

Employment Law

Cross Border Employment and Compensation Solutions

Donahue & Partners LLP

An independent law firm allied with Ernst & Young

Globalization and the IT revolution have broadened the geographic scope of most multinational organizations.

Mergers, acquisitions, privatizations, expansions, alliances, and other strategic and organizational changes require effective global employment and incentive strategies for key staff members.

Optimizing international operations often requires hiring new employees, and relocating, reassigning, or terminating others.

New Challenges for Global Companies

In today's dynamic environment, human resource managers must act quickly and carefully to avoid potential problems associated with employment law. Issues that are particularly complex from a global perspective include:

- Loss of key employees;
- Transfer/migration of employees;
- Outsourcing;
- Global harmonization of equity compensation and retirement schemes;
- Labor disputes; and
- Collective dismissals.

The Value of Looking Beyond Borders

As an independent law firm allied with Ernst & Young (E&Y), Donahue & Partners (D&P) combines personalized service with the resources of E&Y to provide global legal services to multinational companies. With our offices in New York City and a global network of attorneys in over 100 countries worldwide, we cover every corner of the globe to ensure that wherever you do business, we have your legal needs covered.

D&P's attorneys work side by side with our E&Y counterparts to provide cost-effective advice that will guide you through the challenges of managing employees around the world.

Benefits to Clients

- Donahue & Partners provides clients with a single point of contact through which they have ready access to experienced employment lawyers around the world.
- Clients receive uniform reporting and coordinated recommendations that address a range of global and country-specific risks.
- Clients receive uniform implementation of compliance steps.

Scope of Services

Employment law services offered by Donahue & Partners include:

- Drafting employment agreements and advising on compensation and benefits.
- Developing and implementing stock incentive plans.
- Negotiating with trade unions and works councils.
- Ensuring compliance with data privacy regulations for cross-border personnel databases.



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- Conducting pre-merger due diligence, coordinating cross-border restructuring and relocating of employees, and harmonizing post-merger employment issues.
- Advising and providing litigation services relating to individual or collective dismissals.

Our Approach

Donahue & Partners' project management methodology provides coordination of global advice through one central point of contact. Phases include:

- **Analysis and Action Plan Development:** Our employment lawyers review existing or desired features of employment practices, procedures, and documentation for each country in order to determine potential legal issues and advise on developing an action plan for implementation. Based on this review, they develop detailed questionnaires to be completed by local counsel in practices affiliated or allied with Ernst & Young.
- **Due Diligence:** In this phase, the questionnaires are sent to local counsel for completion. Our employment lawyers review all completed questionnaires and maintain regular contact with local counsel and in most cases with Ernst & Young Human Capital professionals to ensure that all issues are fully addressed.

- **Implementation:** Based on the results of the due diligence phase, Donahue & Partners, together with local counsel, complete required filings, approvals, procedures, documentation, and local contracts and agreements.

Sample Engagements

- Developed and implemented global stock option incentive plan for executives in more than 80 countries for a major US-based global international bank.
- Designed and planned the outsourcing of selected activities; implemented the plan and evaluated the impact of the restructuring on employees in 33 countries for a telecom company.
- Examined current employment contracts and benefits to ensure compliance with local regulations in 6 countries for a manufacturer of steel products.
- Drafted local variations of the standard Employee Handbook for branches in 5 countries for a chemical trading company.
- Investigated the impact of the client's recent European reorganization with respect to trade unions and works councils in more than 40 countries for a leading global photo-chemical organization.
- Assessed and implemented cross-border redundancies; developed and implemented a strategy to address the findings for a multinational supplier of goods.