

Your World First

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Law . Tax

# Employment challenge

Global and growing practice

June 2018

# CMS Employment Group

## Why CMS?

- CMS covers 42 jurisdictions worldwide and has the largest employment team in Europe. It offers co-ordinated cross-border advice through a single point of contact. This means clients deal with a local firm in their own country and in their own language whilst also benefiting from the integrated expertise of a wide multi-jurisdictional team of round 4,500 lawyers, from whom the employment team accounts for over 400 lawyers.
- Operating under a common identity, the CMS firms have a long history of satisfied clients and are often leading names in their respective jurisdictions. They together represent a formidable force within the professional services market. Each CMS firm has a deep understanding of its home market and an extensive network of contacts with fellow professionals and institutions. Each firm is accustomed to making deals happen, both at home and abroad. Each has a commercial approach to advising clients and an entrepreneurial attitude to the development of their clients' businesses.

## Who do we work for?

- Our experienced and renowned team acts for clients across the whole spectrum of commerce and industry, including major public companies, multinationals, banks and other financial institutions, professional firms, public sector bodies, start-ups, high profile executives, and indeed many small and medium-sized businesses.
- Our client profile reflects the strengths of CMS in key sectors of industry including construction & development, consumer products, energy & utilities, financial institutions & services, hotels & leisure, infrastructure & project finance, lifesciences and TMC. Close familiarity with the business sectors and businesses of clients are, in addition to extensive legal knowledge and experience, an indispensable foundation for the thorough legal advice we provide.

### Global Firm

**Over 110 Partners**  
**Over 300 lawyers**

### Household name

Clients in the lifescience, TMC, technology, banking, construction, consumer products sectors...



## What do we offer?

- The CMS employment team advises on employment law issues affecting businesses across Europe and beyond. These may include:
  - the effects of mergers, acquisitions, outsourcing, off-shoring, nationalisation, and privatisation;
  - workers' councils' co-determination rights at company, national and international level;
  - compliance with national and international laws and standards, including changes in remuneration;
  - behaviour at work, misconduct and discrimination issues;
  - individual and collective dismissals and severance agreements;
  - GDPR;
  - new forms of employment;
  - employee share/stock ownership schemes and employee pension schemes;
  - wage tax, fringe benefits, social security matters, expat regulations and cross-border secondments;
  - dispute resolution, litigation and mediation with respect to employment and pensions matters, including labour law/trade union issues/disputes;
  - employee non-competition and confidentiality commitment procedures; and
  - employment contracts, policy advice, shop agreements and collective agreements.
- Because they are so complex, employment issues require expertise from other areas, such as corporate law for restructuring cases or tax law when dealing with senior management contracts and international mobility. Where necessary, the CMS Employment Group works closely together with specialists from other practice area groups and specialist CMS groups.



**Caroline Froger-Michon and Christopher Jordan**  
*CMS Employment Practice Area Group*



# Our clients about us



Market commentators describe the firm as the *“strongest team in Vienna”* and enthuse that it is the *“best and broadest employment law team”*.

*Chambers 2018 on CMS Employment  
Department in Austria*



Clients also appreciate that the lawyers are *“very responsive”* and deliver *“quick answers and implementable solutions”*.

*Chambers 2018 on CMS Employment  
Department in Germany*



CMS France lawyers are admired for their *“quick response rate, and technical and strategic vision”*.

*Chambers 2018 on CMS Employment  
Department in France*



When it comes to employment law, they certainly dominate.

*Chambers 2018 on CMS Employment  
Department in Hungary*



I have got the best opinion about the firm’s labour and employment services. The lawyers are efficient in the delivery, they are available to discuss the topics and they understand our business and our needs.

*Chambers 2017 on CMS Employment  
Department in Chile*



They give me more sophisticated solutions and tailor-made answers.

*Chambers 2018 on CMS Employment  
Department in Poland*



"They are one of the best and are highly responsive," whilst further sources describe the firm as "super-efficient."

*Chambers 2017 on CMS Employment  
Department in Peru*



They cover all the different environmental aspects, whether that be climate change, products regulation, contaminated land, waste regulations or disputes. They have breadth and coverage in the UK and across the EU.

*Chambers 2018 on CMS Employment  
Department in London*



They give us legal facts and highlight any risks. They are solution-driven and supportive.

*Chambers 2018 on CMS Employment  
Department in Poland*



Their particular strengths are their personable approach, seamless service delivery and strategic foresight and insight.

*Chambers 2018 on CMS Employment  
Department in Scotland*



"The department's main strength is to present a solution that suits the client and the specific demands of the business."

*Chambers 2018 on CMS Employment  
Department in Portugal*



The French enjoyment team is praised for its "excellent technical expertise combined with great pragmatism."

*Chambers 2018 on CMS Employment  
Department in France*



"They always give several solutions," a source says, adding: "They know how to resolve problems."

*Chambers 2018 on CMS Employment  
Department in Russia*



## Track record

In the last 12 months, our employment law team structured, executed and managed hundreds of cross-border projects. Our team counts round 400 CMS employment law experts, well known to each other from former and current projects, and the close collaboration within the team ensures the legally correct implementation of your projects on an international level. This is why we are a trusted advisor to many multinationals in their M&A and other transactions, as well as in their everyday business.

Given the great number of cross-border projects that we are dealing with, our team is able to anticipate legal specifications and possible restrictions in advance, benefiting your project even further.

- Providing extensive advice across multiple jurisdictions to the American multinational information technology company in connection with the takeover of Samsung's printer business. The mandate included coordination of 45 countries involved in the takeover, advice on the employment aspects of the transaction, complex issues relating to occupational pension schemes and benefits programs, as well as the operational transfer with several thousand employees.
- Represented a FTSE 250 cloud based managed services technology business in a highly sensitive sex discrimination grievance, disciplinary and employment tribunal complaint.
- Advising the leading international law firm in discussions with its lender and then subsequently on the client's demise into administration.



Clients praise the firm's *"fast responses even in complex international topics,"* adding that *"the solutions were not theoretical, but practical and therefore ready to implement."*

The team wins further praise for its international capabilities, with one source noting that it is *"a very competent team that is able to cover many important markets."*

*Chambers 2018 on CMS Europe-wide Employment Department*



- Advising the world's leading supplier of laser solutions on all employment aspects in a takeover transaction spreading across around 40 countries.
- Assisting a Japanese multinational automobile manufacturer in the reorganisation and restructuring of Nissan Guarantee and Spare Parts' activities throughout Europe (21 countries involved), involving operational, tax and employment law matters.
- Advising a French company specialising in metallic and organic steel coating on a site closure resulting in more than 200 dismissals.
- Advising a recruitment and training company with 600 agencies in 15 countries on its transformation from a listed company into a European company. The transformation impacted more than 20,000 employees (permanent and temporary employees) working for the company and its subsidiaries.
- Advising a French hotel group which operates in 92 countries on a transaction involving 85 hotels in Europe, for an asset value of EUR 504m.
- Advising the global innovator in executive search/recruitment in an acquisition and a project involving a high-level employment and pensions due diligence, providing advice regarding non-competition and working closely on related restructuring, including both retention and redundancy management.
- Advising an online food delivery company in eight European and Asian jurisdictions on various employment law matters which includes advising with regard to the liability in respect to work accident insurances, health & safety training for deliverers.
- Advising a pioneering technology leader in electrification products, robotics and motion, industrial automation and power grids on all matters relating to the acquisition of the mission-critical communication business. This acquisition supported by our Swiss and German teams will enhance the client's industry-leading digital offering.
- Advising an AIM-listed internet of things business in relation to the employment aspects of allegations made in the press concerning its CEO allegedly being wanted by the US authorities for over 20 years for fraud, as well as allegations regarding the timing of certain share trades by directors of the company.
- Advising on the liquidation process for a Polish company and the Czech and Ukrainian branch of a global strategy consulting firm headquartered in Germany. The advice involved preparing individual termination documents, advice on handling the termination meeting and employment related post-termination steps.
- Advising an American multinational technology company on employment matters in various jurisdictions.
- Represented a multinational construction company headquartered in United Kingdom in a complex race/sex/maternity discrimination claim and whistleblowing claim brought by their former in-house employment lawyer.

# Knowledge-sharing

Your World First is our commitment to be client-centric. Knowing our client's business is our main concern. At CMS, we understand that as business environments are changing, it is our task to guide you through challenging times and help you benefit from the opportunities that arise. To achieve that we share our knowledge and experience in the field of labour law with you.

Our lawyers are regularly invited to speak at conferences on a wide variety of topical employment law issues and CMS staff regularly publish books and articles on employment and pensions law developments.

## Guides and Newsletters

Recent publications include the **Guides to Dismissals for Europe, Latin America and Asia** (February 2018), **CMS Guide to Pensions** (March 2018), **CMS Guide to Labour Law in Central Eastern Europe** (April 2018), as well as our quarterly **On Your Radar** publication.

Please download or register for our publications via our website [cms.law](http://cms.law).

## LawNow

Also available is LawNow, the free online CMS information service which assists clients and contacts in keeping up-to-date with the latest legal developments.

Visit us at <http://www.cms-lawnow.com/area-of-law/employment>.

## Webinars

The CMS Employment Group started the webinar series in 2015 with **Restrictive covenants in employment contracts**. In 2016/2017, we organised a webinar series **M&A: HR Do's and Don'ts**. In 2017/2018, we held the webinar series **Work smart, not hard. Legal challenges of a modern workplace** in 23 jurisdictions.





**Some of the participants  
have commented**



Really good, concise, presentation on screen and audio explanation well in tune.



I liked it very much and I think it is a format to repeat.



Very practical to get an overview.



Very clear, very well communicated.



Excellent, 5 stars. I think the format is extremely good, especially as CMS uses it across all webinars and we get used to it.



Very useful. Sometimes short seminars or webinars with general information are necessary.



Very easy to follow, especially by having the materials ahead of the presentation.



Very good overview and very informative.



Good, great quality, easy to sign in.



Please continue with comparable topics.

Be on the lookout for more events on our webpage [cms.law!](https://cms.law!)

# Awards



**Chambers Euro-Wide ranking**  
Band 2, 2017



**Employer of Choice 2017 (China)**  
Asian Legal Business, 2017

**Our employment departments are highly ranked by Chambers** in Austria, France, Germany, Hungary, Bulgaria, Chile, Poland, Portugal, Peru, Russia, Scotland, Serbia, Ukraine, UK (London), Belgium and in many other jurisdictions



**Times Top 50 Employers for Women (UK)**  
2017



**Leading Employment Law Firm of the Year in Germany since several years**

Kanzleimonitor 2017–2018  
(of the German Association of General Counsel)



**Poland Client Service Law firm of the Year (Poland),**  
Chambers Europe Awards, 2017



**Human Resources Firm of the Year (UK)**  
Legal 500 UK Awards, 2014

**Recommended Firm 2017 (Peru),**  
Latin Lawyers 250, 2017



**Law Firm of the Year Employment (Germany)**  
Juve Awards, 2016



**China Business Law Awards**  
China Business Law Journal 2016



**Law Firm Business Development Award (Germany)**  
PMN Management Awards, 2016



**Best Law Firm (UK)**  
Engaged Investor Trustee Awards 2015



**Top employer (Germany)**  
Azur Awards 2018



**Law Firm of the Year (Central and Eastern Europe)**  
Chambers Europe Awards for Excellence, 2016



Caroline Froger-Michon, the Co-Head of the CMS Employment Group and partner in CMS France, is the Winner of the **Client Choice Award in the area Employment & Benefits.**

# About CMS

## What is CMS?

CMS is one of the top five legal services providers in Europe measured by fee income, number of offices, number of partners and total head count. CMS was established in 1999 and today comprises 14 CMS firms, employing over 4,500 lawyers, in 74 offices covering 42 jurisdictions (including an unrivalled presence in Central and Eastern Europe).

## Adding value

In committing to really understanding your business, strategy, culture and the risks, challenges and opportunities in your sector, we aim to act as valued business partners.

Wherever and whenever you work with CMS, our advice is always both practical and commercial. We take a down-to-earth approach to legal and tax services, taking care of the details and looking out for the big picture benefits for your business, far and wide.

Making a difference to your business is the focus of our business. Meeting your objectives and contributing to your success.

By focusing on sectors, we offer technical expertise with business understanding. We share knowledge and co-ordinate project expertise to deliver exceptional quality and value to your business, cost-effectively.

## Your world first

We deliver real value because we put total client understanding and commitment ahead of everything else. Looking out for your business makes our business grow.

As a client, 'Your World First' means your issues and objectives are paramount wherever and whenever you work with CMS.

In all our work with you, we are committed to providing the technical rigour, strategic excellence and long-term partnership focus to help keep you ahead in your chosen markets.

For CMS people, connecting with and making a difference to your world is our mission, our motivation, and the measure of our success.

## Client Service Commitment

We take the same approach to service delivery everywhere based on a common training programme and a shared understanding of what our clients value most. The CMS Client Service Commitment guides all our lawyers and focuses on four key elements that we know matter to you: quality, the correct resourcing, efficiency and transparent fees.

Your satisfaction with our performance drives our efforts to continuously improve our service. Through regular exchange of information and independent feedback we identify opportunities to reach higher levels of efficiency and effectiveness in service delivery.





# Contacts

For more information about our Employment & Pensions group, please visit [cms.law](https://cms.law) and also contact our CMS Employment team at: [employment@cmslegal.com](mailto:employment@cmslegal.com)

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## Africa





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**CMS locations:**

Aberdeen, Algiers, Amsterdam, Antwerp, Barcelona, Beijing, Belgrade, Berlin, Bogotá, Bratislava, Bristol, Brussels, Bucharest, Budapest, Casablanca, Cologne, Dubai, Duesseldorf, Edinburgh, Frankfurt, Funchal, Geneva, Glasgow, Hamburg, Hong Kong, Istanbul, Kyiv, Leipzig, Lima, Lisbon, Ljubljana, London, Luanda, Luxembourg, Lyon, Madrid, Manchester, Mexico City, Milan, Monaco, Moscow, Munich, Muscat, Paris, Podgorica, Poznan, Prague, Reading, Rio de Janeiro, Riyadh, Rome, Santiago de Chile, Sarajevo, Seville, Shanghai, Sheffield, Singapore, Skopje, Sofia, Strasbourg, Stuttgart, Tehran, Tirana, Utrecht, Vienna, Warsaw, Zagreb and Zurich.

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