

In the people business

Employment





In the people business

Contact us

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Successful businesses in every sector know that employment terms, conditions and benefits are key competitive weapons in today's changing and increasingly mobile markets. Attracting and keeping talented employees – a constant challenge – has intensified as employment relationships adapt to the age of the platform worker and the emerging impact and implications of automation and digitalisation.

Employment legislation is lagging behind the pace of workplace change, often leaving employers looking for solutions in a legal vacuum. Multinational employers face the added complexity of reconciling cultural differences, divergent business climates and legal frameworks. Cross-border mergers without an effective HR plan are doomed to fail. Finding workable HR solutions when moving into new territories depends on having the right partners, a willingness to listen and cultural awareness.

The global push for major changes in the world of work – closing the gender pay gap, allowing employees to disconnect outside business hours, and encouraging diversity and inclusion – is gathering momentum. Workplaces should be free of harassment and discrimination. Will a new international focus on whistleblowing and internal investigations discourage misconduct and help employers deal with problems on their own terms? We hope so.

As one of the world's largest law firms, CMS has first-hand experience with employment matters of all kinds, simply by dealing with our own workforce of over 8,000 professionals and staff. As a dynamic international business, we are tackling the same challenges as our clients – and in many cases we are finding solutions together. If there is a project we can partner together on or if there is any matter you wish to discuss, please get in touch. We are here to help.



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

Chambers Europe 2019



Global resources at your service

CMS offers you the experience and resources of a global team of employment specialists. Over 400 lawyers work across Europe, Asia, Africa and Latin America. We work at the cutting-edge of industry developments and thought leadership,

combining deep local expertise with a global outlook. Our team members know each other well and work together often, developing a deep understanding of our clients and their businesses.



Business-focused specialists

Our employment specialists are sector-focused with a clear understanding of the issues and market trends affecting our clients and their businesses. We support you every step of the way – from day-to-day concerns

through to highly technical and complex employment matters and adapt our advice so it is 100% applicable to the industry you operate in. advice backed with exceptional legal expertise.



Meeting all your needs

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.

Case studies

Global acquisition delivers technology, patents and people

HP's USD 1bn acquisition of Samsung's global printing business was acclaimed as an industry-transforming deal. The transaction's business gains included more than 6,500 Samsung printer patents – and added the capabilities and potential of more than 6,000 employees, including 1,300 researchers and engineers.

Employment transfer was crucial to the deal's success. CMS created a global employment team for HP, spanning 45 jurisdictions and 25 offices, to handle the transaction's complex labour law issues. Project management focused on providing a centralised process for reviewing the differing mechanisms for the transfer of employees in each jurisdiction, eliminating the need for time-consuming and costly calls coordinated across multiple time zones.

CMS worked closely with HP business teams to assess and make decisions on high-value contracts that our client received clear, commercial advice in a consistent and coherent form in every country.



We are hugely grateful to the CMS team for their excellent support on this complex and unique project. We were able to take advantage of their global organisation: CMS was able to review contracts in every language we requested, often within very short time frames. Overall, we are very satisfied with CMS's project management and delivery of the project.

*Zeke Rodriguez,
Legal Counsel Global Legal Affairs,
HP Inc*

De-risking the pensions market in ground breaking deal

CMS London acted for a FTSE100 pension scheme on the completion of a longevity swap transaction with Zurich and Hannover Re, covering around GBP 800m of pensioner liabilities.

The transaction includes a significant proportion of non-UK overseas lives and will protect the Scheme from the risk of rising costs as a result of pensioner and dependent members living longer than expected.

In a market first, the transaction optimised efficiencies for the Scheme through a combination of the following:

- allowing the Scheme to have exposure to Hannover Re's credit risk;
- allowing the Scheme to benefit from Zurich retaining a substantive minority share of the longevity risk (in a product known as "Enhanced Pass Through"); and
- providing the Scheme the benefits of transacting with a UK regulated insurance company.



CMS Employment at a glance

» Tier #1 in France, Germany, Hungary and Poland

» Tier #2 in Kenya and Portugal

» Tier #2 by Chambers Europe on Europe-wide level

» 'European Pensions Law Firm of the Year'
European Pensions Awards 2019

» Pensions Law Firm of the Year'
Pension and Investment Provider Awards 2019

» Tier #1 for Pensions and Pensions Litigation in Chambers and Legal 500 for over a decade

+120 *partners*

+450 *lawyers*

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

» Leading Employment Law Firm of the Year in Germany for several years, *Kanzleimonitor 2019 – 2018*

» Law firm of the year – *Labour and Employment Law (Austria), 2019, Best Lawyers*

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

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

Our track record



Co-ordinating employment advice

Coty

Implementing a global hotline for this multinational beauty company, providing easy access to day-to-day employment law support and local advice across numerous jurisdictions on other key employment issues.

Global airline

Advising on all employment issues in the UK and coordinating the harmonisation of employee contracts and employment and policies across 34 jurisdictions in Europe. We also advised on our client's international employment model and strategy.

Patrizia Immobilien AG

The introduction of a new global remuneration scheme for all PATRIZIA companies worldwide. We advised on issues including the negotiation of the new global remuneration scheme employment contracts, and the employment and tax implications of international assignment across jurisdictions.



Supporting restructuring and reorganisation

Advance / Newhouse Partnership

The acquisition of Stage Entertainment. Advising on employment matters in connection with the transaction, which covered the UK, the Netherlands, Germany, France, Spain, Italy, Russia and Luxembourg.

Colgate-Palmolive

The EUR 1.5bn acquisition of Laboratoires Filorga Cosmétiques. A CMS team of 60 lawyers covering 11 jurisdictions advised on all employment aspects, including a complex due diligence process and the status of key managers.

Siemens Gamesa Renewable Energy (SGRE)

A global restructuring project affecting more than 6,000 employees in multiple jurisdictions including Spain, Germany, the USA, the UK, Denmark, India, Hungary, China, Sweden and Italy.



Expat desk and immigration

Konvex

Advice on the employment and tax implications of employee relocations to Italy, Chile, Equator, and Australia.

ZTE Corporation

Providing ongoing employment and immigration advice across several jurisdictions to this global leader in telecommunications and information technology.

Leading German provider of global IT- and engineering services

Developing and setting up a completely new process for dealing with a large number of international postings, covering employment, tax, social security and right of residence across multiple jurisdictions.



Pensions, social security and tax

Vestar Capital Partners

Investment into IRI Group Holdings, Inc. – providing employment benefits / pensions due diligence advice. CMS Germany coordinated a team with input from team members in France, Italy and the Netherlands, along with the input of an alliance firm in Australia.

Atos

On the significant merger of three existing schemes into a new GBP 1bn pension scheme with new funding arrangements. CMS advised on contribution deferral arrangements, bank guarantees, a parent company guarantee, complex funding arrangements and investment transition. CMS experts from the Corporate, Funds and Indirect Real Assets, Financial Regulation and Equity Capital Markets in our London, Edinburgh and Singapore offices worked on the deal enabling us to advise on every aspect of this transaction.

General Motors

Advising on the impact of the implementation of the EU Institutions for Occupational Retirement Provision Directive in Belgium, and on various pension-related matters in other jurisdictions.



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.

Horizon scanning

We work collaboratively to align processes that are directly aimed at improving ways of working together for your success. Our efforts have been recognised with the 'Best use of technology' award at the Legal Week Awards for developing a horizon-scanning / knowledge portal for Sainsbury's in conjunction with another panel firm.

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 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 12,000 people have already subscribed to receive updates from our employment and pensions teams. Register at cms-lawnow.com

Guides to Dismissals for Europe, Latin America and Asia



The CMS Guides to Dismissals series provides an easy-to-use overview of termination procedures for employees and managing directors covering 33 countries across Europe, Asia and Latin America. Find it at cms.law

CMS Expert Guide to Labour Law in Central Eastern Europe



Looking for information on employment law in the CEE countries? Our online expert guide provides information on legislation and requirements in 17 jurisdictions. Find it at cms.law

On your radar



Our quarterly newsletter 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. In our latest series, CMS experts offer a best practice guide to running internal investigations, discussing the latest developments and best practices in 24 countries.

CMS Guide to Pensions



For clients operating cross-border or looking to expand their operations into a new jurisdiction, this essential guide outlines pension provision in 34 jurisdictions. It covers pension regulation, mandatory employer contribution requirements and pension administration. Find it at cms.law

CMS Guide to Employment Issues in M&A Transactions



Employment law issues can be a significant factor in the success of an M&A deal. Information/consultation/codetermination rights, as well as sophisticated case law relating to business transfers, may jeopardise the transaction or create costs, cause administrative fines or other liabilities. This guide provides an overview of labour law requirements to consider in M&A deals across 32 jurisdictions. Download the last edition cms.law

CMS

Staff

> **8,000**

Lawyers

> **4,800**

Partners

> **1,100**

49 NEW PARTNERS IN 2019, TAKING THE TOTAL TO OVER 1,100

Operating in

70 cities

Across

43 countries

**EUR
1.426bn**
turnover for 2019

19 PRACTICE AND SECTOR GROUPS WORKING ACROSS OFFICES

» **#1 CEE, DACH, Germany** (*Mergermarket*)

» **#1 Germany, UK** (*Thomson Reuters*)

» **Top rankings in 2019 M&A League Tables** (*by deal count*)
#1 by Bloomberg in Europe, Germany and UK
#1 by Mergermarket in CEE, DACH and Germany
#1 by Thomson Reuters in Benelux and Germany

» **#1 Europe, Germany, UK** (*Bloomberg*)

The Americas

Bogotá
Lima
Mexico City
Rio de Janeiro
Santiago de Chile

Europe

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



Algiers
Casablanca
Johannesburg
Luanda
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Nairobi

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Muscat
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cms-lawnow.com

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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, Johannesburg, Kyiv, Leipzig, Lima, Lisbon, Ljubljana, London, Luanda, Luxembourg, Lyon, Madrid, Manchester, Mexico City, Milan, Mombasa, Monaco, Moscow, Munich, Muscat, Nairobi, Paris, Podgorica, Poznan, Prague, Reading, Rio de Janeiro, Riyadh, Rome, Santiago de Chile, Sarajevo, Seville, Shanghai, Sheffield, Singapore, Skopje, Sofia, Strasbourg, Stuttgart, Tirana, Utrecht, Vienna, Warsaw, Zagreb and Zurich.

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