracts, terminations and related negotiations
- Data privacy laws affecting global Human Resources Information Systems (HRIS) and other cross-border HR data transmissions
- Employment and labor law issues pertaining to cross-border mergers and acquisitions, restructurings, reductions-in-force, and office closings, including information and consultation obligations with employee representatives and works councils
- Cross-border trade union matters, including corporate campaigns and complaints with the OECD
- Global supply chain management and compliance

Johan frequently represents employers in proceedings in court, government agencies, such as the Equal Employment Opportunity Commission, the Occupational Safety and Health Administration, and the National Labor Relations Board, concerning discrimination, whistleblowing, retaliation, non-compete and unfair labor practice matters. He also represents employers in arbitration hearings involving “just cause” discharges under collective bargaining agreements with unions and the termination of executives under employment contracts. He counsels employers regarding compliance with their obligations under the array of workplace laws.

Originally from South Africa, Johan previously practiced law there and is fluent in Afrikaans. He continues to collaborate with attorneys in South Africa as well as other African nations, to provide multinational clients with a single point of contact for assistance with labor and employment matters on the continent.

## Professional and Community Affiliations

- Past Chairperson, Employment and Industrial Relations Law Committee, International Bar Association (IBA)
- Chairperson of Board, Cross-Border Human Resources (XBHR)

## Events & Speaking Engagements

### 2024 Tri-State Regional Employer Conference

New York, NY

September 19, 2024

### 2023 Tri-State Regional Employer Conference

New York, NY

June 20, 2023

## Equity, Diversity, and Inclusion – Global Workplace Policy Development and Implementation: Traps and Challenges for the Unwary

Littler Executive Employer Conference  
May 5, 2022

**The Compliance Issues that Arise When U.S.-based Employees Just Want to Do Their Jobs... Remotely from Overseas**

Littler Executive Employer Conference  
May 5, 2022

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

April 8, 2021

**International Employment Law Update - Trends and Critical Developments**

Lorman Education Services - Webinar  
December 12, 2019

**Workplace Bullying – Understanding the Increased Risks**

Clear Law Institute - Webinar  
December 13, 2018

**Life After May 25th, 2018 - Living with GDPR**

Pharmaceutical Human Resource Association - International Benefits Committee Meeting, Princeton  
November 1, 2018

**Protecting Corporate and Intellectual Property Including Restrictive Covenants**

IBA Annual Conference, Rome, Italy  
October 9, 2018

**Workplace Bullying – Understanding the Increased Compliance and Liability Risks**

Lorman Education Services - Webinar  
October 2, 2018

**International Employment Law Roundtable**

New York, NY  
June 26, 2018

**Don't Be the Last to Know! Get a Handle on These Global Workplace Trends**

Littler Executive Employer, Phoenix, AZ  
May 3, 2018

**Preparing for the New EU's General Data Protection Regulation**

NFTC Global Human Resources Conference, Seattle  
November 2, 2017

**New York Healthcare Industry: A Roundtable Discussion**

New York, NY

July 19, 2017

**International Employment Law 2017**

PLI Seminar, New York, NY

June 7, 2017

**Outsourcing: A Global Onslaught on the Use of Independent Contractors**

May 11, 2017

**Global Mobility and Employment Agreement**

2016 PLI International Employment Law Conference, New York, NY

June 9, 2016

**Healthcare Roundtable**

New York, NY

June 2, 2016

**Incentivizing Talent**

IBA Global Entrepreneurship Conference, Barcelona, Spain

May 24, 2016

**Drilling Into the Oil and Gas Industry - Employment Law Compliance**

IBA Annual Employment and Discrimination Law Conference, Mexico City, Mexico

April 14, 2016

**Whistleblowing - Landmark to Global Compliance in 2016**

The Knowledge Group, New York, NY

January 28, 2016

**2015 Tri-State Employer Conference**

New York, NY

November 5, 2015

**'Baby you can drive my car' – employment in the global automotive industry**

April 9, 2015

**What Employers in Small and Medium-Sized Companies Need to Know: Contrasting French, American & New York Labor Laws**

New York, NY

March 31, 2015

**Navigating the Challenges of Enforcing Non-Compete Agreements Globally**

January 26, 2015

**Workplace Bullying: What You Need To Know**

Food Seminars International (FSI) Webinar

January 9, 2014

**Workplace Bullying - Understanding the Risks**

Lorman Education Services

December 4, 2013

**Update on International Employment Law Developments**

National Foreign Trade Council, New York, NY

October 22, 2013

**International Labor Law in Light of Bangladesh and the European Accord**

National Retail Federation, Chicago, IL

October 16, 2013

**Human Resources Executives Summit 2013**

Chicago, IL

October 15, 2013

**International Employment Law Update**

October 10, 2013

**The fast changing global business environment - implementing tough human resource decisions and making people stay**

2013 Annual Conference - International Bar Association, Boston, MA

October 9, 2013

**U.S. – China Employment Law Update: New Challenges Facing Chinese Businesses in the U.S.**

China General Chamber of Commerce - USA, New York, NY

October 3, 2013

**Labour and Competitiveness in Brazil and the World**

Conference - National Confederation of Industry Brazil (CNI) and Brazilian Federal Labor Court, Brasilia, Brazil

August 19, 2013

**Teleworking and Employment Law – A Global Perspective**

The Agile Work Consortium, Stamford, CT

July 11, 2013

**International Employment Law 2013**

Practising Law Institute (PLI)

June 11, 2013

**Cross-Border Talent - Sourcing and Understanding Employment Laws**

Global HR News, Toronto, Canada

June 6, 2013

**Testimony before the Senate Foreign Relations Committee on labor issues in Bangladesh**

Washington, D.C.

June 6, 2013

**Workplace Bullying Issues**

Audio Conference - Lorman Education Services

June 5, 2013

**Managing Performance and Terminating Foreign Employees for Unsatisfactory Performance: Surviving the Minefield of Legal Challenges**

Littler Mendelson, Scottsdale, AZ

May 8, 2013

**Update on Employment and Labor Laws in Brazil and Nigeria**

National Foreign Trade Council, Houston, TX

May 1, 2013

**Emerging Strands in Equality at Work**

International Bar Association, Amsterdam, The Netherlands

April 19, 2013

**Cross-Border Employment Investigations: Data Protection and Other Challenges**

AmCham Germany, Dusseldorf, Germany

April 16, 2013

**Emerging Workplace Law Trends and New Employer Challenges**

Leadership Roundtable - Capital Region Human Resources Association, Albany, NY

April 12, 2013

**The Global Talent Market and Understanding the Employment Law Challenges**

Global HR News, New York, NY

April 11, 2013

**Defending the Bottom Line: Implications of Outsourcing Legal and Non-Legal Work**

Justice Robert H. Jackson Lecture Series - Albany Law School, Albany, NY

April 2, 2013

**Brazil Overview - Managing Assignee Expectations and Realities**

National Foreign Trade Council, Houston, TX

March 21, 2013

**Diversity and Inclusion**

XBHR Annual Conference - Cross-Border Human Resource (XBHR), Istanbul

February 28, 2013

**Firing Employees in Latin America – Avoiding Common Pitfalls**

Littler Mendelson, Miami, FL

February 21, 2013

**Social Media and Labor Law**

German American Chamber of Commerce, New York, NY

January 24, 2013

**International Employment Law: 2012 Perspectives**

The Knowledge Congress Webinar

December 5, 2012

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

Littler Mendelson, Washington D.C.

November 9, 2012

**Mergers, Acquisitions and Other Transfers of Business: Due Diligence and other Employment Law Challenges for Multinational Employers**

October 24, 2012

**Remote Workers**

International Labor Law Conference - Firm Presentation, Sao Paulo, Brazil

October 23, 2012

**Dignity and Equality at Work: The Evolution of Legally Prohibited Conduct**

International Bar Association, Dublin, Ireland

October 1, 2012

**Government Regulation and Intervention - Recent Developments and the Impact on Employee and Labour Relations**

International Bar Association, Dublin, Ireland  
October 1, 2012

**China's Labor and Employment Laws: What It Means for U.S. Employers**

New York, NY  
July 19, 2012

**Anti-Corruption - Local Legislative Developments and Coordinated Global Compliance Enforcement: The New Challenges for Global Employers**

Littler Mendelson, Scottsdale, AZ  
May 10, 2012

**Employee Privacy**

International Bar Association, New York, NY  
March 30, 2012

**The Digital Workplace: Maximizing the Benefits - Minimizing the Risks**

New York, NY  
January 24, 2012

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

January 11, 2012

**Cross-Border Employment Law – Understanding the Legal Challenges of Managing a Global Workforce**

Global HR News Conference, New York, NY  
November 16, 2011

**Union's Going Global – Renewed Activism on International Platform**

American Society of Employers (ASE) and National Foreign Trade Council (NFTC), Dearborn, MI  
November 15, 2011

**Employing Americans in the US: From recruitment and retention to legal issues**

Danish-American Business Forum, Copenhagen, DK  
November 8, 2011

**Rise of Multiculturalism and Resulting Challenges of Managing Diversity in the Workplace**

Annual Conference, International Bar Association (IBA), Dubai, UAE  
October 31, 2011

**Cross-Border Employment and Labor Law Topics: The Nuts and Bolts of a Global Mobility Program**

October 27, 2011



### **Cross-Border Employment – Understanding the Legal Challenges of Managing a Global Workforce**

International Labor Law and HR Strategy Conference - JSB, New York, NY

October 5, 2011

### **Employee Productivity and Employer Flexibility – law and best practices for multi-national employers**

International Bar Association (IBA) Conference, Brussels, BE

April 14, 2011

### **Establishing International Operations – the essential employment law issues affecting foreign-based employees**

Financial Executive International (FEI), Newton, MA

March 16, 2011

### **Personal Data Privacy – Global Best Practices in the Wake of Increased Enforcement**

Annual Conference, Cross-Border Human Resources (XBHR), Toronto, CA

March 4, 2011

### **Risks & Challenges to Managing Personal Data**

WESFACCA Conference, Greenwich, CT

January 12, 2011

## **Books & Book Chapters**

The new EU's general data protection regulation – Is your company ready?, *Global HR Practitioner Handbook*, Lisbeth Claus, Editor-in-Chief, 2018

Labour Law, *Globe Business and Law*, 2011

, *International Labor and Employment Laws*, Bloomberg BNA, 4th edition, Chapter Author, 2014

, *Business Transfers and Employee Rights*, McMullen, J., Butterworths, Chapter Author, 2005

## **Recognition**

- Named, The Best Lawyers in America® , 2013-2025
- Named, Who's Who in American Law , 2014
- Named, International Who's Who of Management Labour and Employment Lawyers *Who's Who Legal*, 2012-2015
- Named, Management Labour and Employment *Who's Who Legal*, 2005-present
- Named, Labour and Employee Benefits Cross-border Handbook *Practical Law Company*, 2006-present
- Named, Guide to the World's Leading Labour and Employment Lawyers *Euromoney*, 2004-present
- Named, Super Lawyer, New York, *Super Lawyers*, 2007-present
- Recipient, Fulbright Scholarship *Cornell University*
- Named, Stand-Out Lawyer *Thomson Reuters*, 2020, 2024

## **Education**

LL.M., University of Leicester, 2005

M.I.L.R., Cornell University, 1988

LL.M., Cornell University, 1987

LL.B., University of the Free State, South Africa, 1982

B.Comm., University of the Free State, South Africa, 1979

## Bar Admissions

New York

## Courts

U.S. Court of Appeals, 2nd Circuit

New York Supreme Court

U.S. District Court, Northern District of New York

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

U.S. District Court, Western District of New York

## Languages

Afrikaans

## Publications & Press

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

*Press Release*

August 19, 2021

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

*Press Release*

August 20, 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

### **Handling Harassment Allegations in Europe: Critical Do's and Don'ts**

*Littler Podcast*

September 9, 2019

### **Mandatory Procedures for Employee Dismissals for Misconduct or Work Performance in Japan, Colombia, the Netherlands, and the UK**

*Littler Podcast*

August 29, 2019

### **Overview of European Works Councils**

*Littler Podcast*

August 20, 2019

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

*Press Release*

August 15, 2019

### **Requirements for Fixed-Term Contracts Vary Around the Globe**

*In the News*

April 11, 2019

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

*Press Release*

August 15, 2018

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

*Press Release*

June 5, 2018

### **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

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

*Press Release*

August 16, 2016

### **Non-Compete Covenants in Latin American Jurisdictions - Enforceability Challenges and Drafting Suggestions in Latin American Briefings**

*ACC Docket*

April 2016

### **European Court of Justice Expands the Definition of Working Time**

*Littler ASAP*

September 29, 2015

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

*Press Release*

August 18, 2015

**PLI Looks at Cross-Border Employees and International Data**

*In the News*

July 2, 2015

**South Africa Restricts Use of Fixed-Term Employment Contracts**

*External Publication*

February 3, 2015

**South Africa Restricts the Use of Fixed-Term Employment Contracts for Lower Earning Employees**

*Littler ASAP*

January 31, 2015

**2015 Hot Topics for Multinational Companies**

*Littler ASAP*

December 22, 2014

**Chinese companies in US urged to know employment law**

*In the News*

September 18, 2014

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

*Press Release*

August 18, 2014

**Critical Employment Law Issues to Consider When Doing Business in LATAM**

*External Publication*

July 1, 2014

**Global Mobility: Key Consideration for Foreign Investors When Employing in the U.S.**

*External Publication*

May 1, 2014

**Littler Named Law Firm of the Year for Labor and Employment by Who's Who Legal**

*Press Release*

April 2, 2014

**Keeping pay in proportion**

*In the News*

December 10, 2013

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

*Press Release*

August 15, 2013

**Littler Named Management, Labour and Employment Firm of the Year by Who's Who Legal**

*Press Release*

June 24, 2013

**U.S. Retailers See Big Risk in Safety Plan for Factories in Bangladesh**

*In the News*

May 22, 2013

**Groups divided on Bangladesh safety overhauls**

*In the News*

May 17, 2013

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

*Littler Report*

February 21, 2013

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

*Press Release*

September 7, 2012

**Littler Named World's Leading Law Firm for Management Labor and Employment Work**

*Press Release*

June 12, 2012

**The "Bring Your Own Device" to Work Movement**

*Littler Report*

May 10, 2012

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

*Littler Report*

February 15, 2012

**Prominent International Labor and Employment Attorney Johan Lubbe Joins Littler Mendelson's New York Office**

*Press Release*

April 5, 2011

**Whistleblowing in the EU: New Trouble for Multinationals Trying to Comply with Both EU Law and US' SOX**

*ACC Docket*

April 2006

**Employment Issues in International Mergers and Acquisitions in the United States**

*IBA Employment and Industrial Relations Law Committee Newsletter*

March 2005

**Managing Expatriate Employees: Employment Law Issues and Answers**

*Journal of Employment Discrimination Law*

Winter 2000