



International

Overview

Despite very recent trends, globalization is here to stay. Your business isn't constrained by national border lines, and your lawyers shouldn't be, either. You need workplace lawyers with broad knowledge of relevant U.S. and international laws and agility to handle *all* your cross-border employment issues.

Fisher Phillips' International attorneys help multinational businesses comply with the employment laws that apply to them, no matter how far – or where – their operations reach. Whether you are a U.S. employer new to a foreign country or a new entrant to the U.S. grappling with the intricacies of U.S. employment law, we can help you. We have vast experience helping clients understand the dramatic differences between employment law in the various United States and employment laws abroad. Our team improves efficiencies by making sure the right issues are addressed and understanding broad concepts that local HR teams or counsel may otherwise misunderstand. Drawing on our own substantive skills on cross-border concepts, along with focused assistance from local counsel, we deliver discerning and practical advice on global employment issues. We are not tied to any official network of law firms or referral contracts with local counsel; instead, we use local counsel resources that best meet our clients' needs, considering their individual circumstances, risk tolerance, budget, and the complexity of the issues at stake.

WE WORK WITH

U.S. Employers

- Managing employees and other talent abroad
- Compliance with the varying employment laws in other jurisdictions

- Litigation & dispute resolution
- Labor & Work Council strategies
- Global investigations
- Reductions in Force
- New Locations Abroad

Non-U.S. Employers

- Compliance with all U.S. Employment Laws (federal, state, and local)

WE OFFER

- **Strong relationships** with local counsel on six continents
- **Complete transparency** (process & costs)
- **A single point of contact**
- **A multilingual team** (our lawyers speak 9 languages)

SEAMLESS, SIMPLIFIED SERVICE - WHEREVER & WHENEVER

When employment law issues arise away from home, the last thing you need is more complications, like getting bounced around to unfamiliar lawyers, managing sprawling projects in distant places, or receiving multiple bills. We cut to the chase. Our team brings substantive, “big-picture” knowledge and taps the right resources – both internal and external – to get efficient results. We do not “refer” to, “liaise” or “coordinate” with a limited roster of foreign counsel; instead, your Fisher Phillips lead attorney will work directly with colleagues across various disciplines within the firm – including immigration, labor relations, employee benefits, and data security and workplace privacy – and tap the foreign lawyer(s) truly best suited to address your cross-border challenges on the ground, wherever they may be. The dedicated team then identifies and defines the issues, accounts for nuances and differences in the relevant laws, and reaches solutions that work for you. All at preferred rates, with one single monthly invoice from us.

You don’t need to worry about which lawyer is handling what in which country, or “project manage” anything. You only need to talk to us.

A FULL ARRAY OF SERVICES

Our attorneys can assist with matters including:

- Compliance
- Compensation and benefits

- Contentious matters
- Data privacy (including strict E.U. Data Protection Laws)
- Employee mobility
- Employment contracts and restrictive covenants
- Ethics and Codes of Business Conduct
- Expatriate issues
- Fraud and Anti-Bribery Laws including the Foreign Corrupt Practices Act (FCPA) and the UK Bribery Act
- Hiring, retention, and separation of employees
- Immigration
- Litigation, Arbitration and Administrative Actions
- Mergers and Acquisitions
- Remote working arrangements
- Secondments and other international expatriate assignments
- Strategic planning and policy development
- Trade secrets protections
- Organized labor activity

Our clients span industries including financial services, technology, manufacturing, retail, and government contracting.

EXPATRIATE SERVICES

Employee mobility is becoming increasingly important to your business model. But this brings many challenges, including complying with EU regulations on the posting of workers, country-specific laws and dealing with intricate tax, compensation, benefits, and allocations laws. Our team is uniquely strong in representing US companies who assign people to long-term assignments abroad. We work with you to handle these matters and to establish and maintain appropriate expatriate assignments, agreements, and policies that ensure you have the right people – in the right places – to do the job.

HOW WE CAN HELP

- *Your business has won a project outside the U.S. and now you need to send project managers abroad and/or hire a team in the foreign country.*
Working with local counsel and global tax advisors, we develop the necessary contract, payroll, and wage payment and withholding regimes, including local employment contracts

and secondment agreements. We also work with local counsel to establish and register a local business entity, as necessary.

- *You have offices in another country where you aren't equipped to respond to employees who are demanding to receive additional benefits under local law.*

We immediately assess the veracity of the claim based on our experience, provide preliminary advice surrounding a response strategy and, if necessary, immediately involve our local counsel to act for your local entity.

- *You've made a tentative offer to a strong candidate for a position outside the U.S., but they've given you a copy of the prior employer's agreement containing a notice clause/garden leave, noncompete and other restrictive covenants governed by non-U.S. law.*

Non-compete and restrictive covenant laws vary across the globe, just as they vary from state to state in the U.S. Our team can help you analyze the enforceability, assess the risk, and develop strategy options for whether and how to proceed with hiring the candidate, based on our own experience and our ability to quickly gain input from our established global counsel relationships. If litigation occurs, we can work with you and in-country counsel to defend the company. And, of course, we can also assist if the shoe is on the other foot and you need to enforce your own covenants globally.

- *Your business is new to the U.S. and needs to understand how its unique federal, state, and local employment laws apply to your operations.*

We leverage our experience in your own home jurisdiction to effectively highlight the key differences and assist you to develop employment regimes that mesh your standard practices with the benefits of U.S. employment laws and practices.

- *You've received a demand letter from the attorney for a former employee who was based overseas asserting various claims against you under foreign law.*

We immediately assess the veracity of the claim and associate risk and deploy our local counsel to provide both immediate and aggressive representation, as well as concierge attention to your concerns.

- *You need to transition your employees, who are in many different countries, from your office locations to working remotely from their homes.*

Our team advises on and assists with all issues related to remote working arrangements, including updating contracts and employment rules, consulting with works councils and unions, consent forms, health and safety issues, cyber security and data privacy concerns, and expense allowances and stipends.

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Recent Experience

Representative Work

- Representing a manufacturer in cross-border litigation involving U.S., local, and European legal claims related to operations at a facility in Latin America.
- Advised a large U.S.-based NGO in employment negotiations related to operations in Kenya.
- Assisted a client with concerns about data privacy compliance in connection with their operations in the Middle East.
- Assisted a large U.S.-based transportation company with a reduction in force across multiple Canadian provinces.
- Managed a cross-border investigation of our client's chief executive officer in connection with allegations of sexual discrimination, race discrimination, and other discriminatory practices relating to employees in multiple countries.
- Represented a major Italian University in negotiating an employment contract for its incoming President's employment contract.
- Represented a large global manufacturing company with labor relations issues and strategies in Mexico. Working with local counsel, we analyzed the status of union organizing efforts in Mexico, advised on new labor legislation and employer rights in Mexico, and on ways to improve employee relations.
- Helped a California-based technology company startup operations in India, Italy, and Thailand by coordinating employment agreements, as well as local employment and administrative compliance.
- Advised a San Francisco-based personal and professional growth, training, and development company with 53 worldwide offices in closing operations in Israel, employment advice and

compliance issues in Japan, and employment contracts in Germany.

- Advised a German manufacturer of automotive components with work rules and policies, a cross-border harassment investigation, employment and profit-sharing compliance issues, expat policies, separation with a senior executive, and a potential acquisition.
- Advised a Massachusetts-based semiconductor company with terminating an executive in Germany; complicated compliance matters, including overtime and work rules, in France; employment advice in the U.K. and China; and a reduction in force in Scotland.

Key Contacts



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See all →

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