

Littler's GDPR Compliance Team

If you collect HR data from a European workforce, you need to know about the GDPR.

Commencing May 25, 2018, every employer with employees in the European Union (EU) must comply with the General Data Protection Regulation (GDPR), the EU's new data protection framework. The GDPR introduces a host of new data protection obligations, such as:

- Tighter restrictions on the collection, use and disclosure of EU employee data;
- Expanded notice requirements;
- Broader data rights for employees;
- New vendor contracting obligations;
- Mandatory data breach notification; and
- Detailed recordkeeping.

Addressing these requirements will demand new policies, procedures and processes for managing HR data of EU employees, whether at corporate headquarters, EU subsidiaries, or cloud-based services.

Navigating the GDPR can be challenging for global employers. Littler's GDPR Compliance Team can help.

Littler is uniquely suited to support clients confronting the GDPR's many complex requirements. Littler's GDPR Compliance Team has years of experience counseling clients on applying global data protection laws to HR data and on related employment and labor law issues, such as obtaining works council approval of new data-handling processes. Our team of veteran, U.S. and EU practitioners can provide practical advice and strategies for implementing and maintaining a comprehensive GDPR compliance program while achieving your organization's business objectives.

Littler's GDPR Compliance Team has honed its approach to international data protection compliance over dozens of prior engagements involving EU data protection law. This time-tested approach includes the following steps:

- **Detailed Fact-Finding:** The GDPR Compliance Team follows a cost-effective process for learning the facts that will underpin the compliance program, including data flow mapping and inventorying key systems used to collect EU employee data.
- **Policies and Procedures:** Using the information gathered through fact-finding, we customize our template policies and procedures to address the client's specific operational needs while confirming that customized policies and procedures comply with the GDPR's requirements.
- **Information Security and Security Incident Response:** We work with the client's IT team to develop information security policies that meet the GDPR's requirements and reduce the risk of a security breach. Our team also supports security incident response planning so that the client will be ready to comply with the GDPR's mandatory breach notification requirements if a data breach occurs.

- **Data Governance and Accountability:** We help clients discern the relevant functionality of their technology, as well as their vendors' technology, to support the GDPR's key data governance principles of privacy by design and privacy by default. Our team also counsels multinational employers on the appropriate organizational structures for managing the GDPR compliance program on an on-going basis.
- **Vendor Management:** Our team helps clients to develop processes for vetting vendors and to negotiate contract language mandated by the GDPR. Because multinational employers increasingly rely on vendors, especially cloud services, to manage HR data globally and to support many other functions, vendor management is an integral part of GDPR compliance.
- **Cross-Border Data Transfers:** Littler's team develops practical solutions for lawful data transfers to the U.S. and other non-EU locations within the corporate group. We understand that, despite the GDPR's restrictions on the transfer of personal data outside the EU, cross-border transfers of HR data are critical to global workforce management.

The risks of non-compliance with EU data protection law increase dramatically on May 25, 2018, when the GDPR empowers regulators to assess penalties of up to 4% of annual global revenue for the entire corporate group. For more information about the GDPR and its impact on multinational employers, please see the Littler Insight, [*The Next HR Data Protection Challenge: What U.S. Multinational Employers Must Do To Prepare For The European Union's Impending General Data Protection Regulation.*](#)

For more information about Littler's GDPR Compliance Team and its capabilities, please contact Philip Gordon, Co-Chair, Privacy and Background Checks Practice Group, at pgordon@littler.com or 303.362.2858.