

# Hiring without Borders

How to navigate international and domestic  
employment laws.

# Presenters



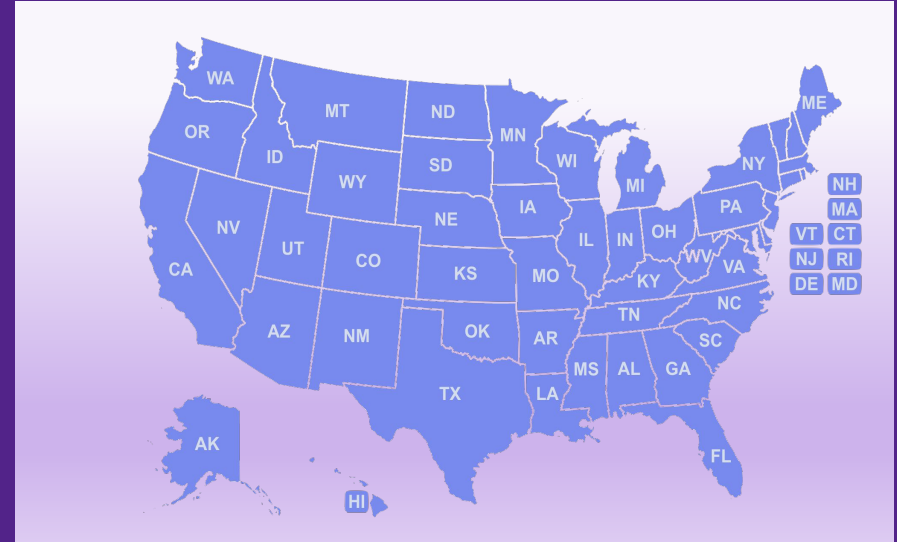
**Miranda Zolot**  
General Counsel &  
Secretary



**Ryan Parker**  
General Counsel &  
Chief Legal Product  
Officer

# Hiring Trends

- Companies are continuing to expand the number of states where they have employees
- Smaller companies are beginning to hire employees in new states.
- Companies are allowing employees to move to new states where they don't already have employees.



# Why hire in new jurisdictions?

## Remote Work

- Organizations have learned during the pandemic that they can be successful with remote employees.
- A lot of employees want to work from home.
- Organizations may not see many benefits from having employees in the same area.

## Tight Labor Market / Bigger Talent Pool

## Feasibility of Having a Distributed Workforce

# Companies hiring remotely

We Work Remotely is the largest remote work community in the world: with 4.5M+ visitors. The %'s below per year is based on platform use.

- 2013: WWR is founded
- 2014: +100%
- 2015: +10%
- 2016: +18%
- 2017: +8%
- 2018: +58%
- 2019: +32%
- 2020: +11%
- 2021: +246.12%
- 2022: -16% -- [This number decreased but it's still 187% more companies than before the pandemic.]

# Employees working remotely



37.4%

Employees said they worked remotely full time, compared to just 18% before the pandemic.



81.7%

Employees said remote working had become more important since the pandemic.



44%

Employees said remote working was one of their top 3 factors when it came to their ideal company.

Source: [Oyster Employee Expectations report](#)

# Why hire in new jurisdictions?

## Remote Work

- Organizations have learned during the pandemic that they can be successful with

## Tight Labor Market / Bigger Talent Pool

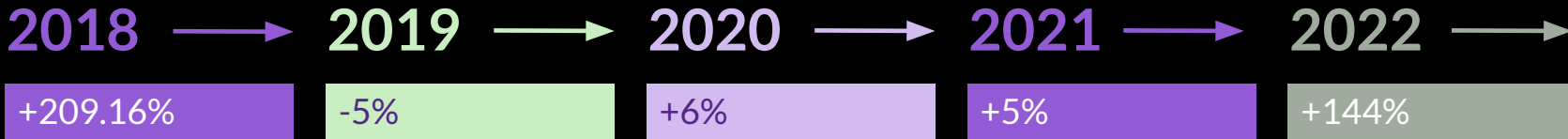
- There is significant competition for top talent and allowing employees to work remotely can be a big selling point.
- Allowing people to work where they live can help organizations keep and recruit talent.

## Feasibility of Having a Distributed Workforce

- There are challenges

# Remote Job Seekers Up

These %'s are based on YOY results in platform browsing use.



Highlights: These impressive stats showcase the desire for employees to work remotely.

Source: WeWorkRemotely.com



# 'Remote' most important benefit

## Buffer Poll

- X 2,700 responses
- Showcasing the priority employees give remote work, v other important benefits

Source: LinkedIn, Buffer



NOT

# Why hire in new jurisdictions?

^

## Remote Work

- Organizations have learned during the pandemic that they can be successful with

## Tight Labor Market / Bigger Talent Pool

- There is significant competition for top

## Feasibility of Having a Distributed Workforce

- There are challenges to having a distributed workforce, but organizations are realizing that those challenges are **increasing manageable** and outweighed by the benefits.

# Challenges Organizations Face When They Hire in a New State or Country

## Entity Issues

- ❑ Entity Creation & Registration
- ❑ Statutory Benefits
- ❑ Taxes (Employment & Sales)

## Employment Issues

- ❑ Job Postings & Hiring
- ❑ Engagement Document
  - Offer Letter
  - Employment Contract
- ❑ Required Policies
- ❑ Payroll Compliance

## Jurisdiction Specific Knowledge

- CA- no restrictive covenant
- MA- Ban the Box
- Netherlands- long probation or fixed
- Spain- restrictive covenants must be bilateral & paid



# Different Places, Different Requirements

- Two different approaches:
  - One size fits all: pay the same amount across the country and set leave policies at the level of the most generous state or locality.
  - Location specific: pay and leave policies that vary based on location.





**Trends:**  
What jobs and where?  
Your next hire.

# Distributed Hiring (Locally or Globally)

- Type of Work - Is It Remote Friendly?
- Working Environment- Is this Team Remote Ready?
- Where in the World?
  - Follow the Sun Considerations
  - Risk Tolerance- FTE v. Contractor
  - Compensation Range
    - What is your compensation philosophy?
    - What is your compensation package?

# Top areas of demand

[Source: Oyster, 2023]

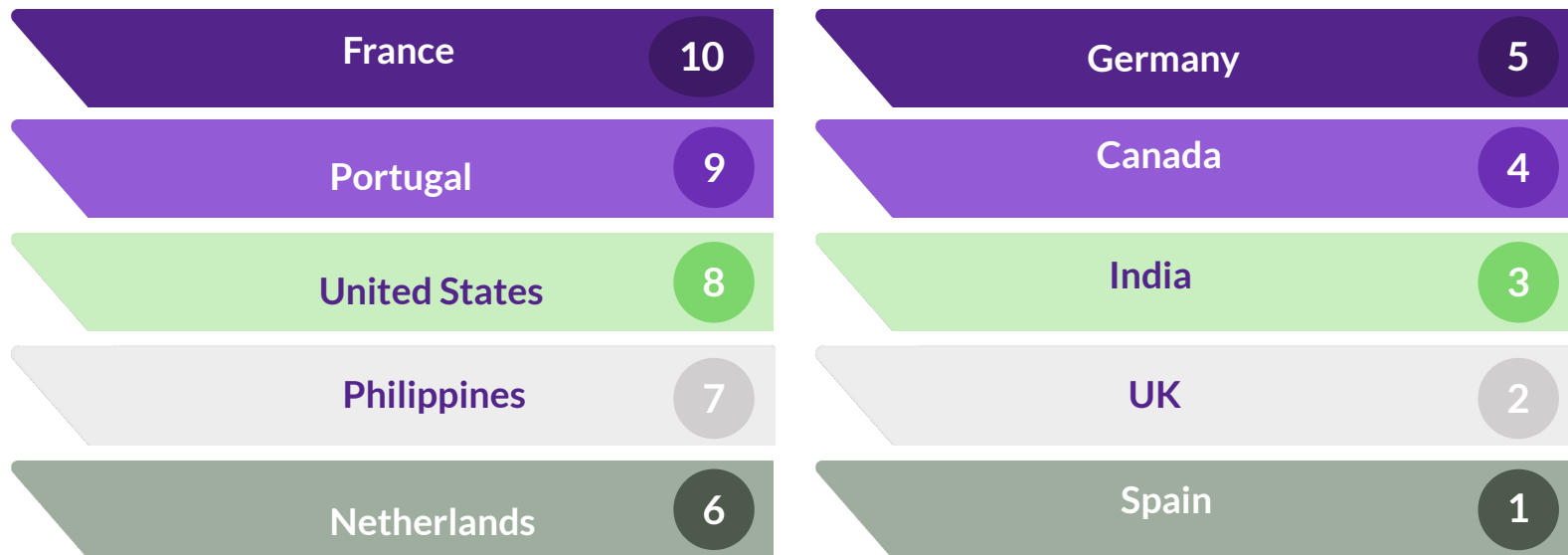
Customer Support

Finance & Accounting

Engineering

# Top countries for hiring

[Source: Oyster, 2023]





# Thank you!



Connect with us  
on social media