

*Webinar on*

# **The “Floating Employee” Problem: Five Ways to Engage Someone to Work in a Foreign Country Where the Employer Has No Infrastructure or Payroll**

# Learning Objectives

*The Various International Telecommuting Contexts and Scenarios*

- Reason for international telecommuting
- Employer presence in the host country
- Number of telecommuters in the host country

*Checklist of Issues for Structuring an International Telecommuting Arrangement*

This fast-paced session walks you through this approach: The session begins by outlining the various international telecommuting contexts and scenarios.

**PRESENTED BY:**

*Donald C. Dowling,  
Shareholder at Littler New  
York City, is an international  
employment lawyer advising  
multinational headquarters  
on cross-border employment  
law compliance issues.*

Duration : 60 Minutes

Price: \$200

# Webinar Description

International telecommuting arrangements come up in a handful of contexts or scenarios. How best to employ and payroll a given international telecommuter depends on the specific context or the scenario at issue. When considering any proposal for international telecommuting, begin by addressing the basic logistics as you would engage a domestic telecommuter to work from home locally. Then confront the special problems endemic to international telecommuting by accounting for the specifics of the particular cross-border telecommuting scenario. When an international telecommuting proposal seems viable, work through a checklist of the structural issues that relate to international telecommuting.

This fast-paced session walks you through this approach: The session begins by outlining the various international telecommuting contexts and scenarios. Then the session works through a checklist of the issues to account for in structuring a cross-border or transnational telecommuting arrangement. Work-from-home can be rewarding for both the telecommuter and employer.



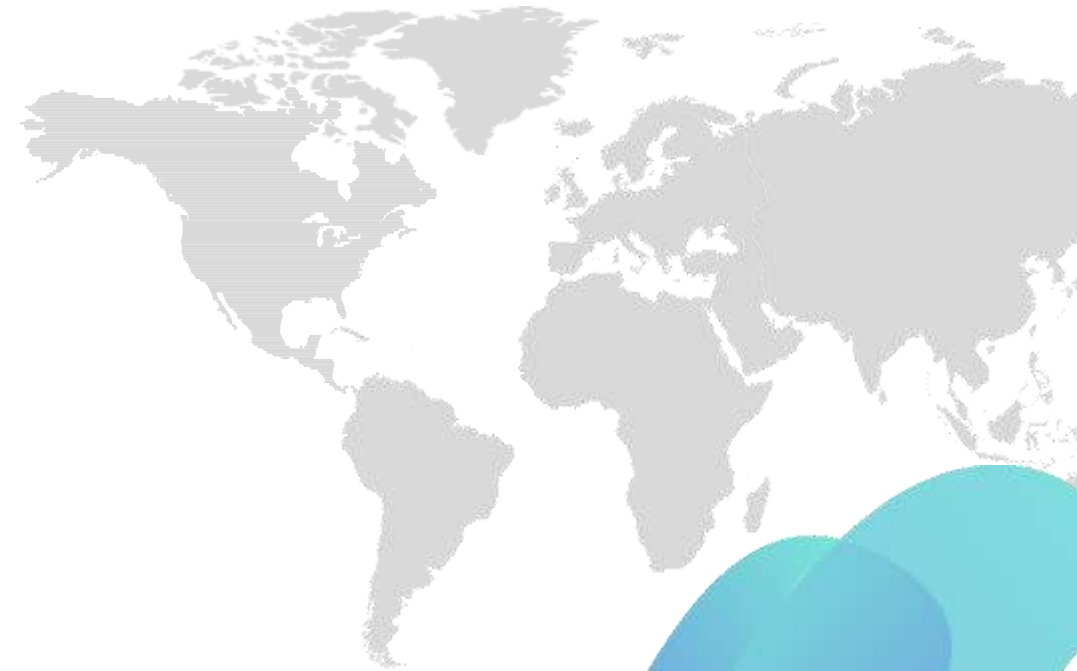
Remote-working staff benefit from telecommuting for obvious reasons and certain employers can benefit because remote work arrangements deepen the pool of available talent by attracting and retaining those who for whatever reason (business, personal, physical disability) cannot “punch the clock” every day at a fixed workplace. Work-from-home can boost employee “engagement” and job satisfaction. Under certain circumstances, it turns wasted commuting time into productive work time. And telecommuting might save employers money—commercial real estate is expensive.

Many telecommuters are local, living and working in the same metropolitan area as the employer and available to check into the office occasionally. Some telecommuters are long-distance, living hundreds or thousands of miles from the employer, maybe off in another region of the country. And then there is the international telecommuter, someone working from a home overseas, in a country other than that of the employer. International telecommuters pose special problems beyond the basic logistics of engaging a local telecommuter.



# Who Should Attend ?

*In-house compliance and employment lawyers  
HR professionals at multinationals involved in cross-border HR  
Managers/Supervisors with subordinates in foreign countries  
Global mobility professionals including those involved in  
outbound expatriation*



# Why Should You Attend ?

*International telecommuting can be expensive for an employer, and it always requires closer attention to legal compliance. The complications in international telecommuting flow from the inherently territorial nature of employment law—choice-of-foreign-law clauses rarely divest the mandatory application of host-country employee protection laws.*

*To engage someone to work remotely in a foreign country is an awkward structure outside what employment law presumes: Employment laws worldwide assume a “master” employs and pays a “servant” both in the same jurisdiction, presumably in the same workplace. The problems inherent to remote working overseas can make a proposed international telecommuting arrangement not worth the cost and effort. And these problems can cause an actual international telecommuting arrangement to fail, sometimes sparking expensive lawsuits.*



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