

Rethinking the workplace. Reinspiring the workforce.

Employment & Pensions

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For further information:
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Harnessing employment and pension law to navigate the new world of work

The world of employment law and human resources has undergone some seismic changes over the past couple of years – some caused, and some accelerated, by Covid-19.

Never before have employee-related issues been under so much scrutiny. In the wake of the post-pandemic 'Great Resignation' it is no longer a question of what employees can do for the employer but what employers can do for their employees.

Diversity, Equity & Inclusion, pay transparency, remote working, mental health and wellbeing, and whistle-blower safeguarding are topping the corporate agenda. Executive teams must ask themselves if they are nurturing a healthy corporate culture, attracting hires with a good diversity of backgrounds and skills, delivering the right learning and development programs, and ensuring robust data protection and cyber security for staff wherever they work.

And in a fast-shifting world, those that don't address these issues are exposing themselves to significant commercial risk.

As one of the world's largest law firms, with 9,800 professionals and staff operating across four continents, CMS has first-hand experience of employment matters of all kinds. As a dynamic, multi-cultural international business, we are tackling these same challenges as our clients. In many cases we are finding solutions together.

If there is an employment initiative you'd like to partner on with CMS in this new world of work, or any legal issue you need to discuss, we're here and ready to help.



Global resources at your service

CMS offers you the experience and resources of a global team of employment specialists. If your business crosses borders, the CMS Employment team of over 600 employment specialists advises on employment law issues affecting cross-border business, from the impact of mergers, to outsourcing, compliance, wage taxes and GDPR to stock ownership schemes and dispute resolution.

We work at the cutting-edge of industry developments, combining deep local expertise with a global outlook. Our team members know each other well and work together often, developing a deep understanding of clients and their businesses.



One-stop-shop

Our employment specialists are sector-focused with a clear understanding of the nuances of different industries and how our advice must be structured to be as practical and commercial as possible. As well as the day-to-day, we advise clients on highly technical employment matters such as complex business reorganisations and restructurings, global outsourcings, Employment Tribunal and High Court

litigation, and major corporate and commercial transactions. Employment issues require expertise in other areas, such as corporate law for restructuring cases, or tax law relating to senior management contracts and international mobility. We work closely with experts from around CMS to deliver the right one-stop-shop team every time.



A complete pensions service

Whether you need support on the day-to-day running of your pension scheme, maintaining compliance with ever-changing law,

investment, de-risking, litigation or benefit changes, the top tier award-winning CMS Pensions team can advise.

A vertical photograph on the left side of the page shows a person's hand holding a tablet computer. The hand is positioned over a laptop keyboard. A pink sticky note with the handwritten text "MEETING AT 12" is placed on the keyboard. The background includes a desk with papers and a pencil.

Case studies

Employment aspects in Asterion's Acquisition of STEAG GmbH

Asterion Industrial Partners, a Spanish infrastructure investor, has acquired STEAG GmbH, an energy company based in Essen, Germany, for €2.6 billion.

The deal is set to close in December this year. STEAG, which includes both renewable energy (through its subsidiary Iqony) and fossil fuel operations, had been owned by Kommunale Beteiligungsgesellschaft (KSBG), representing six municipal utilities in the Ruhr district, since 2014.

A significant aspect of the sale involved employment law and pension-related matters. Our team played a key role in advising on these issues, covering strategic HR and pension concerns, both in Germany and in international jurisdictions such as Botswana, Brazil, Türkiye, and India. Prior to the sale, the company was restructured, dividing the coal and green energy divisions, with the restructuring process addressing complex employment concerns such as harmonising collective pay agreements and creating new supervisory board structures.

Advising Balfour Beatty Pension Fund on £1.7bn longevity transaction

The Trustee of Balfour Beatty Pension Fund (the Trustee) relied on the CMS multidisciplinary team to advise in relation to its £1.7 billion longevity transaction with SCOR and Zurich Assurance. The transaction aims to secure the Pension Fund against the risk of rising costs from pensioner members and their dependants living longer than expected. The members from CMS's Pensions, Finance, Tech & Media, and Tax departments, worked closely with the Trustee and their actuarial adviser, Aon, to secure a favorable outcome for the scheme members.

Tom Scott, partner at Aon, added: "We were pleased to support the Trustee with the successful execution of this transaction, which marks a further step in the fund's de-risking journey. The transaction is further evidence of a vibrant insurance/reinsurance market which is offering commercially attractive pricing and terms to pension schemes."

This longevity transaction adds to CMS's market-leading reputation in advising pension schemes on de-risking transactions. In 2021, the firm advised on 23 de-risking transactions, with a combined value of over £15bn. Some of the firm's notable transactions include advising the Trustee of the WH Smith Pension Trust on a £1bn residual risks buy-in with Standard Life and the Trustee of De La Rue Pension Scheme in relation to its £320m buy-in with Scottish Widows.



CMS Employment & Pensions at a glance

» Tier #1 in Austria, Croatia,
Germany, Hungary, Poland,
Portugal, Serbia, United
Kingdom and Ukraine

Legal 500, Employment

» Tier #2 in Belgium, France,
Norway, Romania, Slovakia
and Switzerland

Legal 500, Employment

Over 30 employment
law professionals
ranked or recognised
by Chambers



» Band 1
Europe-wide

*Chambers Europe,
Employment*

160+

Partners

600+

Lawyers

Leading firm in the category of
**Labour & Employment in the EMEA
region for 2022**

Who's Who Legal

"Global powerhouse"

*International
Employment Lawyer, 2022*

**Clients across a range of sectors including financial
institutions, life sciences, TMT, construction, energy,
consumer products.**

**European Pensions Law Firm of the Year European
Pensions Awards 2023 (3rd years in a row)**

Top ranked by JUVE in Austria and Germany for over a decade.

Our track record



General employment advice

Primark

on the establishment of its business across the CEE region (establishing working regulations and policies, drafting employment contracts, setting up recruitment and payroll processes, data protection, and on all day-to-day employment issue).

Corning

on a range of employment matters, including on day-to-day advice on employment contracts and terminations, as well as assisting with significant issues as they arise.

Nordex

on the sale of its European wind and photovoltaic development pipeline to RWE. We provided co-ordinating advice from CMS offices in France, Spain and Poland and the Netherlands, as well as from Sweden, and covered issues in multiple other jurisdictions.



Expat desk and immigration

An internationally leading supplier of integral lighting solutions

on posting workers to multiple jurisdictions and creating a matrix indicating risks related to regulations governing expatriate issues.

Airbus Colombia

on labour law issues concerning expatriate managers and their benefits schemes assistant with the migratory procedures in obtaining work visas for foreign employees.

Colgate Palmolive

on the full scale of employment legal and tax matters in Croatia, including support with social security and taxation matters relating to posting to other EU member state and a group-wide restructuring.



Supporting restructuring and reorganisation

E.ON

on the employment law aspects of the EUR43 billion worth acquisition by E.ON of RWE's majority stake in innogy which involved a considerable downsizing of around 6% of the combined workforce.

Coty

on labour and employment law-related matters across multiple jurisdictions in connection with the separation of its Professional and Retail Hair business (including the Wella, Clairol, OPI and ghb brands) to a joint venture formed with KKR, creating the new Wella group.



Pensions, social security and tax

Deutsche Bank

Advising the Trustee of the DB (UK) Pension Scheme on a GBP570 million pensioner buy-in transaction with Legal & General Assurance Society Limited. The buy-in represents the first step on the Scheme's de-risking strategy of reaching full insurance over the medium term.

Commonwealth Bank of Australia

Advised the Trustee of the Commonwealth Bank of Australia (UK) Staff Benefits Scheme in relation to a c.GBP 420m full buy-in with Legal & General Assurance Society Ltd (LGAS). This transaction covers all of the Scheme's defined benefit members comprising approximately 440 non-retired members and 740 retirees.

Trustees of the Musicians' Union Permanent Officials and Staff Pension Fund

Advising on the £13m bulk purchase annuity full buy-out transaction by Aviva, the UK insurance, wealth & retirement business. Aviva will insure the defined benefit pension liabilities for all members, removing the investment and longevity risk of these members from the scheme.



'CMS has the ability to mobilise multidisciplinary teams.'

Chambers Europe 2024



'I have every confidence every time I reach out to CMS that their support and advice will be robust and clear.'

Chambers Europe 2021



'Every lawyer I have dealt with has been pleasant, and having a firm that I both trust and enjoy working with makes a lot of difference.'

Chambers Global 2022

IT-based solutions

Developing IT-based solutions

Working on large matters involving copious paperwork and multiple jurisdictions calls for creative thinking and innovative use of artificial intelligence applications. We have our own IT-based solutions, and we also offer our expertise to help you develop yours.

Innovation and Resources Team

We have a dedicated Innovation and Resources Team whose sole remit is to investigate and pilot new technologies, services and business models, to ensure CMS is at the cutting edge of developments in legaltech. We have won FT Innovation Awards for our approach and are the only law firm in Europe utilising some of these new technologies.

Increasing efficiency and reducing costs

Disputes often involve large volumes of documentation. Our CMS e-disclosure team, CMS Evidence, provides the latest e-disclosure tools to review, analyse and organise documents in a cost-effective way. It means that we can scope, budget and manage the entire disclosure process from start to finish, saving time and money.

Due diligence, data and contract analysis can be time-consuming and complex. We use AI tools to review large swathes of information quickly and cost-effectively. The software enables us to cluster, compare, analyse and visualise data from multiple sources and search thousands of documents accurately.

Mobilising after a data breach

Companies are rightly devoting more and more resources to cybersecurity, but most will still suffer a breach sometime. With brand reputation and customer trust at risk, as well as intellectual property and data privacy, the cost of data breaches and increasingly sophisticated cyberattacks is increasing. A rapid response in the aftermath of a breach is critical. CMS can help. Our Breach Assistant app helps you to understand the priority actions you should take when faced with a breach and you can contact CMS data breach response lawyers at the touch of a button.

Download the app from breachassistant.com



Knowledge sharing

Knowing our client's business is our main priority. At CMS, we understand that, as business environments evolve, our role is to guide you through challenging times and help you benefit from opportunities. We share our employment and pensions law knowledge with you in many ways.

Law-Now

Our award-winning online information service helps CMS clients and contacts keep up to date with the latest legal developments. Over 14,500 people have already subscribed to receive updates from our employment and pensions teams. Register at cms-lawnow.com

CMS Expert Guide to whistleblower protection & reporting channels

The guide compares not just how the directive has been implemented in each EU country, but the broader legal situation on whistleblower protection and requirements for reporting channels across over 30 jurisdictions worldwide. Our concern is to help international companies put measures and systems in place to ensure that they have ways of sensitively addressing their employees' concerns about alleged wrongdoing without exposing themselves to the unnecessary risks of litigation.

CMS Expert Guide to vaccination and testing for employers

This CMS Expert Guide answers any questions you may have on testing and vaccinations in the country in which you do business. Find it at cms.law

Horizon scanner

Our quarterly newsletter 'On your radar' features expert analysis and practical action points covering key developments in the labour law market across a range of jurisdictions.

Employment webinars

CMS stays on top of the news agenda, regulatory discussions and new legislation in the industries we serve and the countries we work in, and we share our insights with you via regular webinars.

CMS Expat Desk

To clients operating cross-border or looking to relocate executives or employees we offer the services of our Expat Desk. Our teams are ready to help you manage the employment, tax, visa (immigration) and social security aspects of relocation.

S in ESG

As an ESG law firm, with in-depth expertise across multiple sectors, we can advise clients on all areas of ESG-related law. Our employment lawyers can help address issues related to the S in ESG.

Staff

> 9,800

59,3% female

Lawyers

> 6,300

51,1% female



54 new
partners in 2023,
taking the total
to over
1,300



19 Practice and Sector Groups
working across offices

offices

84

cities

79

countries

47



The Americas

Bogotá
Cúcuta
Lima
Mexico City
Rio de Janeiro
Santiago de Chile
São Paulo

Europe

Aberdeen
Amsterdam
Antwerp
Barcelona
Belgrade
Bergen
Berlin
Bratislava
Bristol
Brussels
Bucharest
Budapest
Cologne
Dublin
Duesseldorf
Edinburgh
Frankfurt
Funchal
Geneva
Glasgow
Gothenburg
Hamburg
Istanbul
Kyiv
Leipzig
Lisbon
Liverpool
Ljubljana
London
Luxembourg
Lyon
Madrid
Manchester
Milan
Monaco
Munich
Oslo
Paris
Podgorica
Poznan
Prague
Reading
Rome
Sarajevo
Sheffield
Skopje
Sofia
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Stockholm
Strasbourg
Stuttgart
Tirana
Vienna
Warsaw
Zagreb
Zurich

Casablanca
Johannesburg
Luanda
Maputo
Mombasa
Nairobi

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Muscat
Riyadh
Tel Aviv

Middle East

Beijing
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Shanghai
Singapore

Asia-Pacific

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Further information can be found at **cms.law**