

Your World First

C/M/S/

Law . Tax

Employment challenge

Global and growing practice

May 2019

CMS Employment Group

Why CMS?

- CMS covers 41 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 more than 4,800 lawyers, from whom the employment team accounts for over 430 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 many small and medium-sized businesses.
- Our client profile reflects the strengths of CMS in key industry sectors including real estate & construction, consumer products, energy & utilities, insurance & funds, hotels & leisure, infrastructure & project finance, lifesciences and TMT. Close familiarity with the business sectors and clients' businesses are, in addition to extensive legal knowledge and experience, an indispensable foundation for the thorough legal advice we provide.

Global Firm

Over 115 partners
Over 315 other lawyers

Household name

Clients in the lifesciences, TMT, insurance and funds, real estate and 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

» "It feels like you have regular contact and [they] all know each other. I feel like you have that background effort that goes on and we really can work with you across multiple jurisdictions."

*Director of Human Resources, EMEA,
from a global consulting company*

» "There is hardly anything I can imagine at the moment that I couldn't go to them with. [CMS] really can be this one-stop shop – that's a very comforting thing for us"

*Partner in an international producer
of high-quality pet food*

» Clients also hail the lawyers as "very responsive, business-minded and reliable."

*Chambers 2019 on CMS Employment
Department in Belgium*

» Sources also attest that the group "takes its clients' interests very much to heart."

*Chambers 2019 on CMS Employment
Department in France*

» Another commentator appreciates the collaboration within the team, stating that the lawyers are "super aligned, they are all good and up to speed and provide perfect accuracy."

*Chambers 2019 on CMS Employment
Department in Germany*



» One interviewee says: “What I really value about CMS is that the lawyers are very specialised, have a very hands-on approach and offer pragmatic solutions.”

*Chambers 2019 on CMS Employment
Department in Austria*

» Clients say: “The legal solutions they offer demonstrate a good understanding of the business requirements, as well as being excellent, practical legal advice and guidance.”

*Chambers 2019 on CMS Employment
Department in Scotland*

» Clients underline the group’s expertise, stating that team members are “able to answer complex questions on the spot and give multiple solutions to any issue.”

*Chambers 2019 on CMS Employment
Department in Portugal*

» Clients are full of praise for the firm’s “great credibility and ample knowledge of Peruvian labour legislation,” with one interviewee noting: “I value their legal analysis and opinions, which are useful for making business decisions.”

*Chambers 2019 on CMS Employment
Department in Peru*

» Sources frequently highlight the lawyers for their level of preparation and communication style, with one reporting: “They constantly provide us with a very high level of quality service.”

*Chambers 2019 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 around 430 CMS employment law experts, well known to each other from former and current projects. 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 we deal with, our team is able to anticipate legal specifications and possible restrictions in advance, benefiting your project even further.

Some of our recent successes include:

- Providing extensive advice across multiple jurisdictions to a multinational American 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.
- Advising a leading international law firm in discussions with its lender and then subsequently on the client's demise into administration.
- Advising a multinational beauty company on the implementation of a global hotline, providing the client with easy access to day-to-day employment law support, as well as advising in-country across numerous jurisdictions on other key employment mandates.



"Clients appreciate the firm's "thoroughness, regardless of the complexity of the matter," adding that "each client matters and is important to them, and they provide smart solutions."

"One source said: "They are very responsive, business-minded and reliable; it's a very good and very easy working relationship.""

Chambers Europe, 2019



- Advising on pension funds across Europe on a legal compliance review, including compliance with GDPR, with the outsourcing guidelines of the FSMA and the legislation relating to benefit statements.
- 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 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 on the liability for work-related accident insurance and 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 a 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 on the employment aspects of allegations made in the press about its CEO. The press alleged he had been wanted by the US authorities for over 20 years for fraud. They made further allegations about the timing of certain share trades by directors of the company.
- Advising the global airline on all employment issues in the UK and coordinating the harmonisation of employee T&Cs, contracts of employment and employment policies across 34 jurisdictions in Europe. We also advised on their international employment model and strategy.
- Represented a multinational construction company headquartered in the United Kingdom in a complex race/sex/maternity discrimination claim and whistleblowing claim brought by their former in-house employment lawyer.
- Advising a security company operating in over 50 countries worldwide on a reorganisation involving the introduction of a cross-border reporting matrix structure across 17 countries.

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 **CMS Guide to Employment Issues in M&A Transactions** (March 2019), **Guides to Dismissals for Europe, Latin America and Asia** (January 2019), **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.

Law-Now

Also available is Law-Now, 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 Dos and Don'ts**. In 2017/2018, we held the webinar series **Work smart, not hard. Legal challenges of a modern workplace** in 23 jurisdictions. The series 2018/2019 covered the topic of **Cross-border restructuring – national and regional perspectives**.



**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!

Awards



Chambers Euro-Wide ranking
Band 2, 2018



Leading Firm, receiving the majority of the overall recommendations (Germany)
Kanzleimonitor.de, 2018–2019

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 and 29 individuals are recognised for their expertise in the area of employment law.



Law firm of the year – Labour and Employment Law (France), 2018, Best Lawyers

Legal 500 ranks us in tier 1 in Scotland, Thames Valley, Austria, Germany, France, Algeria, Croatia, Hungary, Morocco, Poland and Ukraine and in tier 2 in London, Sheffield, Serbia, Chile, Portugal, Romania and Switzerland for Employment.



Employer of Choice by Thomson Reuters Asian Legal Business (ALB)
CMS China, 2018/2019



Juve 2018, ranked number 1 in Austria and Germany. In Austria, CMS is the only law firm ranked number one in this practice area.



Times Top 50 Employers for Women (UK)
2018



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

Recommended Firm 2017 (Peru)
Latin Lawyers 250, 2017



Top employer (Germany)
Azur Awards 2019

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



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

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 15 CMS firms; it employs more than 4,800 lawyers in 72 offices and covers 41 jurisdictions (including an unrivalled presence in Central and Eastern Europe).

Adding value

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

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, attentive to the details while always mindful of the big-picture benefits for your business.

Making a difference to *your* business is the focus of *our* business. We strive to help you meet your objectives and contribute to your success.

By focusing on specific industry sectors, we offer technical expertise alongside business understanding. We share knowledge and coordinate project expertise to deliver exceptional quality and value to your business.

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, appropriate resourcing, efficiency and transparent fees.

By regularly exchanging information and soliciting 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 and also contact our CMS Employment team at: employment@cmslegal.com

Albania

CMS Adonnino Ascoli
& Cavasola Scamoni Sh.p.k.
Tirana
T +355 4 430 2123

Algeria

CMS Francis Lefebvre Algérie
Conseil juridique et fiscal
Algiers
T +213 2 160 1397

Austria

CMS Reich-Rohrwig Hainz
Rechtsanwälte GmbH
Vienna
T +43 1 40443 0

Belgium

CMS DeBacker
Antwerp
T +32 3 20601 40

Brussels
T +32 2 74369 00

CMS Derks Star Busmann
CMS EU Law Office
Brussels
T +32 2 6500 450

CMS Hasche Sigle
CMS EU Law Office
Brussels
T +32 2 6500 420

Bosnia and Herzegovina

Attorney at law in cooperation with
CMS Reich-Rohrwig Hainz d.o.o.
Sarajevo
T +387 33 94 4600

Brazil

CMS Cameron McKenna
Nabarro Olswang LLP
Consultores em Direito Estrangeiro
Rio de Janeiro
T +55 21 3722 9830

Bulgaria

CMS Sofia
Sofia
T +359 2 92199 10
T +359 2 447 1350

Chile

CMS Carey & Allende
Santiago de Chile
T +562 24852 000

China

CMS, China
Beijing
T +86 10 8527 0259

Shanghai
T +86 21 6289 6363

Colombia

CMS Rodríguez-Azuero
Bogotá D.C.
T +57 1 321 8910

Croatia

CMS Reich-Rohrwig Hainz
Zagreb
T +385 1 4825 600

Czech Republic

CMS Cameron McKenna
Nabarro Olswang, advokáti, v.o.s.
Prague
T +420 2 96798 111

France

CMS Francis Lefebvre Lyon Avocats
Lyon
T +33 4 7895 4799

CMS Francis Lefebvre Avocats
Paris
T +33 1 4738 5500

Strasbourg
T +33 3 9022 1420

Germany

CMS Hasche Sigle
Berlin
T +49 30 20360 0

Cologne
T +49 221 7716 0

Duesseldorf
T +49 211 4934 0

Frankfurt
T +49 69 71701 0

Hamburg
T +49 40 37630 0

Leipzig
T +49 341 21672 0

Munich
T +49 89 23807 0

Stuttgart
T +49 711 9764 0

Hong Kong

CMS Hasche Sigle, Hong Kong LLP
Hong Kong
T +852 3758 2215

Hungary

CMS Cameron McKenna
Nabarro Olswang LLP
Magyarországi Fióktelepe
Budapest
T +36 1 48348 00

Italy

CMS Adonnino Ascoli
& Cavasola Scamoni
Milan
T +39 02 89283 800

Rome
T +39 06 4781 51

Luxembourg

CMS DeBacker Luxembourg
Luxembourg
T +352 26 2753 1

Republic of North Macedonia

CMS Reich-Rohrwig Hainz
dooel Skopje
Skopje
T +389 2 31538 00

Mexico

Woodhouse Lorente Ludlow
Mexico City
T +52 55 2623 0552

Monaco

CMS Pasquier Ciulla Marquet
& Pastor
Monaco
T +377 97 98 42 24

Montenegro

CMS Reich-Rohrwig Hainz d.o.o.
Podgorica
T +382 20 4160 70

Morocco

CMS Francis Lefebvre Maroc
Conseil juridique et fiscal
Casablanca
T +212 522 2286 86

The Netherlands

CMS
Amsterdam
T +31 20 3016 301

Utrecht
T +31 30 2121 111

Oman

CMS Cameron McKenna
Nabarro Olswang LLP
Muscat
T +968 2204 1199

Peru

CMS Grau
Lima
T +51 1 513 9430

Poland

CMS Cameron McKenna Nabarro
Olswang Pośniak i Sawicki sp.k.
Warsaw
T +48 22 520 5555

Portugal

CMS Rui Pena & Arnaut
Funchal
T +351 291 220 631

Lisbon
T +351 21 09581 00

Romania

CMS Cameron McKenna
Nabarro Olswang SCA
Bucharest
T +40 21 4073 800

Russia

CMS Russia
Moscow
T +7 495 786 4000

Serbia

Petrikic & Partneri AOD
in cooperation with
CMS Reich-Rohrwig Hainz
Belgrade
T +381 11 3208 900

Singapore

CMS Cameron McKenna
Nabarro Olswang (Singapore) LLP
& Holborn Law
Singapore
T +65 6720 8278

Slovakia

CMS Slovakia
Bratislava
T +421 2 2211 1500
T +421 2 3214 1414

Slovenia

CMS Reich-Rohrwig Hainz
Ljubljana
T +386 1 62052 10

Spain

CMS Albiñana & Suárez de Lezo
Barcelona
T +34 93 49410 22

Madrid
T +34 91 4519 300

Seville
T +34 95 4286 102

Switzerland

CMS von Erlach Poncet Ltd.
Geneva
T +41 22 311 00 10

Zurich
T +41 44 285 11 11

Turkey

CMS, Turkey
Istanbul
T +90 212 401 4260

Ukraine

CMS Cameron McKenna
Nabarro Olswang LLC
Kyiv
T +380 44 39133 77

CMS Reich-Rohrwig Hainz TOV
Kyiv
T +380 44 500 1718

United Arab Emirates

CMS (UAE) LLP
Dubai
T +971 4 374 2800

United Kingdom

CMS Cameron McKenna
Nabarro Olswang LLP
Aberdeen
T +44 1224 6220 02

Bristol
T +44 20 7367 3000

Edinburgh
T +44 131 228 8000

Glasgow
T +44 141 222 2200

London
T +44 20 7367 3000

Manchester
T +44 161 393 4700

Reading
T +44 20 7067 3000

Sheffield
T +44 114 279 4000



Our offices

The Americas

Bogotá
Lima
Mexico City
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Algiers
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Africa

Europe

Aberdeen
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CMS locations:

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